

*Report of the  
House Appropriations  
Subcommittee*

*on*

*General Government*



*House Bill 29*

*&*

*House Bill 30*

*February 17, 2008*

**REPORT OF THE SUBCOMMITTEE**  
**on**  
**GENERAL GOVERNMENT**

Mr. Chairman and Members of the Committee:

This Subcommittee's work has focused on two objectives. First, identifying savings that are appropriate which will not have a negative impact on the citizens of the Commonwealth and second, making targeted investments that are needed to ensure the continued efficient and effective operation of state government. I am pleased to present to you today a series of recommendations supporting these two goals.

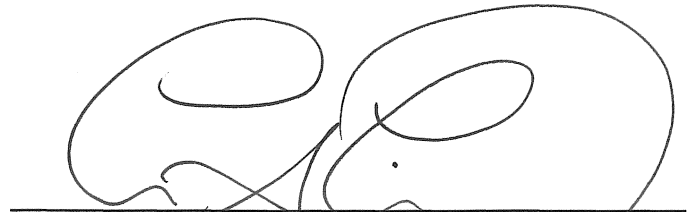
Mr. Chairman, as you know we have made significant investments in recent years to improve the operations of our judicial system. While these reforms have significantly improved fairness and equity for our citizens, there is still work to be done. In many cases, the first interaction our citizens have with our judicial system is with a magistrate. Our magistrate system is in considerable need of modernization; the passage of HB 903 should bring about needed reform. To that end, the Subcommittee is pleased to recommend significant funding and staffing for the magistrate system pursuant to your legislation. Likewise, the Subcommittee recommends additional funding for the Criminal Fund to ensure full reimbursement for our court-appointed attorneys.

While we have strived to provide funding where needed, the Subcommittee has diligently worked to identify opportunities for savings and efficiencies when available. To that end, the Subcommittee has identified saving recommendations in the legislative, judicial and executive branches. Mr. Chairman and fellow Committee members, I will ask staff to take you through our detailed recommendations, and then I hope it will be your pleasure to adopt our Subcommittee report.




Respectfully Submitted by the House Appropriations Subcommittee  
on General Government:


  
Watkins M. Abbitt, Jr., Chairman

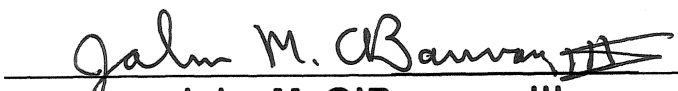
  
L. Scott Lingamfelter

  
Robert Tata

  
Clarence E. Phillips

  
Phillip A. Hamilton

  
Johnny S. Joannou

  
John M. O'Bannon, III

  
Mamy E. BaCote



## Budget Amendment Recommendations

### BUDGET AMENDMENT RECOMMENDATIONS

Amendment	House Bill 29 FY 2008	2008-10 BIENNIAL TOTAL		
		General Fund	Nongeneral Fund	ETE
<b>General Government</b>				
<b>HB 29</b>				
<b>Supreme Court</b>				
Nongeneral Fund Appropriation for Technolgy Fur \$1.54 million NGF				
<b>Central Appropriations</b>				
Funding SBE for Cost of Presidential Primary	2,500,000			
Revert Legislativie and Judicial Branch Balances	Language			
<b>HB 30 (2008-10 Budget)</b>				
<b>General Assembly</b>				
Virginia Bicentennial of War of 1812		17,280		
<b>Division of Legislative Services</b>				
DLS - Transfer Crime Commission Staffing to DLS		444,300		2.00
<b>Virginia Crime Commission</b>				
Crime Commission - Transfer Staffing to DLS		(1,064,300)	(274,868)	(9.00)
<b>Legislative Reversion Clearing Account</b>				
Revert Legislative Agency Balances		Language		
<b>Supreme Court of Virginia</b>				
Eliminate New Funding for Junvenile Case Waivers		(2,000,000)		
Adjust Funding for Court Appointed Counsel Waivers		(6,000,000)		
Eliminate State Funding for Drug Courts		(5,902,000)		
Court Technology Fund		-	700,000	
Criminal Fund Savings Foreign Language Interpreters		(880,000)		
<b>Office of the Attorney General</b>				
State Funding for TRIAD partnerships		280,000		1.00
<b>Compensation Board</b>				
Com. Of Revenue - Eliminate Funding for Tax Serv.		(2,337,684)		
Convert Buckingham Commonwealth Attny to Full Time		166,760		
Excess Circuit Clerk Fees		Language		
Treasurers - Eliminate Funding for Tax Serv.		(1,666,576)		
Actual Census Counts for Constitutional Officers Sal.		41,400		
Restore One Staff Position at Compensation Board		135,000		1.00
<b>State Board of Elections</b>				
Eliminate Funding to Advertise General Obligation Bond		(200,000)		
<b>Department of Account Transfer Payments</b>				
Eliminate Payments to Towns-Wine Tax & ABC Profits		(1,066,000)		
<b>Department of Taxation</b>				
Savings Pursuant to HB 678		(276,500)		
<b>Interfund Transfers</b>				
Amend Language Related to ABC profits and Wine Taxes		Language		
Transfer Unobligated SCC Balances to the General Fund		Language		
<b>Total:</b>	<b>2,500,000</b>	<b>(20,308,320)</b>	<b>425,132</b>	<b>(5.00)</b>



