



Report of the Subcommittee on
Public Safety

(Amendments to SB 29
And SB 30 as Introduced)

Senate Finance Committee
Virginia General Assembly

February 19, 2006

Respectfully Submitted,

The Honorable Kenneth W. Stolle, Chairman

The Honorable Walter A. Stosch

The Honorable Janet D. Howell

The Honorable Richard L. Saslaw.

The Honorable Thomas K. Norment, Jr.

The Honorable H. Russell Potts, Jr.

REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY
On Senate Bills 29 and 30, as Introduced
(February 19, 2006)

Mr. Chairman and Members of the Committee:

Your subcommittee has reviewed the provisions of Senate Bills 29 and 30, the budget bills as introduced, with respect to the Office of Public Safety. Your clear direction to us was to initiate no new programs, and to preserve general fund resources for essential funding of our existing programs.

Protecting the public safety is one of the core responsibilities of state government. To meet this challenge, the budget as introduced for the 2006-08 biennium includes total increases of \$238.7 million from the general fund, much of which is associated with the opening of four new correctional facilities which we approved in 2004, along with related increases in the cost of both adult and juvenile corrections, including both state facilities and community supervision, as well as law enforcement and emergency operations.

Our new correctional facilities opening next year include the expansion of Deerfield in Southampton County (opening in January 2007), two new medium security facilities in Tazewell County (June 2007) and Pittsylvania County (July 2007), and Phase 2 of the replacement of St. Brides Correctional Center in the City of Chesapeake. Current population trends suggest we can delay the expansion of St. Brides to late 2007, and at the same time achieve the necessary reductions in the extreme crowding in our state facilities and in the out-of-compliance backlog in regional and local jails.

Along with these new correctional facilities, we support \$6.1 million included in the introduced budget for a series of carefully targeted enhancements to existing programs to provide transitional assistance for adult and juvenile offenders returning from prison to their home communities. Our goal in strengthening these reentry programs is to reduce the level of recidivism.

In 1979 the General Assembly created a new program of state aid to localities with police departments, as part of the compromise in House Bill 599 of that year concerning annexation. The funding formula (which now distributes over \$200 million per year to localities) is primarily driven by population growth, especially in this period of low crime rates. The formula is essentially unchanged since 1979. The budget as introduced adds \$33.8 million to meet the statutorily-mandated growth in the 599 program, and the Governor has submitted an amendment, which we support, to add \$3.5 million for one year to hold those jurisdictions harmless which would otherwise lose funds.

The Governor has proposed a study of the 599 funding formula, which we support. This will be a difficult study. There is no easy solution to the problem of designing a local aid formula that satisfies both our land-locked central cities and our fast-growing suburbs. This issue will demand our careful attention.

Our most important initiative this year is the expansion of the sexually violent predator program, which was authorized in 1999 and began to move forward in 2003. The State Crime Commission has completed a major study of this issue, and we are well on our way towards implementing the commission's recommendations. Your Public Safety Subcommittee has worked closely with the Health and Human Resources Subcommittee to refine the plans and cost estimates, and to devise common-sense strategies to manage the increased cost.

Our first objective is to assure that Virginia's sex offender registry maintained by the Department of State Police is accurate -- that the offenders listed on the registry actually live where the registry says they live. This has not always been the case in the past. Not counting those who are incarcerated or live out-of-state, there are over 6,500 registered sex offenders living in Virginia's communities. And, as of July 1, all sex offenders, not just violent offenders, will be posted on the State Police web site. We are recommending \$9.5 million for the Department of State Police and \$7.5 million for the Department of Corrections to monitor these offenders, and to reduce the likelihood of repeat offenses. Our proposed amendments add 26 probation officers and 40 State Troopers, and provide for satellite tracking. These amendments will significantly enhance our efforts to protect Virginia's communities from violent sex offenders.

Our next objective is to manage the cost of this program in a responsible manner. Your subcommittee and the Health and Human Resources Subcommittee are both concerned about the potential cost escalation in the civil commitment component, which could very quickly lead to the need for an additional 200 or more beds, beyond the 100-bed secure facility which will open at Burkeville in late 2007.

