

Public Safety

The budget, as adopted, for FY 2010 reduces the general fund budget for Public Safety by \$68.5 million (or -3.9 percent). This is a net change which includes total increases of \$3.8 million and total decreases of \$72.3 million, including \$68.3 million from the implementation of the Governor's September 2009 Budget Reduction Plan. The FY 2010 budget also includes nongeneral fund increases totaling \$16.9 million. With these changes, the total general fund budget for Public Safety is \$1,686.5 million and \$864.5 million in nongeneral funds for FY 2010.

The budget, as adopted, for the 2010-12 biennium results in a net general fund decrease of \$229.5 million, or 6.54 percent less than the base budget. This net decrease includes total increases of \$85.8 million offset by total decreases of \$315.3 million, including continuation of the September 2009 reduction strategies into the new biennium. The 2010-12 budget also adds \$90.2 million in nongeneral funds (an increase of 5.3 percent). About 25 percent of the nongeneral fund increases are due to budget reduction strategies supplanting general fund spending with nongeneral fund sources.

Since October 2008 the Department of Corrections (DOC) has closed eight correctional facilities and the Department of Juvenile Justice has closed the Natural Bridge Juvenile Correctional Center. For DOC, this translates into about 2,500 state beds, and the adopted budget includes the savings associated with closing additional facilities in fiscal year 2012. This would increase the total number of state prison beds closed to more than 3,000, or about ten percent of the department's bed capacity. The construction of one new prison in Grayson County will be completed in mid-2010, and the adopted budget adds \$715,000 each year for mothballing expenses.

Other significant actions include replacing the nongeneral fund revenues lost by the Department of Corrections due to the end of the contract for housing Wyoming prisoners, and the addition of \$10.1 million NGF each year from housing 1,000 prisoners from Pennsylvania. A series of amendments is included to implement several of the recommendations of the Task Force on Alternatives for Nonviolent Offenders. This task force was authorized in language added by the General Assembly in the 2009 Appropriation Act. New language also updates the process for approving the state share of local and regional jail capital project costs.

The next three trooper schools at the Department of State Police are postponed, but the 116th Basic Trooper Academy will begin in January 2011. State aid for localities with police departments (HB 599) is reduced by 1.2 percent from \$180.8 million in FY 2010 to \$178.7 million in FY 2011 and by 11.5 percent in FY 2012 to \$160.0 million. Funds are also included for the Department of Forensic Science to meet increased workload requirements resulting from the U.S. Supreme Court's 2009 decision in the Melendez-Diaz case. Operating funds are added for the new education center at the Virginia War Memorial in Richmond and the new veterans' cemetery at Radford.

Nongeneral fund amendments for the Department of Alcoholic Beverage Control reflect an increase of \$19.5 million NGF each year for purchase of merchandise for resale and the opening of up to 20 new ABC stores. The new stores are expected to generate increased net profits for the general fund totaling \$1.3 million in fiscal year 2011 and \$3.9 million in fiscal year 2012. A two percent markup in prices, effective February 1, 2010, generates increased ABC net profits for the general fund estimated at \$1.6 million in FY 2010 and \$4.0 million in both fiscal years 2011 and 2012.

The adopted budget also transfers responsibility for the Towing and Recovery Operations Board from the Secretary of Transportation to the Secretary of Public Safety.

HB 29 (Chapter 872)

- **Department of Alcoholic Beverage Control**
 - *Increased Markup.* Assumes an increase of two percent in the markup of alcoholic beverages in the ABC stores, effective February 1, 2010. A companion amendment to the revenue page assumes a general fund revenue increase of \$1.6 million for fiscal year 2010.
- **Commonwealth's Attorneys' Services Council**
 - *Governor's September 2009 Budget Reductions.* Includes savings of \$67,075 GF for fiscal year 2010 to implement the September 2009 budget reductions, including reductions in funding for meeting expenses and other operating costs.
- **Department of Correctional Education**
 - *Governor's September 2009 Budget Reductions.* Includes savings of \$1.4 million GF for fiscal year 2010 to implement the September 2009 budget reductions. These savings include the elimination of 34 positions resulting from the closing of state correctional centers.
- **Department of Corrections**
 - *Governor's September 2009 Budget Reductions.* Includes a series of reductions totaling \$22.2 million GF for fiscal year 2010, including the following strategies:
 - Closure of Brunswick and Botetourt Correctional Centers, for a combined net savings of \$10.4 million;
 - Turnover and vacancy savings of \$1.5 million;
 - Elimination of virtually the entire budget for equipment (\$9.0 million), for one year only, including the replacement of security, agribusiness, kitchen equipment, and vehicles;