*Amendments to House Bill 29, as Introduced*

General Government - Independent Subcommittee

Item 30 #2h

**Judicial Department**

**FY 06-07**

**FY 07-08**

Supreme Court

\$0

\$1,540,000 NGF

**Language:**

Page 7, line 6, strike "\$25,627,548" and insert "\$27,167,548".

**Explanation:**

(This amendment increases the nongeneral fund appropriation for the Courts Technology Fund. The increase would adjust the appropriation to reflect the projected cash deposits into the fund.)

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General Government - Independent Subcommittee

Item 462 #3g

**Central Appropriations**

**FY 06-07**

**FY 07-08**

Central Appropriations

\$0

\$2,500,000 GF

**Language:**

Page 217, line 17, strike "\$65,537,406" and insert "\$68,037,406".

Page 223, after line 60, insert:

"W. Out of the appropriation for this Item, \$2,500,000 the second year from the general fund is provided to cover the costs associated with the 2008 presidential primary. Out of this amount, up to \$2,280,000 may be used by the State Board of Elections to reimburse localities for their presidential primary expenditures and up to \$220,000 may be used to cover costs incurred directly by the State Board of Elections."

**Explanation:**

(This amendment funds costs incurred by the State Board of Elections and localities as a result of the 2008 presidential primary.)

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General Government - Independent Subcommittee

Item 455.50 #1h

**Central Appropriations**

Central Appropriations

Language

**Language:**

Page 217, after line 8, insert:



*Amendments to House Bill 29, as Introduced*

"455.5 Miscellaneous Reversion Clearing Account (226000)

Fund Sources: General"

A. On or before June 30, 2008, the Committee on Joint Rules shall authorize the reversion to the general fund of \$2,758,883, representing savings generated by legislative agencies in the second year.

B. On or before June 30, 2008, the House Committee on Rules shall authorize the reversion to the general fund of \$1,000,000 from the Clerk of the House.

C. The Director of the Department of Planning and Budget shall, on or before June 30 2008, unallot \$6,250,000 general funds from Item 25 and transfer this amount to the general fund."

**Explanation:**

(This amendment authorizes the transfer of unspent balances within the legislative and judicial branches to the general fund.)

*Amendments to House Bill 30, as Introduced*

General Government - Independent Subcommittee

Item 6 #1h

<b>Legislative Department</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Division Of Legislative Services	\$8,640	\$8,640	GF

**Language:**

Page 10, line 35, strike "\$5,782,325" and insert "\$5,790,965".

Page 10, line 35, strike "\$5,782,325" and insert "\$5,790,965".

**Explanation:**

(This amendment provides funding for the creation of the Virginia Bicentennial of the American War of 1812 Commission. House Bill 1391 would create the Commission with 12 members, 8 legislative members, 2 nonlegislative citizen members, and 2 ex officio members.)

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General Government - Independent Subcommittee

Item 6 #2h

<b>Legislative Department</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Division Of Legislative Services	\$232,150	\$212,150	GF
	2.00	2.00	FTE

**Language:**

Page 10, line 35, strike "\$5,782,325" and insert "\$6,014,475".

Page 10, line 35, strike "\$5,782,325" and insert "\$5,994,475".

**Explanation:**

(This amendment requests \$232,500 in the first year and \$212,150 in the second year from the general fund and 2 FTEs for the Division of Legislative Services to assume responsibility for staffing the Crime Commission. This transfer in responsibility is expected to result in a net savings of \$300,000 in the first year and \$320,000 in the second year for the general fund.)