In economic terms, we believe the marginal rate of return (to the safety of our communities) for the additional expenditures required if we were to expand the secure facility at Burkeville from 100 to 300 beds, is dramatically lower than the marginal rate of return on expanding our intensive community supervision program for the same offenders. In other words, the secure facility should be reserved for the most dangerous offenders, for whom there is agreement that they should not be released from prison to the community. Civil commitment and treatment in a secure facility for these offenders is an appropriate response. On the other hand, community containment strategies that have proven effective should be developed to the maximum extent possible.

Until we gain additional experience and are more confident in the population projections for this program, we believe it would not be prudent to expand the secure facility at Burkeville beyond 100 beds. At the same time, however, we believe it is essential that we strengthen our community containment program as a safe and cost-effective alternative.

Our existing sex offender containment programs have already proven their worth in our probation district offices. We have also reviewed the experience of Texas, which in 1999 pioneered an outpatient community containment program for sexually violent predators. There has been no recidivism in this program, other than technical violations of the terms of supervision. The annual cost of the Texas program is about \$30,000 per offender, compared to a range of \$70,000 to \$125,000 for inpatient commitment in 15 other states operating secure facilities for this purpose.

To build on the successful experience in community containment, we propose an additional \$1.6 million for an Intensive Community Containment Program for carefully screened offenders, who will be released from prison under mandatory parole, having served the full sentence for their crimes. Our recommended program will provide an unprecedented level of supervision - one probation officer for every ten offenders, along with satellite tracking and intense psychological treatment. The cost per offender for this program could be over \$32,000 per year - but far less than civil commitment. With this initiative, we can control the growth of the population at the new secure facility and manage the cost of the program as we move forward to protect our communities. We will work closely with your Subcommittee on Health and Human Resources to monitor the implementation of these important steps.

Addressing these requirements, along with actions to reduce expenditures and avoid new program commitments, our recommendations add a total of \$1.3 million in fiscal year 2006 and \$6.7 million in the 2006-08 biennium.

We are fortunate that Virginia's rate of violent crime remains at the relatively low level last seen in 1969. Our correctional facilities are secure and our law enforcement and emergency response capabilities are second to none. However, as you know, the challenge of crime in a free society requires constant vigilance and continuous efforts. Your subcommittee appreciates your strong support as we move forward to meet these responsibilities for public safety.

Mr. Chairman, this completes the report of your subcommittee.

REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY

(Recommended Amendments to SB 29 and SB 30, As Introduced. General Funds only. Nongeneral Funds shown as NGF.)

Amendment	FY 2006	FY 2007	FY 2008	Biennium
Secretary of Public Safety				
Sec'y PS - Report on Implementation of Sex Offender Program (SB 559)		Language		
Sec'y PS - Report on Reentry Programs		Language		
Department of Corrections				
DOC - Defer opening date for St. Brides Phase 2	(3,000,000)		(3,000,000)	(6,000,000)
DOC - Transfer 23 NGF positions to GF (GOV)	0		0	0
DOC - Restructure Sex Offender Containment Expansion	(875,077)		(1,368,052)	(2,243,129)
DOC - Intensive Community Containment Program (8 FTE)	732,138		835,138	1,567,276
DOC - Community Supervision of Sex Offenders - SB 559 (28 FTE)	2,589,015		4,896,645	7,485,660
DOC - Restore 15 Psychologists (15 FTE)	894,000		930,000	1,824,000
DOC - Mt. Rogers Correctional Center (Language: Move to PPEA Phase II)	1,500,000		0	1,500,000
DOC - Satellite Corrections Training Facility in Southwest Virginia		Language		
DOC - Medical, Mental Health and Geriatric Facilities Planning Study		Language		
DOC - Study of therapeutic incarceration program (SB 611 has been carried over)		Language		
DOC - Jail Language - Board of Corrections oversight of jails		Language		
DOC - Board of Corrections Adjustments for Jail PPEA Projects		Language		
DOC - Shenandoah-Page-Warren-Rappahannock Regional Jail		Language		
DOC - Blue Ridge Regional Jail (and include Amherst & Appomattox Counties)		Language		
DOC - Western Virginia Regional Jail, City of Roanoke		Language		
DOC - Southside Regional Jail		Language		
DOC - Brunswick County Jail		Language		
DOC - Virginia Beach City Jail		Language		
DOC - Craigsville Wastewater Treatment Plant (Language: 56% state share)	(225,000)		0	(225,000)
DOC - Craigsville Wastewater Treatment Plant - DEQ loan payment	0		120,000	120,000
DOC - Corrections Special Reserve Fund (SB 372)	384,896		0	384,896
DOC - Corrections Special Reserve Fund (SB 460)	63,684		0	63,684
DOC - Corrections Special Reserve Fund (SB 473)	7,073		0	7,073
DOC - Corrections Special Reserve Fund (SB 553)	74,218		0	74,218
DOC - Corrections Special Reserve Fund (SB 559)	2,419,496		0	2,419,496
Department of Criminal Justice Services				
HB 599 One-Year No-Loss (GOV)	3,460,129		0	3,460,129
HB 599 Formula Study (GOV)		Language		
HB 599 Withholding Language Adjustment (GOV)		Language		
Technical Transfer from DFS to DCJS (GOV)	712,629		712,629	1,425,258
Technical Transfer of 5 FTE from DCJS to DFS (GOV); add back 2 FTE	0		0	0
Replace Federal Funds for Project Exile (GOV)	207,094		207,094	414,188
Court-Appointed Special Advocates (CASA)	200,000		200,000	400,000
Virginia Crime Victim/Witness Fund - replace federal and special funds second year	0		1,000,000	1,000,000
DCJS study of funding requirements for Victim/Witness programs		Language		
Fairfax Partnership for Youth - increase from \$75,000 to \$100,000 each year	25,000		25,000	50,000

