



Report of the Subcommittee on
Public Safety

Senate Finance Committee
Virginia General Assembly

February 19, 2012

REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY
On Senate Bills 29 and 30, as Introduced
(February 19, 2012)

Mr. Chairman and Members of the Committee:

Your subcommittee has reviewed the provisions of Senate Bills 29 and 30, the budget bills, as introduced, for the Office of Public Safety and the Office of Veterans Affairs and Homeland Security. These two secretariats were separated last year.

In the budget as introduced, the combined FY 2014 appropriations for these two secretariats are only 1.4 percent higher than the comparable amounts for FY 2007 – seven years earlier. During these years, we have experienced sharp reductions in general fund resources, and more recently, a slow increase. As a result, we have had to make difficult choices, set priorities, and streamline operations. This year, your subcommittee’s recommendations are very modest, resulting in a spending reduction of \$1.3 million when compared to the budget as introduced. This amount is available for other priorities of the committee.

The Office of Public Safety has experienced significant downsizing over the past four years. You are very familiar with the closure of adult and juvenile correctional facilities, and the reductions and elimination of programs in the various agencies. The introduced budget includes the closure of Mecklenburg Correctional Center, which is another setback to the economy of Southside Virginia. For this reason, we are recommending \$1.3 million each year to restore payments in lieu of taxes or service charges to help the localities in this region.

Our top priority in recent years has been to strengthen Virginia’s efforts to help our veterans, especially our Wounded Warriors returning home from Iraq and Afghanistan. A decade ago, the Department of Veterans Services was a far smaller agency. Over the seven-year period from 2007 to 2014, the DVS general fund budget will have more than doubled.

In the budget as introduced, we support the new initiative in cooperation with the Department of Medical Assistance Services to identify Virginia veterans receiving Medicaid who may instead qualify for federal Veterans Administration disability and medical benefits. This should result in a savings to the Commonwealth. We have worked closely with your Subcommittee on Health and Human Resources to review this initiative. We have also recommended an additional \$150,000 each year for the automated veterans claims processing system and \$140,000 each year to strengthen the internal management of the agency, during this period of rapid growth.

For the Department of State Police, we are committed to eliminating the delays experienced in the computerized background checks of individuals purchasing firearms. For this reason, we recommend adding just over \$400,000 each year and five more positions to staff this program.

Your subcommittee recommends \$6.2 million for the required deposit to the Corrections Special Reserve Fund, based on the sentencing bills adopted by the Senate that affect the future need for correctional facility bedspace. The introduced budget included a \$12.1 million deposit, so our amendments provide a savings of \$5.9 million, when compared to the introduced budget.

We also recommend that \$6.0 million from the Corrections Special Reserve Fund be allocated for the highest priority security-related capital improvement project for the Department of Corrections, which is the replacement and repair of security systems, doors and locks at Marion Correctional Treatment Center in Southwest Virginia. We have provided this recommendation to your Capital Outlay Subcommittee for its consideration.

We have worked very closely with your General Government Subcommittee to ensure that revenues from fines and fees that should be accruing to the Commonwealth from the enforcement of state laws are not diverted, beyond a reasonable amount, by localities through the enforcement of parallel local ordinances. We have included language to establish a standard that when localities collect more than 30 percent of their total fines and fees from local ordinances, then one-half of the excess over 30 percent should be directed back to the Literary Fund.

I want to close by recognizing the outstanding work of our public safety, veterans affairs and homeland security agencies at both the state and local level. The men and women in adult and juvenile corrections, law enforcement, fire and emergency services, our forensic laboratories, the Virginia National Guard and the Air National Guard, and the Department of Veterans Services, deserve our sincere thanks for their dedication to public service and for their tireless efforts to keep all Virginians safe.

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

Respectfully Submitted,

The Honorable Ryan McDougle, Chairman

The Honorable Janet D. Howell

The Honorable Thomas K. Norment, Jr.

The Honorable Henry L. Marsh, III

The Honorable L. Louise Lucas

The Honorable Stephen D. Newman

The Honorable Jill Vogel

REPORT OF THE SUBCOMMITTEE ON PUBLIC SAFETY

(Proposed Amendments to SB 29 and SB 30, As Introduced, 2012 Session, General Funds unless otherwise noted)