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General Government - Independent Subcommittee

Item 18 #2h

<b>Legislative Department</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Virginia State Crime Commission	(\$532,150)	(\$532,150)	GF
	(\$137,434)	(\$137,434)	NGF

*Amendments to House Bill 30, as Introduced*

-9.00                      -9.00    FTE

**Language:**

Page 13, line 32, strike "\$669,584" and insert "\$0".

Page 13, line 32, strike "\$669,584" and insert "\$0".

**Explanation:**

(This amendment eliminates funding for the Crime Commission. A companion amendment in Item 6 transfers two FTEs and \$232,150 in fiscal year 2009 and \$212,150 in fiscal year 2010 to the Division of Legislative Services to staff the Crime Commission.)

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General Government - Independent Subcommittee

Item 31 #1h

**Legislative Department**

Legislative Department Reversion  
Clearing Account

Language

**Language:**

Page 18, after line 11 insert:

"On or before June 30, 2009, the Committee on Joint Rules shall authorize the reversion of \$1,000,000 to the Legislative Department Reversion Clearing Account, representing savings generated by legislative agencies in the first year of the biennium."

**Explanation:**

(This amendment captures savings generated by legislative agencies in fiscal year 2009.)

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General Government - Independent Subcommittee

Item 33 #3h

**Judicial Department**

Supreme Court

**FY 08-09**  
(\$1,000,000)

**FY 09-10**  
(\$1,000,000)    GF

**Language:**

Page 19, line 3, strike "\$17,158,723" and insert "\$16,158,723".

Page 19, line 3, strike "\$17,158,723" and insert "\$16,158,723".

Page 19, strike lines 35 through 42.

*Amendments to House Bill 30, as Introduced*

**Explanation:**

(This amendment strikes funding for a new initiative included in the introduced budget to provide additional reimbursements to court appointed counsel representing juvenile defendants. This proposal would have increased reimbursements above the limits prescribed during the 2007 General Assembly Session in House Bill 2361.)

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General Government - Independent Subcommittee

Item 33 #4h

**Judicial Department**

**FY 08-09**

**FY 09-10**

Supreme Court

(\$4,000,000)

(\$2,000,000)

GF

**Language:**

Page 19, line 3, strike "\$17,158,723" and insert "\$13,158,723".

Page 19, line 3, strike "\$17,158,723" and insert "\$15,158,723".

Page 19, line 31, strike "\$8,200,000 the first year and \$8,200,000" and insert: "\$4,200,000 the first year and \$6,200,000".

**Explanation:**

(This amendment adjusts funding for the waivers for court-appointed counsel that were authorized in the 2007 General Assembly Session. The General Assembly appropriated \$8.2 million a year for the waivers beginning in fiscal year 2008. In the first seven months of the program expenditures have been less than \$400,000, though expenditures have increased in recent months. This amendment adjusts the appropriation to assume \$4.2 million in fiscal year 2009 and \$6.2 million in fiscal year 2010.)

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General Government - Independent Subcommittee

Item 38 #13h

**Judicial Department**

**FY 08-09**

**FY 09-10**

Supreme Court

(\$2,951,000)

(\$2,951,000)

GF

**Language:**

Page 20, line 17, strike "\$28,562,566" and insert "\$25,611,566".

Page 20, line 17, strike "\$28,337,566" and insert "\$25,386,566".

**Explanation:**

(This amendment eliminates general fund support for 14 drug court programs in the Commonwealth. These programs were originally established by the localities

*Amendments to House Bill 30, as Introduced*

mostly with federal grants. There are currently 14 other drug court programs in the state that do not receive state general fund support, many of which have been funded by federal grants which have recently or will soon expire.)

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General Government - Independent Subcommittee

Item 38 #14h

**Judicial Department**

**FY 08-09**

**FY 09-10**

Supreme Court

\$0

\$700,000 NGF

**Language:**

Page 20, line 17, strike "\$28,337,566" and insert "\$29,037,566".

**Explanation:**

(This amendment increases the nongeneral fund appropriation for the Courts Technology Fund. The increase would adjust the appropriation to reflect the projected revenues into the fund.)

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General Government - Independent Subcommittee

Item 40 #2h

**Judicial Department**

**FY 08-09**

**FY 09-10**

Circuit Courts

(\$400,000)

(\$480,000) GF

**Language:**

Page 22, line 20, strike "\$96,935,870" and insert "\$96,535,870".

Page 22, line 20, strike "\$96,935,870" and insert "\$96,455,870".