Chesterfield Community Corrections - Dual Diagnosis Day Reporting Center	338,063	338,063	676,126
New River Valley Crisis Intervention Team (Language)	150,000	150,000	300,000
Eliminate proposed anti-gang initiative (community grants)	(1,000,000)	(1,000,000)	(2,000,000)
Eliminate proposed anti-gang initiative (law enforcement grants)	(1,611,106)	0	(1,611,106)
DCJS study of available funding for anti-gang initiatives	Language		
Campus Security (SB 560) - 2 FTE for training, standards, technical assistance	200,000	200,000	400,000
Virginia Crime Prevention Association - replace federal grant	100,000	100,000	200,000
Department of Fire Programs			
DFP - Eliminate GF Match for Fire Programs Fund	(12,000,000)	0	(12,000,000)
DFP - Bloxom Volunteer Fire Department (Language)	600,000	0	600,000
Department of Forensic Science			
DFS - Technical Transfer to DCJS (GOV)	(712,629)	(712,629)	(1,425,258)
DFS - Technical Transfer of 5 FTE from DCJS (GOV)	0	0	0
Department of Juvenile Justice			
DJJ - Study utilization of JCCs and local & regional juvenile detention centers	Language		
DJJ - Delay opening of Culpeper and Hanover housing units	(1,350,000)	(700,000)	(2,050,000)
DJJ - Redirect savings to MH treatment services and reentry initiative	200,000	200,000	400,000
DJJ - Technical Transfer of 2 FTE from NGF to GF (GOV)	0	0	0
Department of Military Affairs			
DMA - \$2,000 Reenlistment Bonus for National Guard (GOV)	1,328,000		
Department of State Police			
DSP - 30 Troopers + 10 Retired Officers for Sex Offender Program (SB 559)	3,994,950	2,697,090	6,692,040
DSP - Supervision of the sex offender program (10 Troopers)	1,178,550	745,930	1,924,480
DSP - Sex Offender Registry - Web site improvements (2 FTE)	202,694	202,694	405,388
DSP - Sex Offender Registry - Program Support (6 FTE)	220,338	228,421	448,759
Sub-Total - Public Safety	<u>1,328,000</u>	<u>(319,845)</u>	<u>7,008,023</u>
Part 2 - Capital Outlay			
Nottoway Wastewater Treatment Plant (WWTP) Expansion	3,750,000		
Transfer from Corrections Special Reserve Fund (NGF)	<u>(2,949,367)</u>		
Net Additional Capital Appropriation (Capital Outlay and Special Projects Subcommittee)	800,633	0	800,633
Part 3 - Interfund Transfers			
Transfer \$2.9 million NGF from Corrections Special Reserve Fund for Nottoway WWTP	Language		

Public Safety

Secretary Of Public Safety

Language

Language:

Page 332, line 8, before "The Secretary" insert "A."

Page 332, following line 21, insert:

"B. The Secretaries of Public Safety and Health and Human Resources shall present a preliminary report on implementation of the sexually violent predator program, pursuant to Senate Bill 559 of the 2006 General Assembly. Copies of the report shall be presented to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees and the Chairman of the Virginia State Crime Commission, by October 15, 2006."