Office of Public Safety		SB 29	SB 30		
		FY 2012	FY 2013	FY 2014	Biennium
1	Department of Alcoholic Beverage Control				
2	ABC: License Application Process, 2nd year, technical adjustment (6 FTE)		\$0	NGF	NGF
3	Department of Corrections				
4	DOC: Open Grayson County Correctional Facility		Language	\$0	\$0
5	DOC: Payments in lieu of taxes or service charges	\$95,000	\$1,352,000	\$1,352,000	\$2,704,000
6	DOC: Section 30-19.1:4 impact of SB 66 -- abuse/neglect of children		\$0	\$0	\$0
7	DOC: Section 30-19.1:4 impact of SB 127 -- juveniles/Sex Offender Registry		\$50,000	\$0	\$50,000
8	DOC: Section 30-19.1:4 impact of SB 159 -- drug trafficking		(\$6,214,384)	\$0	(\$6,214,384)
9	DOC: Section 30-19.1:4 impact of SB 182 -- DUI manslaughter		(\$201,394)	\$0	(\$201,394)
10	DOC: Section 30-19.1:4 impact of SB 224 -- separate assault and battery		\$50,000	\$0	\$50,000
11	DOC: Section 30-19.1:4 impact of SB 273 -- synthetic cannabinoids		\$50,000	\$0	\$50,000
12	DOC: Section 30-19.1:4 impact of SB 345 -- street gangs		\$199,045	\$0	\$199,045
13	DOC: Section 30-19.1:4 impact of SB 431 -- financial exploitation		\$0	\$0	\$0
14	DOC: Section 30-19.1:4 impact of SB 436 -- sex offenses		\$50,000	\$0	\$50,000
15	DOC: Section 30-19.1:4 impact of SB 459 -- strangulation		\$0	\$0	\$0
16	DOC: Section 30-19.1:4 impact of SB 486 -- harrassment by computer		\$50,000	\$0	\$50,000
17	DOC: Section 30-19.1:4 impact of SB 503/138 -- motor vehicle fuels tax		\$50,000	\$0	\$50,000
18	DOC: Evaluation of inmates for involuntary commitment to SVP, 2 FTE (SB 314)		\$76,231	\$115,394	\$191,625
19	DOC: Board of Corrections report on jail multiple occupancy (design) capacity		Language	\$0	\$0
20	DOC: Board of Corrections approval of waivers for temporary jail facilities		Language	\$0	\$0
21	Department of Criminal Justice Services				
22	DCJS: HB 599: language to continue annexation moratorium		Language	Language	\$0
23	DCJS: Internet Crimes Against Children - Southern VA Task Force		NGF	NGF	NGF
24	DCJS: Internet Crimes Against Children - Grants, DSS Transfer, Annual Report		NGF	NGF	NGF
25	Department of Forensic Science				
26	DFS: Restore 5 FTE for forensic photography		FTE	FTE	FTE
27	DFS: FOI Requests for DNA Testing Notification		Language	Language	\$0
28	Department of Juvenile Justice				
29	DJJ: Feasibility study of juvenile justice student apprenticeship program		Language		\$0
30	Department of Military Affairs				
31	DMA: Add back funds for Commonwealth Challenge		\$1,335,213	\$1,335,213	\$2,670,426
32	DMA: National Guard Tuition Differential (SB 508, Education Subcommittee)		\$485,000	\$485,000	\$970,000

	SB 29	General Funds		
Amendment	FY 2012	FY 2013	FY 2014	Biennium
36 Department of State Police				
37 DSP: Firearms transaction program, transfer existing NGF to GF		\$939,682	\$939,682	\$1,879,364
38 DSP: Firearms transaction program, new funding to eliminate delays		\$402,124	\$402,124	\$804,248
39 DSP: Internet Crimes Against Children, NoVA Task Force		NGF	NGF	NGF
40 Virginia Parole Board				
41 Restore two members from part-time to full-time status		\$100,000	\$100,000	\$200,000
43 TOTAL (Office of Public Safety)	\$95,000	(\$1,226,483)	\$4,729,413	\$3,502,930
Office of Veterans Affairs and Homeland Security				
47 Department of Veterans Services				
48 DVS: Licensing Costs for Automated Claims Processing System		\$150,000	\$150,000	\$300,000
49 DVS: Administrative/Financial Management Positions		\$140,000	\$140,000	\$280,000
50 DVS: Technical changes in Wounded Warrior language		Language	Language	\$0
52 TOTAL (Office of Veterans Affairs and Homeland Security)	\$0	\$290,000	\$290,000	\$580,000
Part 2: Capital Outlay				
56 DOC: Security Improvements/Corrections Special Reserve Fund (Marion Correctional Treatment Center)				Capital Outlay Subcommittee
57 DVS: Veterans Care Center, Hampton Roads (\$28.5 million state share/Treasury Loan)				Capital Outlay Subcommittee
Part 3: Transfers				
59 3-1.01: Transfers of ABC Net Profits to GF	Language	Language	Language	\$0
60 3-1.01: Transfer Balances in Internet Crimes Against Children (ICAC) Fund		Language	Language	\$0
61 3-1.01: Transfer Firearms Transaction Fee to GF (Dedicated Special Revenue)		Language	Language	\$0
62 3-1.01: Transfer \$6.0 million Corrections Special Reserve Fund to Capital Project		Language	\$0	\$0
63 3-2.03: VDEM Treasury Loan for Disaster-Related Expenses	Language	Language	Language	\$0
64 3-6.00: Transfer Funds to Localities for Part of Local Ordinance Collections				General Government Subcommittee
Revenue Page				
67 Transfers: Firearms Transaction Fee to GF	\$0	\$939,682	\$939,682	\$1,879,364
68 Transfers: Transfers of ABC Net Profits to GF	\$1,707,718	\$1,307,718	\$1,007,718	\$2,315,436