**Explanation:**

(This amendment reflects expected savings to the criminal fund from a proposal included in the introduced budget to hire five additional foreign language interpreters. Beginning in fiscal year 2008 the Supreme Court hired 10 full-time positions to serve the court system as foreign language interpreters. Initial data shows that the full time staff have been cost effective compared to paying for these services through private foreign language interpreters through the criminal fund. This amendment reflects an assumed reduction in criminal fund expenditures as a result of the five new FTEs.)

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General Government - Independent Subcommittee

*Amendments to House Bill 30, as Introduced*

Item 56 #1h

<b>Executive Offices</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Attorney General And Department Of Law	\$140,000 1.00	\$140,000 1.00	GF FTE

**Language:**

Page 32, line 34, strike "\$29,728,459" and insert "\$29,868,459".

Page 32, line 34, strike "\$29,716,133" and insert "\$29,856,133".

**Explanation:**

(This amendment requests \$140,000 from the general fund each year to continue the Virginia TRIAD partnership which has the goal to reduce the fear of crime and victimization among seniors by increasing the awareness of scams/frauds targeting seniors, strengthening communication between law enforcement and senior communities and educating seniors on state and local resources available to them. There are currently 87 signed TRIAD partnerships throughout the Commonwealth. The Office of the Attorney General has supported the TRIAD partnerships since 1995, using federal grant funds since 2003. The OAG applied to the federal Bureau of Justice Assistance to continue the federal grant funding and this application was denied.)

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General Government - Independent Subcommittee

Item 72 #4h

<b>Administration</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Compensation Board	(\$1,168,842)	(\$1,168,842)	GF

**Language:**

Page 51, line 45, strike "\$20,225,910" and insert "\$19,057,068".

Page 51, line 45, strike "\$20,225,910" and insert "\$19,057,068".

**Explanation:**

(This amendment captures the funding associated with the provision of state tax services by local commissioners of the revenue. Currently, slightly more than 82 percent of Virginia's taxpayers file their taxes directly with the Department of Taxation. This includes both paper and electronic submissions.)

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*Amendments to House Bill 30, as Introduced*

General Government - Independent Subcommittee

Item 73 #2h

**Administration**

**FY 08-09**

**FY 09-10**

Compensation Board

\$87,880

\$78,880 GF

**Language:**

Page 53, line 19, strike "\$67,102,122" and insert "\$67,190,002".

Page 53, line 19, strike "\$67,102,122" and insert "\$67,181,002".

**Explanation:**

(This amendment requests general funds to convert the Commonwealth's Attorney's offices in Buckingham County from part-time to full-time status in accordance with § 15.2-1629, Code of Virginia. Funding is needed a) to convert the salary of the Commonwealth's Attorney to full-time; b) for additional office expense funding; and c) for start-up equipment costs in the first year.)

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General Government - Independent Subcommittee

Item 74 #4h

**Administration**

Compensation Board

Language

**Language:**

Page 56, line 36, after "B", insert "1."

Page 56, after line 50, insert:

"2. Pursuant to § 17.1-285, Code of Virginia, the Compensation Board shall distribute the local share of any excess fees collected by clerks of circuit court on an annual basis, including the subtraction of an indirect cost recovery totaling \$10,000,000 each year. The distribution of this indirect cost recovery will be based upon each locality's proportional share of the annual total excess fees distributed to all localities each year."

**Explanation:**

(This amendment provides for a description of the current methodology used to calculate the distribution of the excess fees collected by clerks of circuit court to localities. The amendment also provides for the recovery of indirect costs associated with the support of clerks of circuit court.)

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General Government - Independent Subcommittee

Item 75 #4h

*Amendments to House Bill 30, as Introduced*

<b>Administration</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Compensation Board	(\$833,288)	(\$833,288)	GF

**Language:**

Page 58, line 42, strike "\$19,912,939" and insert "\$19,079,651".

Page 58, line 42, strike "\$19,912,939" and insert "\$19,079,651".

**Explanation:**

(This amendment captures the funding associated with the provision of state tax services by local treasurers. Currently, slightly more than 82 percent of Virginia's taxpayers file their taxes directly with the Department of Taxation. This includes both paper and electronic submissions.)

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General Government - Independent Subcommittee

Item 76 #3h

<b>Administration</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Compensation Board	\$20,700	\$20,700	GF

**Language:**

Page 60, line 14, strike "\$7,867,759" and insert "\$7,888,459".

Page 60, line 14, strike "\$7,616,689" and insert "\$7,637,389".