Explanation:

(This amendment directs the Secretaries of Public Safety and Health and Human Resources to present a preliminary report on the implementation of the sexually violent predator initiative.)

Public Safety

Department Of Corrections

FY 06-07

\$2,589,015

15.00

FY 07-08

\$4,896,645

28.00

GF

FTE

Language:

Page 334, line 35, strike "\$77,324,630" and insert "\$79,913,645".

Page 334, line 35, strike "\$78,273,280" and insert "\$83,169,925".

Explanation:

(This amendment provides \$2,589,015 and 15 positions the first year and \$4,896,645 and 28 positions the second year from the general fund, for community supervision of an estimated 666 sex offenders eligible for, but not committed, as sexually violent offenders. Included in this amendment are funds for 13 probation officers the first year and a total of 26 officers the second year, electronic monitoring by GPS or similar technologies, polygraph testing, psychological assessments and other expenses. Also included are funds for a 24/7 monitoring post at the Department of Corrections headquarters, and two psychologists. This amendment is contingent upon final passage of Senate Bill 559.)

Public Safety

Department Of Corrections

Language

Language:

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 29, insert:

"b. Adjustments to previously approved project funding levels for PPEA projects, which had been based on planning study estimates, to conform to the actual project costs as determined by completion of subcontractor buyout."

Explanation:

(This amendment provides authority for the Board of Corrections to approve adjustments to the state share of the capital cost for local and regional jail projects which are being constructed pursuant to the Public Private Education and Infrastructure Act of 2002 (PPEA). The adjustment is necessary to provide for state reimbursement of up to fifty percent of the actual project cost for regional jails and up to 25 percent of the actual project cost for local jails, when the jail project is being developed pursuant to the PPEA. The Board already has similar authority with respect to traditional jail capital projects, when the price as determined by competitive bid exceeds the initial planning estimate.)

Public Safety

Department Of Corrections

Language

Language:

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. The Counties of Page, Rappahannock, Shenandoah and Warren, for a regional jail."

Explanation:

(This amendment provides authority for the Board of Corrections to approve the state share (up to 50 percent) of the capital cost of a new regional jail serving the Counties of Page, Rappahannock, Shenandoah and Warren, conditioned on the approval by the Board of Corrections of a planning study for the regional jail to be

conducted by the participating jurisdictions.)

Public Safety Subcommittee

Item 384 #4s

Public Safety

Department Of Corrections

Language

Language:

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Blue Ridge Regional Jail Authority, for a new facility to replace the Appomattox and Amherst County Jails and to replace the Moneta facility operated by the Authority. Furthermore, the Authority may expand its membership to include Appomattox and Amherst Counties. Notwithstanding the provisions of Section 53.1-82.3 of the Code of Virginia, the Authority shall submit the required community-based corrections plans, facility specifications, and expected financing costs to the Department of Corrections by July 5, 2006. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2007 Session."

Explanation:

(This amendment authorizes the Board of Corrections to approve plans to be submitted by the Blue Ridge Regional Jail Authority for a new facility to replace the Appomattox and Amherst County Jails and the Moneta facility.)

Public Safety Subcommittee

Item 384 #6s

Public Safety

Department Of Corrections

Language

Language:

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Southside Regional Jail Authority, for an expansion facility of approximately 114 beds. Furthermore, the Authority may expand its membership to include Brunswick and Dinwiddie Counties."

Explanation:

(This amendment authorizes the Board of Corrections to approve plans to be submitted by the Southside Regional Jail Authority for an expansion facility of

approximately 114 beds at the regional jail facility in Emporia.)

Public Safety Subcommittee

Item 384 #7s

Public Safety

Department Of Corrections

Language

Language:

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Brunswick County, in order to proceed in planning for an expansion of secure detention beds required by Brunswick County. Notwithstanding the provisions of Section 53.1-82.3, Code of Virginia, Brunswick County may submit the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, to the Department of Corrections and State Board of Corrections for review. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2008 Session. Brunswick County shall explore the feasibility of expanding the local detention capacity or joining a regional jail authority or board as part of the planning process. The decision to expand locally or as part of a regional jail authority or board shall be at the discretion of the Brunswick County Board of Supervisors. In conjunction with the decision concerning joining a regional jail authority or board, the Community-Based Corrections Plan shall address the continued operation of the Brunswick County Jail. The decision to continue to operate the Brunswick County Jail shall be at the discretion of the Brunswick County Board of Supervisors."