- Supplanting of \$1.3 million in general funds with an equal amount from the Correctional Enterprise Fund balance, for a one-time savings.
- *Brunswick Correctional Center.* Includes language directing DOC and the Virginia Economic Development Partnership, in cooperation with local economic development officials, to report on potential options for re-using or redeveloping this facility.
- *Correctional Enterprise Operations.* Increases the appropriation for Correctional Enterprises by \$6.0 million NGF in fiscal year 2010 to reflect anticipated sales of inmate-produced products and services.
- *Corrections Construction Unit.* Increases the appropriation for the inmate construction program by \$1.1 million NGF in fiscal year 2010 to reflect the anticipated workload and associated funds from capital projects supporting inmate construction activity.
- **Department of Criminal Justice Services**
 - *Governor's September 2009 Budget Reductions.* Includes a series of reductions totaling \$16.1 million GF and \$0.1 million NGF for fiscal year 2010, including:
 - \$145,657 in Court Appointed Special Advocate (CASA) grants;
 - \$13.7 million in HB 599 payments to localities with police departments, based on the August 2009 reduction in the general fund revenue forecast;
 - \$640,983 (a reduction of about two-thirds) in grants to regional law enforcement training academies;
 - \$519,967 from eliminating vacant positions;
 - \$247,151 in grants for the Virginia CARES program;
 - \$45,000 in grants for sexual assault crisis centers;
 - \$10,000 in the grant for the Virginia Center for Policing Innovation for Spanish language training;
 - Reversion of \$350,000 GF in matching support for federal grants due to reductions in federal grant funding;
 - Reversion of \$280,000 in June 30, 2009, general fund balances reserved by the agency and included in the agency budget reduction plan;
 - Supplanting of \$75,638 GF for other operating expenditures with nongeneral funds; and,

- Transfer of \$126,101 from the asset forfeiture fund to the general fund reflecting reduced program and administrative costs.
 - *House Bill 599.* Includes an additional technical reduction of \$2.8 million GF for FY 2010 for state aid to localities with police departments (pursuant to House Bill 599 of 1979), to reflect the December 2009 reduction in the general fund revenue forecast. The revised total for HB 599 payments in FY 2010 is \$180.8 million.
- **Department of Emergency Management**
 - *Governor's September 2009 Budget Reductions.* Includes savings totaling \$167,663 GF and transfers totaling \$4.3 million NGF in fiscal year 2010 to implement the September 2009 budget reductions, including reducing wage employees (\$43,433); changing the fund sources supporting a hazardous materials specialist (\$60,121) and a Fusion Center analyst (\$29,472); reducing the number of classes for Search and Rescue training (\$18,636); reducing training and travel expenses (\$11,000); and, eliminating non-disaster overtime (\$5,000). The nongeneral fund transfer reflects closing accounts on disasters for which all known state obligations have been satisfied. The \$4.3 million transfer to the general fund is a Part 3 transfer.
 - **Department of Fire Programs**
 - *Governor's September 2009 Budget Reductions.* Includes savings of \$206,970 GF and transfers of \$26.2 million NGF for fiscal year 2010 to implement the September 2009 budget reductions. General fund savings include delays in filling a vacant position (\$90,435); eliminating a vacant regional manager position (\$91,736); eliminating one wage position (\$16,075) and reducing the annual hours for six wage positions (\$8,724) in the Office of the State Fire Marshal. The nongeneral fund transfers include \$216,595 from implementing a ten percent reduction in administrative expenses for the Fire Programs Fund and transferring to the general fund the entire \$26.0 million fiscal year 2010 deposit to the Fire Programs Fund, and replacing that amount with a line of credit for the same amount. The source of the nongeneral funds for the Fire Programs Fund is the 1.0 percent gross premiums tax on certain property, casualty, and other insurance policies, which is collected by the State Corporation Commission.
 - **Department of Forensic Science**
 - *Governor's September 2009 Budget Reductions.* Includes savings of \$1.1 million GF in fiscal year 2010 to implement the September 2009 budget reductions, including delaying year-end payments for vendors and service contracts totaling \$606,200, and eliminating prepayments (\$481,038).
 - *Melendez-Diaz Expenses.* Provides \$197,975 GF in fiscal year 2010 to comply with the increased requirements for court testimony by forensic scientists due to the 2009 Supreme Court decision in the Melendez-Diaz case.

- **Department of Juvenile Justice**

- ***Governor's September 2009 Budget Reductions.*** Includes savings of \$10.2 million GF in fiscal year 2010 to implement the September 2009 budget reductions, including:
 - Capturing one-time savings through turnover and vacancy and deferring equipment purchases (\$3.0 million);
 - Reducing funding for the Virginia Juvenile Community Crime Control Act (VJCCA) grants and funds for juvenile detention facilities and locally-operated court services units by five percent (\$2.5 million);
 - Closing Natural Bridge Juvenile Correctional Center (\$1.2 million and 71 positions);
 - Eliminating court services unit positions (\$1.1 million and 23.5 positions);
 - Supplanting \$1.1 million GF for direct services by using Child Support Enforcement funds from the Department of Social Services;
 - Reducing contract services for juveniles on probation (\$536,209);
 - Eliminating central office positions in the Divisions of Community Programs and Administration and Finance (\$349,154 and 8 positions);
 - Reducing support costs in juvenile court services units statewide (\$180,000);
 - Eliminating vacant juvenile correctional center positions in the central office, including a senior program manager and health services coordinator (\$131,377 and two positions);
 - Eliminating a vacant human resources classification position (\$52,160 and 1 position);
 - Reducing funds for training, education and travel in the Division of Administration and Finance (\$51,838); and,
 - Supplanting general funds with NGF year-end balances (\$42,381).