Page 60, line 25, after "shall use", insert:

"the greater of the most recent actual United States census count or".

**Explanation:**

(This amendment requires the Compensation Board, for the purposes of determining the salaries for the Constitutional Officers, to use the greater of the most recent actual census count or the most recent provisional census count. Current policy mandates that the Compensation Board use the most recent provisional count, but includes a hold harmless provision for incumbent Constitutional Officers.)

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General Government - Independent Subcommittee

Item 76 #14h

<b>Administration</b>	<b>FY 08-09</b>	<b>FY 09-10</b>	
Compensation Board	\$65,000	\$70,000	GF
	1.00	1.00	FTE

**Language:**



*Amendments to House Bill 30, as Introduced*

Page 60, line 14, strike "\$7,867,759" and insert "\$7,932,759".

Page 60, line 14, strike "\$7,616,689" and insert "\$7,686,689".

**Explanation:**

(This amendment restores funding for one position at the State Compensation Board. The October 2007 budget reductions eliminated one staff position at the Compensation Board and the introduced budget proposed eliminating three additional staff. These four positions represent over 15 percent of the Compensation Boards staffing level for fiscal year 2008 in Chapter 847.)

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General Government - Independent Subcommittee

Item 89 #4h

**Administration**

**FY 08-09**

**FY 09-10**

State Board Of Elections

(\$200,000)

\$0 GF

**Language:**

Page 74, line 4, strike "\$18,977,928" and insert "\$18,777,928".

Page 74, strike lines 16 through 21.

**Explanation:**

(This amendment deletes funding included in the introduced budget to the State Board of Elections for costs that would be incurred in advertising a general bond obligation referendum for the November 2008 elections. Pursuant to HB 1547, no general bond obligation is proposed for the 2008 elections.)

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General Government - Independent Subcommittee

Item 264 #1h

**Finance**

**FY 08-09**

**FY 09-10**

Department Of Accounts Transfer  
Payments

(\$533,000)

(\$533,000) GF

**Language:**

Page 230, line 3, strike "\$46,563,000" and insert "\$46,030,000".

Page 230, line 3, strike "\$46,563,000" and insert "\$46,030,000".

**Explanation:**

(This amendment captures the remaining alcoholic beverage control profits and wine taxes that otherwise would have been distributed to localities. The Governor's

*Amendments to House Bill 30, as Introduced*

introduced budget captured the majority of the revenue for these distributions, just less than \$8.0 million, by eliminating the distributions for cities and counties.)

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General Government - Independent Subcommittee

Item 270 #1h

**Finance**

Department Of Taxation

**FY 08-09**

(\$118,500)

**FY 09-10**

(\$158,000) GF

**Language:**

Page 236, line 41, strike "\$60,765,983" and insert "\$60,647,483".

Page 236, line 41, strike "\$60,765,983" and insert "\$60,607,983".

**Explanation:**

(This amendment reflects administrative savings at the Department of Taxation pursuant to House Bill 678. This legislation requires large income tax returns to be prepared electronically and prohibits filing these returns using 2D barcoded paper to submit the returns.)

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General Government - Independent Subcommittee

Item 3-1.01 #4h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 487, line 43, strike "\$34,600,000" and insert "\$35,200,000".

Page 487, line 43, strike "\$34,500,000" and insert "\$35,100,000".

Page 487, line 43, after "the second year.", strike remainder of line.

Page 487, strike lines 44 and 45.

Page 487, strike lines 48 and 49.

**Explanation:**

(This amendment increases the net profits from alcoholic beverage control profits to account for additional locations where Sunday sales are permitted. The amendment also eliminates language directing the distribution of alcoholic beverage control profits and wine taxes to towns. The Governor's introduced budget eliminated the distributions of alcoholic beverage control profits and wine taxes to cities and counties.)

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*Amendments to House Bill 30, as Introduced*

General Government - Independent Subcommittee

Item 3-1.01 #5h

**Transfers**

Interfund Transfers

Language

**Language:**

Page 491, after line 11, insert:

"Y. The State Comptroller shall transfer an amount estimated at \$1,250,000 on or before June 30, 2009, and an amount estimated at \$1,750,000 on or before June 30, 2010, from unobligated nongeneral fund balances at the State Corporation Commission to the general fund."

**Explanation:**

(This amendment transfers unobligated nongeneral fund balances at the State Corporation Commission into the general fund. This amendment was included in Governor Kaine's recommended budget reductions that were provided to the General Assembly on February 12, 2008.)

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