Explanation:

(This amendment authorizes the Board of Corrections to approve plans to be submitted by the Brunswick County Board of Supervisors for either an expansion of the existing county jail or a plan to join a regional jail authority or board to provide additional beds.)

Public Safety Subcommittee

Item 384 #10s

Public Safety

Department Of Corrections

Language

Language:

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:
"f. Virginia Beach City Jail."

Explanation:

(This amendment provides authority for the Board of Corrections to approve the state share (up to 25 percent) of the capital cost of an expansion of the Virginia Beach City Jail.)

Public Safety Subcommittee

Item 384 #11s

Public Safety

Department Of Corrections

Language

Language:

Page 335, line 26, strike "3." and insert "3.a."

Page 335, following line 36, insert:

"f. Western Virginia Regional Jail Authority, for a new facility to serve Franklin, Montgomery and Roanoke Counties and the City of Salem.

g. Notwithstanding the provisions of Section 53.1-82.3 of the Code of Virginia, the City of Roanoke may submit the required studies as prescribed by the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, to the Department of Corrections and State Board of Corrections for review. Furthermore, the Governor may include a recommendation for funding such project for consideration by the General Assembly at its 2008 session. The City of Roanoke shall explore the feasibility of joining the Western Virginia Regional Jail Authority as part of the planning process or expanding its existing jail. The decision to join the regional jail authority shall be at the discretion of the City Council of the City of Roanoke and the governing board of the Western Virginia Regional Jail Authority."

Explanation:

(This amendment enables the City of Roanoke to join the Western Virginia Regional Jail Authority in order to become part of the new regional jail or to proceed with planning for an expansion of its existing local jail.)

Public Safety Subcommittee

Item 384 #12s

Public Safety

Department Of Corrections

Language

Language:

Page 336, following line 13, insert:

"D.1. No city, county, town or regional jail shall authorize the construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody without the prior approval of the Board of Corrections.

2. Any facility operated by any local or regional jail in the Commonwealth which houses any inmate in secure custody shall be subject to all rules, regulations, and inspections established by the Board of Corrections."

Explanation:

(This amendment requires prior approval of the Board of Corrections before any jail facility is built, remodeled, renovated or rehabilitated to house inmates in secure custody, regardless of funding source. This amendment also establishes that all facilities housing inmates in secure custody are subject to Board of Corrections' rules, regulations and inspections.)

Public Safety Subcommittee

Item 386.1 #3s

Public Safety

FY 06-07

FY 07-08

Department Of Corrections

\$2,949,367

\$0 GF

Language:

Page 338, following line 5, insert:

"386.1. Corrections Special Reserve Fund
(35900)

\$2,949,367

\$0

Corrections Operating Special Reserve
(35901)

Fund Sources: General

\$2,949,367

\$0."

A. From the appropriation in this Item, \$2,949,367 the first year from the general fund is provided for the estimated net increase in the operating costs of adult correctional facilities resulting from enactment, in the 2006 Session of the General Assembly, of Senate Bills 372, 460, 473, 553, and 559.

B. The funds in this Item shall be paid into the Corrections Special Reserve Fund, established in accordance with Section 30-19.1:4, Code of Virginia."

Explanation:

(This amendment provides \$2,949,367 the first year from the general fund for the estimated corrections fiscal impact of Senate Bills 372, 460, 473, 553, and 559, as engrossed. These bills are projected to require an increase of 124 adult correctional

beds by 2012. This amendment is contingent upon final passage of these bills.)

Public Safety Subcommittee

Item 387 #2s

Public Safety

Department Of Corrections

Language

Language:

Page 339, following line 52, insert:

"G. The Department of Corrections shall conduct a planning study of alternatives for developing a satellite training facility in Southwest Virginia. The study shall consider the potential for cost savings through the provision of training services on a regional basis. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

Explanation:

(This amendment directs the Department of Corrections to study alternatives for developing a satellite training facility in Southwest Virginia.)