- **Department of Military Affairs**

- ***Governor's September 2009 Budget Reductions.*** Includes savings of \$568,669 GF and \$35,700 NGF in fiscal year 2010 from implementing the September 2009 budget reductions. General fund savings include supplanting general funds with nongeneral funds (\$200,000); closing the Roanoke City and Richmond City (Dove Street) Armories (\$115,000); reducing expenses for the Commonwealth Challenge Program, including purchase of supplies, services, conferences, training, travel,

and equipment, and elimination of living allowances for participants (\$108,689); transferring state computers to the federal National Guard Bureau network (\$105,000); and reducing other expenditures by the Joint Forces Headquarters Staff, the Air National Guard, and the Virginia Defense Force.

- ***Recruitment Incentives.*** Eliminates \$180,000 GF in fiscal year 2010 for state incentives for recruitment for the Virginia National Guard. This proposal assumes the Virginia National Guard will rely on federal recruitment incentives to maintain force strength.

- **Department of State Police**

- ***Governor's September 2009 Budget Reductions.*** Includes savings of \$15.9 million GF and the addition of \$8.3 million NGF in fiscal year 2010 to implement the September 2009 budget reductions, including:
 - Supplanting law enforcement activities with June 30, 2009, nongeneral fund year-end balances (\$6.2 million);
 - Reverting nongeneral fund balances in the insurance fraud program (\$3.0 million) and the safety program (\$2.6 million);
 - Reverting a June 30, 2009, discretionary general fund balance reserved by the agency as part of the budget reduction plan (\$2.1 million);
 - Supplanting general fund support for the management of the STARS radio system with nongeneral funds from the E-911 Fund (\$2.0 million);
 - Reducing the aviation fleet by eliminating one fixed-wing aircraft and one non-med-flight helicopter (\$1.8 million);
 - Delaying the start of the 116th basic school for new state troopers until January 2011, and reducing the number of trainees to 50 cadets, for a savings of \$1.3 million (including eight civilian layoffs in March 2010);
 - Delaying the purchase of patrol vehicles (\$1.25 million);
 - Laying off approximately 104 wage positions and reorganizing full-time staff to meet critical needs (\$1.2 million);
 - Reverting nongeneral fund cash balances from the Woodrow Wilson Bridge overtime activity that was intended to support the 116th Basic Trooper School, which has been postponed until January 2011 (\$696,043);
 - Reverting nongeneral fund balances for indirect costs (\$150,000), from the agency's assessed administrative fee (\$100,000), and from reimbursements

from other states under the Emergency Management Agreement Compact (\$62,284); and,

- Supplanting general fund support for the State Police Aviation Unit with Aviation Special Funds from the Department of Aviation (\$116,988).
- *Reversing the Use of E-911 Funds.* Provides \$2.0 million GF in fiscal year 2010 to replace an equal amount of E-911 funds. This reverses an action recommended in the September 2009 budget reduction plan.
- *Medical Evacuation Operations.* Supplants an additional \$1.0 million GF in fiscal year 2010 for the Medevac program with nongeneral funds from the “4 for Life” program in the Department of Health.
- *Sale of State Police Aircraft.* Adds \$1.6 million GF in fiscal year 2010 to reflect correctly as revenue the proceeds from selling State Police aircraft. A companion adjustment has been made in the general fund revenues.
- **Department of Veterans Services**
 - *Governor’s September 2009 Budget Reductions.* Includes savings of \$427,516 GF and the addition of \$205,366 NGF to implement the September 2009 budget reductions, including:
 - Increasing the amount of central office administrative cost allocated to the two veterans care centers, for a general fund reduction of \$193,000;
 - Reducing administrative costs in benefits offices through more efficient use of supplies and equipment (\$75,000);
 - Reverting a June 30, 2009, discretionary general fund balance reserved by the agency as part of the budget reduction plan (\$72,000);
 - Capturing reimbursement funds received through a federal grant to offset general funds expended for equipment for the Sitter & Barfoot Veterans Care Center (\$33,424);
 - Reducing the hours for a part-time position supporting the Veterans Services Foundation (\$16,150);
 - Supplanting general funds with nongeneral funds for the Virginia War Memorial (\$12,366); and,
 - Reducing other administrative costs (\$59,000).

- **Virginia Parole Board**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$15,360 GF in fiscal year 2010 to implement the September 2009 budget reductions. This includes reverting a June 30, 2009, general fund balance of \$8,835, and reducing travel expenditures for board members (\$6,525).

HB 30 (Chapter 874)

- **Secretary of Public Safety**

- *Task Force on Alternatives for Nonviolent Offenders.* Includes language to continue the task force, with additional members as the Secretary may deem appropriate, and with a specific focus on expanding the use of electronic monitoring and prisoner reentry. This is one of a series of amendments implementing selected recommendations of the Task Force on Alternatives for Nonviolent Offenders.
- *Electronic Incarceration.* Includes language directing the Secretary to coordinate the development of a statewide system for the use of GPS and other electronic methods of monitoring offenders as an alternative to incarceration. The language also directs the Department of Corrections, with the assistance and consultation of the Department of General Services, to negotiate a statewide contract for GPS and other services that can be used by Sheriffs and regional jails, and directs the Department of Criminal Justice Services to develop guidelines for the use of these systems. This is one of a series of amendments implementing selected recommendations of the Task Force on Alternatives for Nonviolent Offenders.
- *Risk Assessment.* Includes language directing the Secretary to study the feasibility of utilizing a risk assessment instrument as one factor in parole decision-making.