Public Safety Subcommittee

Item 387 #3s

Public Safety

Department Of Corrections

Language

Language:

Page 339, following line 52, insert:

"G. The Department of Corrections shall conduct a planning study of alternatives for developing additional medical, mental health and geriatric facilities. The study shall consider the potential for cost savings through the expansion or replacement of the medical unit at Powhatan Correctional Center, the optimum mix of services and facilities at other facilities, the use of contract services, requirements for mental health services and geriatric services for older inmates, and financing options. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

Explanation:

(This amendment directs the Department of Corrections to study the need for medical, mental health and geriatric facilities.)

Public Safety	FY 06-07	FY 07-08
Department Of Corrections	\$1,500,000	\$0 GF

Language:

Page 338, line 6, strike "\$60,663,380" and insert "\$62,163,380".

Page 339, following line 52, insert:

"G. Included in this appropriation is \$1,500,000 the first year for the Department of Corrections to continue moving forward towards final identification, selection and acquisition of a site in the Mount Rogers Planning District for a medium security correctional facility, including moving to Phase 2 of the PPEA process as envisioned in Item 410.H.2 of Chapter 951, Acts of Assembly 2006. The Department shall provide a report on the status of this project to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

Explanation:

(This amendment provides \$1,500,000 the first year from the general fund to enable the Department of Corrections to move forward to Phase 2 of the PPEA process for the development of a correctional facility in the Mount Rogers Planning District. These funds will provide for surveys and land use planning, environmental impact review and assessment, permitting fees, legal and consultant fees, other expenses associated with public involvement, and site acquisition.)

Public Safety	
Department Of Corrections	Language

Language:

Page 339, following line 52, insert:

"G. The Department of Corrections shall study the feasibility of developing a therapeutic incarceration program for criminal defendants who otherwise would have been sentenced to a fixed term of incarceration of three years or longer for a felony conviction and who the court determines require treatment for drug or alcohol substance abuse issues. The Department shall provide copies of its report to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

Explanation:

(This amendment directs the Department of Corrections to study the feasibility of developing a therapeutic incarceration program for defendants with drug or alcohol substance abuse issues, as suggested in Senate Bill 611, which has been carried over to the 2007 General Assembly.)

Public Safety Subcommittee

Item 387 #6s

Public Safety	FY 06-07	FY 07-08	
Department Of Corrections	(\$225,000)	\$120,000	GF

Language:

Page 338, line 6, strike "\$60,663,380" and insert "\$60,438,380".

Page 338, line 6, strike "\$57,903,137" and insert "\$58,023,137".

Page 339, strike lines 34-37 and insert:

"F.1. Included within this appropriation is \$1,094,000 the first year from the general fund for the initial portion of the Commonwealth's estimated 56 percent share of the cost of constructing a wastewater treatment plant by the Town of Craigsville."

Page 339, following line 52, insert:

"2. Also included within this appropriation is \$120,000 the second year from the general fund, as the initial annual payment on a 20-year, zero-interest loan from the Department of Environmental Quality for this project."

Page 339, at the beginning of line 38, insert: "4."

Page 339, following line 54, insert:

"5. The Department of Corrections shall assist the Town of Craigsville, the County of Augusta, and the Central Shenandoah Planning District Commission in applying for a Water Quality Improvement Fund grant for an estimated amount of \$750,000, which represents the 50 percent share of the portion of the cost of this project which is attributable to nutrient reduction, pursuant to Senate Bill 644 of the 2006 General Assembly. The Department shall provide a report on the status of this project, the status of all federal and state grants and loans applicable to the project, and the total estimated construction cost of the project. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

Explanation:

(This amendment provides for the 56 percent state share of the estimated cost of an expanded wastewater treatment plant operated by the Town of Craigsville in Augusta County. Including the reduction in this amendment of \$225,000 the first year from the general fund, this Item will include \$1,094,000 the first year from the general fund as the initial state cash contribution to the capital cost of this project.

This amendment also includes \$120,000 the second year from the general fund for the initial payment on a 20-year loan from the Department of Environmental Quality for the treatment plant. The language also provides for assistance for Craigsville to apply for a \$750,000 state grant, which would complete the state's 56 percent share of the project. Augusta Correctional Center is expected to utilize 56 percent of the capacity of the expanded wastewater treatment plant.)

Public Safety Subcommittee

Item 391 #4s

Public Safety	FY 06-07	FY 07-08	
Department Of Criminal Justice Services	\$150,000	\$150,000	GF

Language:

Page 340, line 33, strike "\$76,685,662" and insert "\$76,835,662".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,122,556".

Page 343, following line 12, insert:

"J. Included within this appropriation is \$150,000 each year from the general fund for the New River Valley Crisis Intervention Team. The department shall provide a report on the feasibility and requirements for utilizing the specialized training program developed by the New River Valley CIT program in selected additional jurisdictions in other regions of Virginia. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committee by September 15, 2006."

Explanation:

(This amendment provides \$150,000 each year from the general fund for the New River Valley Crisis Intervention Team, and directs the Department of Criminal Justice Services to study the feasibility of utilizing the training component of this program in other jurisdictions.)

Public Safety Subcommittee

Item 391 #8s

Public Safety	FY 06-07	FY 07-08	
Department Of Criminal Justice Services	\$0	\$1,000,000	GF

Language:

Page 340, line 33, strike "\$74,972,556" and insert "\$75,972,556".

Page 341, line 30, after "dedicated special revenue" insert: ", and \$1,000,000 the

second year from the general fund. The Department of Criminal Justice Services shall report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2006."

Explanation:

(This amendment provides \$1,000,000 the second year from the general fund to offset reductions in federal Victims of Crime Act funds for the Virginia Crime Victim/Witness Fund, and directs the Department of Criminal Justice Services to report on the status of funding for victim-witness programs supported by the Fund.)

Public Safety Subcommittee

Item 391 #9g

Public Safety	FY 06-07	FY 07-08	
Department Of Criminal Justice Services	\$207,094	\$207,094	GF

Language:

Page 340, line 33, strike "\$76,685,662" and insert "\$76,892,756".

Page 340, line 33, strike "\$74,972,556" and insert "\$75,179,650".

Page 343, after line 12, insert:

"J. Out of this appropriation, \$207,094 each year from the general fund shall be used to replace expiring federal grants supporting Project Exile programs in Henrico County and the Cities of Lynchburg and Portsmouth. A local match shall be required for this grant."

Explanation:

(This amendment provides \$427,454 each year from the general fund to replace federal grants for Project Exile programs providing enhanced penalties for illegal possession of firearms. These funds are intended to replace expiring federal grants for Assistant Commonwealth's Attorneys to prosecute firearms offenses.)

Public Safety Subcommittee

Item 391 #18s

Public Safety	FY 06-07	FY 07-08	
Department Of Criminal Justice Services	(\$2,611,106)	(\$1,000,000)	GF

Language:

Page 340, line 33, strike "\$76,685,662" and insert "\$74,074,556".

Page 340, line 33, strike "\$74,972,556" and insert "\$73,972,556".

Page 341, strike lines 39-50 and insert:

"4. The Department of Criminal Justice Services shall determine the total amounts of federal and other grants, and existing state and local funds, which are available for anti-gang initiatives in Virginia, and recommend best practices for developing the most effective programs to reduce criminal gang activity. Copies of the report shall be presented to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2005."

Explanation:

(This amendment removes \$2,611,106 the first year and \$1,000,000 the second year from the general fund which was proposed in the budget as introduced for new grant programs for preventing criminal gang activity. The amendment further directs the Department of Criminal Justice Services to report on the total amount of funding already available for this purpose along with best practices for developing effective programs to reduce criminal gang activity.)

Public Safety Subcommittee

Item 393 #1g

Public Safety

FY 06-07

FY 07-08

Department Of Criminal Justice
Services

\$3,460,129

\$0 GF

Language:

Page 343, line 18, strike "\$202,879,162" and insert "\$206,339,291".

Page 343, after line 40, insert:

"D. Out of this appropriation, \$3,460,129 the first year from the general fund is provided to hold harmless those localities that would otherwise lose funding as a result of updated input data in the House Bill 599 formula. Accordingly, in the first year, the Department shall distribute funds to eligible localities as provided for in Section 9.1-165, et seq, Code of Virginia, except that no locality shall receive an amount from this Item which is less than the amount it received for this program in the immediately preceding fiscal year.

E. The Secretaries of Public Safety and Finance shall conduct a study of state aid to localities with police departments (HB 599 of 1979) to determine if the enabling language and funding formula warrant modification. Copies of the report shall be provided to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2006."

Page 343, line 41, strike "D." and insert "F."