- **Department of Alcoholic Beverage Control**

- *Increased Merchandise for Resale.* Provides \$15.0 million NGF the first year and \$15.0 million NGF the second year to reflect the anticipated increase in purchases of merchandise for resale in ABC stores statewide.
- *Increased Markup.* Assumes an increase of two percent in the markup of alcoholic beverages. A companion amendment to the revenue page captures the anticipated revenue transfer from net profits of \$4.0 million GF each year.
- *Additional Stores.* Includes \$4.5 million NGF and 30 positions each year to open up to 20 additional stores in locations deemed to have the greatest potential for total increased sales in order to maximize profitability. A companion amendment

to the revenue page captures the anticipated revenue transfer from net profits of \$1.3 million GF the first year and \$3.9 million GF the second year.

- **Board of Towing and Recovery Operators**

- *Transfer from Office of Transportation.* Transfers the board from the Office of Transportation to the Office of Public Safety.
- *Additional Position.* Provides \$46,146 NGF the first year and \$50,341 NGF the second year and one position each year for an additional administrative position to ensure sufficient coverage of the credentialing, compliance, and consumer complaint functions. The source of the nongeneral funds is the fee paid by the towing operators to support this regulatory function.
- *Additional Operating Appropriation.* Adds \$57,060 NGF each year to support the agency's business functions, including background checks from fingerprint scans, computer maintenance fees, and fees for the acceptance of credit cards.

- **Commonwealth's Attorneys' Services Council**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$67,075 GF each year to implement the Governor's September 2009 budget reductions.
- *Federal Grant.* Adds \$100,000 NGF the first year to reflect a one-time U.S. Department of Justice grant for capital litigation training.

- **Department of Correctional Education**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$2.3 million GF each year from implementation of the September 2009 budget reductions, which eliminated 34 positions related to the closure of facilities by the Departments of Corrections and Juvenile Justice.
- *Agency Restructuring.* Includes additional reductions of \$2.2 million GF the first year and \$2.4 million GF the second year, with language expressing the intent of the General Assembly that these reductions be applied so as to preserve academic and vocational programs in state facilities. The language also directs the Governor's Commission on Government Reform and Restructuring to consider potential organizational changes for this agency.
- *Payroll Service Bureau.* Adds \$1,190 GF each year to reflect the required entry of this agency into the Payroll Services Bureau of the Department of Accounts.

- **Department of Corrections**

- *Inmates Eligible for Parole.* Includes language requesting the Director to recommend to the Parole Board, by August 1, 2010, those prisoners eligible for

parole who may be suitable candidates for release, considering the prisoner's criminal history, mental and physical condition, employability, institutional adjustment, and other appropriate factors including the risk of violence to others.

- ***Jail Project Approval Process.*** Includes language modifying the process for approval of local and regional jail capital projects for new construction, renovation, or expansion. Under the current process, localities or regional authorities are required to obtain an exemption from the General Assembly to a moratorium on project financing as set forth in the Appropriation Act. Under the new process, the localities or regions would first submit their proposals to the Department and Board of Corrections. DOC would still be responsible for assuring that all projects are consistent with Board-approved jail standards. The Department of Criminal Justice Services would provide input to the Board of Corrections, and recommendations to the Department of Planning and Budget on the expected costs of the community corrections programs associated with jail projects. Projects approved by the Board of Corrections, along with the associated costs of community corrections for each project, would be recommended to the Department of Planning and Budget for inclusion of funding for the state share in the Governor's proposed budget.
 - The adopted language also clarifies that jail projects approved by the Board of Corrections as of December 31, 2009, but not included in the budget, as introduced, may be resubmitted for inclusion in the 2011 budget bill, without having to be approved again by the Board of Corrections.
- ***Definition of State-Responsible Offenders.*** Directs the Secretaries of Public Safety, Finance, and Administration to establish a task force to examine the ramifications of changing the definition of state-responsible offenders, with a report due by October 1, 2010.
- ***Definition of Jail Capacity.*** Adds language requesting the Board of Corrections to include a measure of double-bunking in its definition of jail capacity.
- ***Replace Out-of-State Inmate Revenue.*** Adds \$8.7 million GF each year to replace nongeneral fund revenues that will not be available after June 30, 2010, for housing inmates from Wyoming. Those inmates are scheduled to leave in the spring of 2010.
- ***Inmate Medical Costs.*** Provides \$4.7 million GF the first year for the increased costs of inmate medical care, with a review of potential opportunities to reduce medical costs to be conducted by the Department of Planning and Budget.
- ***Equipment Costs.*** Reduces funding for equipment by \$1.25 million GF each year, with a review of potential opportunities to reduce equipment costs to be conducted by the Department of Planning and Budget.

- ***Correctional Enterprises.*** Adds \$6.0 million NGF each year to reflect anticipated expenditures by Virginia Correctional Enterprises, based on projected sales.
- ***Corrections Construction Unit.*** Adds \$1.1 million NGF each year to reflect the anticipated level of expenditures by this unit, which provides inmate labor for small construction projects within DOC and other agencies.
- ***Federal Grant.*** Provides \$200,000 NGF each year to reflect a federal grant for implementing evidence-based substance abuse treatment programs.
- ***Training for Evidence-Based Practices.*** Provides \$150,000 NGF each year for training probation officers in the implementation of evidence-based practices for the supervision of offenders. The source of the nongeneral funds is drug assessment funds from court costs. This is one of a series of amendments implementing selected recommendations of the Task Force on Alternatives for Nonviolent Offenders.
- ***Corrections Special Reserve Fund.*** Provides \$50,000 GF the first year for the projected corrections bedspace impact of legislation clarifying the definition of unsolicited bulk email, or spam (HB 1 of 2010).
- ***Brunswick Correctional Center.*** Includes savings of \$19.9 million GF the first year and \$20.3 million GF the second year to reflect the closure of Brunswick Correctional Center as part of the September 2009 budget reductions. The number of authorized positions is reduced by 328.5 FTE.
- ***Botetourt Correctional Center.*** Includes savings of \$2.4 million GF the first year and \$2.6 million GF the second year to reflect the closure of Botetourt Correctional Center as part of the September 2009 budget reductions. The number of authorized positions is reduced by 121.0 FTE.
- ***Additional Facility Closures.*** Includes savings of \$11.0 million GF the second year to reflect additional facility closures and language directing the department to assess which correctional facilities should be closed in the future. This assessment is to include factors such as the inmate population forecast, facility condition, facility maintenance and operating costs, the facility's contribution to the agency's functions, and the potential savings from a facility's closure.
- ***Additional Unspecified Reductions.*** Includes savings of \$1.5 million GF each year from the elimination of vacant positions or through other efficiencies, as determined by the agency.
- ***Grayson County Correctional Center.*** Adds \$715,000 GF and six positions each year for mothballing the new facility in Grayson County, which is expected to be completed in mid-2010. This amendment includes \$215,000 each year to meet the

commitments made to local governments for extension of the infrastructure necessary for the operation of the facility, plus \$200,000 each year for utilities.

- ***Charlotte County Correctional Facility.*** Adds language expressing legislative intent that the next priority for construction of a new medium security correctional facility shall be given to a location within Charlotte County.
- ***James River-Powhatan Complex.*** Adds language directing the department to prepare a long-range plan to consolidate the secure correctional facilities at the James River-Powhatan complex on the south side of the James River in Powhatan County.
- ***Additional Out-of-State Inmate Revenue.*** Supplants \$9.9 million GF each year with \$10.0 million each year in nongeneral funds, pursuant to a contract for DOC to house 1,000 inmates from the Pennsylvania Department of Corrections. The out-of-state inmates will be housed at Green Rock Correctional Center.
- ***Information Systems Balances.*** Transfers general fund balances of \$4.6 million the first year and \$5.6 million the second year and \$400,000 in nongeneral fund balances each year to the general fund. These balances are no longer needed for the development of the agency's information management systems.
- ***Payments in Lieu of Taxes.*** Includes savings of \$1.4 million GF each year by eliminating payments to localities in lieu of taxes in jurisdictions where state correctional facilities are located. Language is added exempting the agency from the requirements of Section 58.1-3403 of the *Code of Virginia* for making these payments in lieu of taxes.
- ***Drug Cost Savings.*** Includes savings of \$150,000 GF each year based on the use of generic drugs for inmates with psychiatric illnesses.
- ***Reentry Coordinator Position.*** Adds language authorizing the Department of Planning and Budget to transfer up to \$150,000 GF each year to the Secretary of Public Safety for a position to coordinate efforts to improve reentry programs.
- ***Unfunded Positions.*** Reduces the agency's maximum employment level by 120.5 each year to remove unfunded and vacant positions.
- ***New Dairy Barn.*** Includes language in Part 2 (Capital Outlay) to change the scope of the project which was originally intended to construct a new dairy barn at Powhatan Correctional Center. The revised language would permit the option of renovating the existing barn at James River Correctional Center.

- **Department of Criminal Justice Services**

- ***State Aid to Localities with Police Departments.*** Provides a total of \$178.7 million GF the first year and \$160.6 million GF the second year. The 2009 General

Assembly provided \$197.3 million for FY 2010. Based on downward revisions in projected general fund revenues, the final FY 2010 budgeted amount for HB 599 was \$180.8 million, a cumulative reduction of 11.8 percent. The budgeted amount of \$178.7 million for FY 2011 represents a reduction of 1.2 percent below the final amount for FY 2010, while the \$160.6 million for FY 2012 represents an 11.5 percent reduction below the final amount for FY 2010.