Explanation:

(This amendment provides \$3,460,129 from the general fund for the House Bill 599 program to prevent localities from losing funds based on the most recent update of the funding formula. In addition, this amendment directs the Secretaries of Public Safety and Finance to conduct a study of the House Bill 599 program to determine if the funding formula needs to be revised. Based on the most recent update of the formula, a number of localities would experience a reduction in funding despite an increase in total funding for the program.)

Public Safety Subcommittee

Item 393 #2g

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 343, line 52, after “locality” insert “when such corrections are made within the same fiscal year that funds have been withheld”.

Explanation:

(This amendment modifies language provided in the introduced budget that allows the Department of Criminal Justice Services to withhold 599 funding to localities that do not provide accurate or updated criminal activity data to the Department of State Police. Specifically, this amendment provides that funding withheld may only be restored upon satisfactory correction of the data error or omission in the fiscal year in which the withholding takes place.)

Public Safety Subcommittee

Item 401 #1s

Public Safety

Department Of Fire Programs

FY 06-07

\$600,000

FY 07-08

\$0 GF

Language:

Page 346, line 6, strike "\$30,304,144" and insert "\$30,904,144".

Page 346, following line 26, insert:

"B. Included in this appropriation is up to \$600,000 the first year from the general fund for reimbursement of the Bloxom Volunteer Fire Department for the cost of replacing necessary firefighting and rescue equipment destroyed by fire on January 18, 2006. The Executive Director shall determine the amount of state reimbursement

required upon satisfactory evidence that all insurance recoveries have been received, and shall provide a report on the final amount of state funds required to cover the loss. Copies of the report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees within ten days of the approval of the final reimbursement by the department."

Explanation:

(This amendment provides up to \$600,000 the first year from the general fund for the Bloxom Volunteer Fire Department in Bloxom, on the Eastern Shore of Virginia. This represents the estimated replacement cost of the firefighting and rescue equipment destroyed by fire on January 18, 2006, less insurance recoveries.)

Public Safety Subcommittee

Item 401 #3s

Public Safety	FY 06-07	FY 07-08
Department Of Fire Programs	(\$12,000,000)	\$0 GF

Language:

Page 346, line 6, strike "\$30,304,144" and insert "\$18,304,144".
 Page 346, strike lines 13-26.

Explanation:

(This amendment removes \$12,000,000 the first year from the general fund which was included in the budget, as introduced, as a supplement for aid to localities from the Fire Programs Fund. The Fire Programs Fund has traditionally been supported with Special Funds from the one percent tax on property insurance premiums, rather than general funds. These general funds are redirected to other essential services in the Office of Public Safety which rely on general fund support.)

Public Safety Subcommittee

Item 406 #1s

Public Safety	FY 06-07	FY 07-08
Department Of Juvenile Justice	(\$1,350,000)	(\$700,000) GF

Language:

Page 349, line 38, strike "\$85,531,132" and insert "\$84,181,132".
 Page 349, line 38, strike "\$86,079,815" and insert "\$85,379,815".
 Page 350, following line 15, insert:
 "The Department of Juvenile Justice shall provide a report on plans for utilization of the state juvenile correctional centers, including, but not limited to, alternative

programs for housing juvenile offenders in local or regional detention centers on a contractual basis. Copies of the report shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by September 15, 2006."

Explanation:

(This amendment removes \$1,350,000 the first year and \$700,000 the second year from the general fund from the budget as introduced, by delaying the opening of the fourth housing unit at Culpeper Juvenile Correctional Center for six months and by maintaining the current population at Hanover Juvenile Correctional Center when the newly-renovated housing units are opened. This amendment also directs the Department of Juvenile Justice to provide a report on facility utilization. A companion amendment to Item 404 redirects a portion of the savings from this amendment to mental health services and reentry programs for juvenile offenders.)

Public Safety Subcommittee

Item 3-1.01 #12s

Transfers

Interfund Transfers

Language

Language:

Page 481, following line 4, insert:

"AA. On or before June 30, 2007, the State Comptroller shall transfer \$2,949,367 in Special Funds from the Corrections Special Reserve Fund, pursuant to Section 30-19.1:4 of the Code of Virginia, to the capital project in Item C-281 of this Act (Project 17260)."

Explanation:

(This amendment directs the State Comptroller to transfer \$2,949,367 from the Corrections Special Reserve Fund to a capital project for the Department of Corrections. A companion amendment to Item 386.1 appropriates the general fund deposit in this amount to the special reserve fund.)