- Separate legislation was introduced to increase the gross premiums tax on property and casualty insurance by 0.5 percent with the proceeds to be deposited into a Virginia Public Safety Fund. The introduced budget proposed to allocate \$4.2 million the first year and \$10.8 million the second year from this nongeneral fund for the the 599 program. This proposal was not approved, and instead, the General Assembly added \$22.3 million GF the first year and \$10.3 million GF the second year for HB 599 payments.
- ***Victim-Witness Programs.*** Reduces grants for local victim-witness programs by \$465,000 GF each year. These grants were not reduced in fiscal year 2010. The 2009 General Assembly provided \$3.1 million each year for these programs, so this represents a 15 percent reduction.
- ***Regional Police Training Academies.*** Includes a reduction of \$464,843 GF each year for the regional academies, which is less than the \$640,983 reduction imposed in fiscal year 2010. The 2009 General Assembly provided \$993,083 for the academies in fiscal year 2010, so the amounts for fiscal years 2011 and 2012 represent a 46.8 percent reduction below the amount for fiscal year 2010.
- ***School Resource Officers.*** Includes a reduction of \$464,843 GF each year for the School Resource Officers Incentive Grants Fund. These grants were reduced by \$134,383 in FY 2010. The 2009 General Assembly provided \$1.3 million for the fund for FY 2010, so the FY 2011 and 2012 amounts represent a 34.6 percent reduction below the FY 2010 amount.
- ***Offender Reentry and Transition Services.*** Includes a reduction of \$370,727 GF each year in the grants for offender reentry and transition programs. These grants were reduced by ten percent (\$247,151) in fiscal year 2010. The revised amounts for fiscal years 2011 and 2012 represent a 15 percent reduction below the original appropriation of \$2.5 million for fiscal year 2010.
- ***Court Appointed Special Advocates.*** Reduces grants for Court Appointed Special Advocates (CASA) programs by \$280,389 GF each year. These grants were reduced by \$145,657 in fiscal year 2010. The 2009 General Assembly provided \$1.5 million GF for this program in FY 2010, so the revised amounts for fiscal years 2011 and 2012 represent a 19.2 percent reduction below the original FY 2010 appropriation.

- *Sexual Assault Crisis Centers.* Reduces grants for local sexual assault crisis centers by \$67,500 GF each year. The 2009 General Assembly provided \$450,000 GF in each year of the 2008-10 biennium for this program. These grants were reduced by ten percent (\$45,000) in fiscal year 2010. For 2011 and 2012, the reductions are increased to 15 percent.
- *Spanish Language Training.* Eliminates a grant of \$85,000 GF each year to the Virginia Center for Policing Innovation for Spanish language training.
 - The original grant by the 2008 General Assembly was for \$150,000 GF in each year of the 2008-10 biennium. The grant was reduced by the 2009 General Assembly to \$100,000 in fiscal year 2010. The introduced budget reduced that amount to \$85,000 each year.
- *Alzheimer's Program.* Eliminates a grant of \$50,000 GF in the second year for training law enforcement officers in managing persons with Alzheimer's disease, and includes language directing the agency to seek other sources of funding.
- *Internet Crimes Against Children.* Provides \$600,000 NGF each year for the Southern Virginia Internet Crimes Against Children (ICAC) Task Force, and \$500,000 NGF each year for a new grant program for new ICAC law enforcement efforts. The source of the nongeneral funds is a new \$10 fee added to the court costs for every criminal conviction in circuit and district court, pursuant to Senate Bill 620 of the 2010 Session. A companion amendment provides \$600,000 NGF each year to the Department of State Police for the Northern Virginia Internet Crimes Against Children (ICAC) Task Force. The existing appropriation of \$350,000 GF each year for both task forces was removed.
- *Eliminate Vacant Positions.* Includes a reduction of \$332,100 GF and \$187,867 NGF each year to reflect the elimination of seven vacant positions.
- *Agency Restructuring.* Includes a reduction of \$278,000 GF the first year and \$524,000 GF the second year and five positions each year.
- *Other Nongeneral Funds.* Increases the recommended appropriations for private security regulation and asset forfeiture by \$1.6 million NGF each year to reflect increased caseloads.

- **Department of Emergency Management**

- *Governor's September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$284,468 GF each year.
- *Emergency Management Assistance Compact.* Includes language developed in response to changes in federal reimbursement policies for assistance provided by state and local agencies to other states or localities in a disaster.

- Virginia's Department of Emergency Management (VDEM) is reimbursed by the Federal Emergency Management Agency (FEMA) for the approved costs of state and local assistance provided to other jurisdictions in the event of an out-of-state disaster.
 - FEMA has tightened its audit requirements. This may become an issue because VDEM reimburses Virginia localities for their expenses before the federal reimbursement is received. If some of the expenses are disallowed under FEMA's more rigorous review procedures, VDEM may find it has over-reimbursed some localities. If so, those Virginia localities are then required to reimburse VDEM for the overpayments.
 - The language provides that if a locality does not reimburse VDEM within 60 days of being notified, the State Comptroller is authorized to withhold (from any funds to be transferred to that locality) the amount overpaid to that locality, and to transfer that amount to VDEM.
- *Adjust Funding Sources.* Changes the funding source for 9.9 positions to take advantage of available federal funds and to adjust to the fiscal year 2010 budget reductions.
 - *Fusion Center Analyst.* Supplants \$58,945 GF each year with an equal amount of nongeneral funds by changing the funding source for a Fusion Center analyst to State Homeland Security funding.
 - *Emergency Operations Center Position.* Supplants \$46,607 GF each year with an equal amount of nongeneral funds by changing the funding source for a communicator position to the Urban Area Security Initiative.
 - *Administrative Position.* Includes a savings of \$33,441 GF each year by eliminating one administrative position.
 - *Reducing the Number of Regions.* Includes a savings of \$80,000 GF each year by reducing the number of hazardous materials regions from eight to seven regions.
- **Department of Fire Programs**
 - *Governor's September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$211,444 GF the first year and \$141,559 GF the second year, including the elimination of one vacant regional manager position and a wage position.
 - *Bookstore Appropriation.* Provides an increase of \$98,845 each year in nongeneral funds to reflect anticipated sales from the agency's bookstore, which supplies training materials for firefighters.

- *Fireworks Operators.* Adds \$20,000 NGF each year for a new program to require that all persons who operate fireworks shows in the Commonwealth must be certified by the State Fire Marshal pursuant to Chapter 587 of the 2010 Acts of Assembly (SB 8).

- **Department of Forensic Science**

- *Governor's September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$36,397 GF each year, which reflects the deferral of certain payments which had previously been prepaid. The other fiscal year 2010 reductions were one-time savings.
- *Court Testimony.* Provides \$789,175 GF each year for the increased costs associated with court testimony by forensic scientists. The 2009 decision of the U.S. Supreme Court in the Melendez-Diaz case specifies that state law must afford a defendant the opportunity to require the prosecution to present scientific analyses through direct testimony of forensic scientists. These additional funds are intended to support increased travel, overtime, training and retention expenses, and to fill three unfunded toxicology positions.
- *Western Forensics Laboratory.* Adds \$206,000 GF each year to reflect the cost of maintenance and utilities for space utilized by the Western Office of the Chief Medical Examiner in the Western Forensics Laboratory at Roanoke. A companion amendment to the budget for the Department of Health transfers these funds from the Chief Medical Examiner.
- *Agency Restructuring.* Includes a reduction of \$271,983 GF the first year and \$282,728 GF the second year, with language expressing the intent that the reduction may include elimination of two management-level positions.
- *Payments in Lieu of Taxes.* Includes a savings of \$219,000 GF each year by eliminating payments in lieu of taxes to localities.
- *Adjustment of Federal Grant Funding.* Removes \$1.5 million NGF each year to reflect the completion of a one-time post-conviction DNA testing grant.

- **Department of Juvenile Justice**

- *Governor's September 2009 Budget Reductions.* Includes savings of \$7.9 million GF each year to continue the September 2009 budget reductions in fiscal year 2011 and 2012, including:
 - Closure of Natural Bridge Juvenile Correctional Center, for an annual savings of \$2.8 million (language is added directing DJJ, with the assistance of the Departments of General Services and Historic Resources and the Virginia Economic Development Partnership, to prepare a report on options for the re-use and redevelopment of the property);

- Five percent reduction each year in funding for the Virginia Juvenile Community Crime Control Act, locally-operated court services units, and local detention home operations, for an annual savings of \$2.5 million;
 - Elimination of 23.5 juvenile court services unit positions and reductions in support costs for an annual savings of \$1.3 million;
 - Elimination of 11 central office positions for an annual savings of \$665,598; and,
 - Reduction of contract services for juveniles on probation for an annual savings of \$536,209.
- *Virginia Juvenile Community Crime Control Act.* Includes an additional \$2.5 million GF reduction each year in state aid to localities for Virginia Juvenile Community Crime Control Act (VJCCCA) grants. Language is included allocating \$600,000 the first year and \$1.3 million the second year from the VJCCCA program for the Department of Military Affairs' Commonwealth Challenge program.
 - *Turnover and Vacancy.* Includes an additional savings of \$1.5 million GF each year from position vacancies.
 - *Agency Restructuring.* Includes an additional reduction of \$400,000 GF each year and three positions, with language expressing the intent to eliminate management-level positions in the central office.
 - *Nongeneral Fund Adjustments.* Transfers appropriations from federal to special funds to support an increase in expenditures for the Annie E. Casey Foundation grant to develop alternatives to juvenile detention, and to supplant general funds for various programs.
- **Department of Military Affairs**
 - *Governor's September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$368,669 GF and \$235,700 NGF each year.
 - *Commonwealth Challenge.* Offsets the elimination of \$600,000 the first year and \$1.3 million the second year in general fund support for this program with a corresponding allocation of funds from the Virginia Juvenile Community Crime Control Act (VJCCCA) program in the Department of Juvenile Justice.
 - *Recruitment Incentives.* Eliminates \$180,000 GF each year for state incentives to recruit soldiers for the Virginia National Guard and the Air National Guard. This action assumes the agency will rely on federal recruitment incentives to maintain force strength.

- *Tuition Assistance.* Adds \$212,703 GF each year for the state tuition assistance program for members of the National Guard.
- *Nongeneral Funds.* Adds \$9.0 million NGF each year to reflect anticipated cooperative agreement funding from the National Guard Bureau of the U.S. Department of Defense.

- **Department of State Police**

- *Governor’s September 2009 Budget Reductions.* Continues the strategies announced in September 2009 for a savings of \$8.7 million GF the first year and \$7.3 million GF the second year, including:
 - Reverting nongeneral fund balances from the insurance fraud program (\$2.0 million each year);
 - Deferring purchase of highway patrol vehicles (\$1.25 million each year);
 - Supplanting aviation unit general fund support with an equal amount of special funds from the Department of Aviation (\$116,988 each year);
 - Maintaining the previous reduction of the aviation fleet, including one fixed-wing aircraft and one non-med-flight helicopter (\$353,451 each year);
 - Maintaining the previous annual savings from the elimination of 104 wage positions (\$1.6 million each year); and,
 - Postponing the 116th Basic Trooper School until January 2011, and reducing the number of trainees to 50 cadets, for a savings of \$3.4 million the first year and \$2.0 million the second year.
- *Restoration of the 116th Basic Trooper School.* Restores \$3.4 million GF the second year so that the 116th school can begin in January 2011, with 50-60 trooper trainees.
- *117th and 118th Basic Trooper Schools.* Includes savings of \$287,604 GF the first year and \$3.1 million GF the second year based on postponing the 117th Basic Trooper School until October 2011, with 60-90 trooper trainees, and postponing the 118th Basic Trooper School until late summer 2012.
- *STARS Maintenance.* Provides \$4.0 million GF the first year and 22 positions to maintain the State Agencies Radio System (STARS). The introduced budget assumed \$4.7 million NGF and 22 positions the first year and \$6.7 million NGF and 34.0 positions the second year from nongeneral funds through the Virginia Public Safety Fund for project maintenance costs for this purpose. This was to have been funded by companion legislation increasing the gross premiums tax on

property and casualty insurance by 0.5 percent. However, this proposal was not approved, so the general funds were provided instead.

- ***Investigative Operations.*** Provides \$6.8 million GF each year for the Bureau of Criminal Investigation and for the Fusion Center. The introduced budget supplanted \$4.8 million GF each year for these operations with an equal amount of nongeneral funds from the proposed increase in the gross premiums tax on property and casualty insurance. However, this proposal was not approved, so the general funds were provided instead.
- ***Medical Evacuation Operations.*** Supplants an additional \$1.5 million GF each year for medical evacuation (med-flight) operations with an equal amount of nongeneral funds from the “\$4 for Life” program. This raises the total of “\$4 for Life” revenues for med-flight to \$3.1 million each year, and eliminates all general fund support for the med-flight program.
 - A companion amendment increases the current \$4.25-for-Life fee to \$6.25-for-Life. This is one component of the annual vehicle registration fee.
- ***Internet Crimes Against Children.*** Includes \$600,000 NGF each year for the Northern Virginia Internet Crimes Against Children (ICAC) task force. The source of the nongeneral funds is a new \$10 fee on all criminal convictions in circuit and district court, pursuant to SB 620 of the 2010 session.
- ***Delay in Filling Sworn Position.*** Includes a savings of \$155,412 GF the second year from delays in filling a sworn position upon the retirement of the incumbent.

- **Department of Veterans Services**

- ***Governor’s September 2009 Budget Reductions.*** Continues the strategies announced in September 2009 for a savings of \$393,866 GF and an increase of \$205,366 NGF each year. The nongeneral fund increase reflects several actions to supplant general funds.
- ***Virginia War Memorial.*** Includes \$150,000 GF the first year and \$400,000 GF the second year and one position for operating expenses for the Paul and Phyllis Galanti Education Center at the Virginia War Memorial in Richmond.
- ***Southwest Virginia Veterans Cemetery.*** Adds \$150,000 GF, \$15,000 NGF and three positions the first year and \$200,000 GF, \$15,000 NGF and four positions the second year to operate the new veterans’ cemetery at Radford.
- ***Burial Vaults.*** Adds \$36,000 GF the first year for provision of burial vaults that may be purchased at cost by veterans and their families for burials at the Amelia Veterans Cemetery and the Horton Veterans Cemetery in Suffolk.

- ***Wounded Warrior Program.*** Provides \$100,000 NGF each year to anticipate the receipt of federal grants for the Wounded Warrior program.
- ***Director of Health Planning.*** Includes \$50,000 NGF each year for a part-time project manager to oversee the development of plans and marketing programs for the new veterans care centers.
- ***Veterans Services Foundation.*** Adds \$40,000 NGF each year for operational and administrative costs of the Veterans Services Foundation. The agency can no longer absorb these expenses due to budget reductions.
- ***Federal Grant Application for Suffolk Cemetery.*** Includes language authorizing the agency to apply for a federal grant for construction of the second phase of the Albert G. Horton, Jr. Memorial Veterans Cemetery in Suffolk. Upon approval of the federal grant, a treasury loan would be provided to support construction of the project. The treasury loan would be repaid from the federal grant.
- ***Maintenance Reserve.*** Includes \$200,000 NGF each year (in Part 2 – Capital Outlay) for maintenance reserve projects for the veterans care centers. The source of the nongeneral funds is the daily rate supplement which is added to the charges for the veterans care centers. Of the total, \$150,000 is from federal funds and \$50,000 is from special funds.

- **Virginia Parole Board**

- ***Distribution of Central Appropriation Adjustments.*** Reduces the agency's budget by \$18,279 GF each year to account for Central Appropriations adjustments for retirement and benefit contribution rates and other centrally funded items approved by the 2009 Session of the General Assembly.
- ***Conversion of Board Members to Part-Time Status.*** Adds \$125,066 GF and 3 positions the first year and \$62,553 GF and 2 positions the second year for reinstating the Parole Board's chairman and vice-chairman as full-time positions in FY 2011 and FY 2012 and one additional position to full-time status in FY 2011.