Public Safety	FY 10-11	FY 11-12	
Department Of Corrections	\$0	\$95,000	GF

Language:

Page 135, line 13, strike "\$835,513,109" and insert "\$835,608,109".

Page 138, following line 21, insert:

"S. Included in the appropriation for this Item is \$95,000 the second year from the general fund to provide transitional assistance to the Town of Boydton during the closure of Mecklenburg Correctional Center. The Department of Corrections shall make two monthly transitional payments to the Town of Boydton, beginning in May, 2012, which, when added to the amounts actually paid by DOC to the Town for sewage treatment services for FY 2012, will equal the level of expenditures made by DOC for sewage treatment services during FY 2011. The second payment shall be reduced on a dollar for dollar basis by any increased amounts of revenue accruing to the Town of Boydton in FY 2012 from expanded sewage treatment services for any new economic development projects in Mecklenburg County, including, but not limited to, the new Microsoft data center. No payment shall be made for this purpose prior to the certification by the Auditor of Public Accounts that the amount to be paid is consistent with this item."

Explanation:

(This amendment provides transitional support to the Town of Boydton during the closure of Mecklenburg Correctional Center.)

Transfers

Interfund Transfers

Language

Language:

Page 182, after line 18, insert:

"WW. On or before June 30, 2012, the State Comptroller shall transfer \$200,508 from the general fund to the Trust and Agency Fund (fund 0700) for the Department of State Police to restore revenue inadvertently deposited to the general fund in fiscal year 2011."

Explanation:

(This amendment restores nongeneral fund revenue inadvertently deposited to the

general fund in fiscal year 2011.)

Public Safety Subcommittee

Item 3-1.01 #3s

Transfers

Interfund Transfers

Language

Language:

Page 175, line 52, strike "53,300,000" and insert "55,007,718".

Explanation:

(This amendment increases the estimated transfer of ABC profits to the general fund by \$1,707,718 in FY 2012. A companion amendment to Part 3 in Senate Bill 30 increases the estimated transfer by \$1,307,718 in FY 2013 and \$1,007,718 in FY 2014.)

Public Safety Subcommittee

Item 3-2.03 #1s

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 183, following line 56, insert:

"f. The Secretary of Finance or his designee, consistent with any Executive Order signed by the Governor, may provide the Department of Emergency Management with anticipation loans in such amounts as may be needed to appropriately reimburse the department for disaster related costs. Such loans shall be based on the federal reimbursements anticipated in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months, if necessary."

Explanation:

(This amendment provides authority for the Secretary of Finance to issue treasury loans for the Department of Emergency Management to cover disaster-related costs in anticipation of reimbursement by the Federal Emergency Management Agency. The language is needed because of delays in receiving FEMA reimbursement for expenses related to Hurricane Irene.)

Public Safety	FY 12-13	FY 13-14	
Department Of Alcoholic Beverage Control	\$0 0.00	\$500,000 6.00	NGF FTE

Language:

Page 279, line 42, strike "\$17,458,945" and insert "\$17,958,945".

Explanation:

(This amendment adds \$500,000 NGF and 6.0 FTE positions the second year for improvements to the department's internet-based licensing application process. The introduced budget included these funds and positions in the first year but not in the second year.)

Public Safety

Department Of Corrections

Language

Language:

Page 283, following line 16, insert:

"E. If a facility reported an average daily population for the previous fiscal year which exceeded its operational (design) capacity, as rated by the Board of Corrections, not to include federal inmates, by more than 75 percent, or if a portion of the jail is mandated to be closed due to fire, natural disaster, or condemnation, the Board of Corrections is authorized to provide a waiver from the construction requirements of the "Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities, and Minimum Standards for Local Jails and Lockups" to a locality proposing a jail enlargement project involving the use of a temporary structure for housing community custody inmates. Such waiver shall be for a maximum of five years. If construction of a permanent facility or enlargement is not completed at the time of the expiration of the waiver, the Board of Corrections may grant a one year extension up to two times. If such extensions are granted, the locality shall lose 25 percent of the eligible reimbursement for each year of extension. At no time shall the temporary building be used for more than seven years. Such temporary structure shall comply with all of the applicable provisions of the Virginia Uniform Statewide Building Code and the Virginia Statewide Fire

Prevention Code for that designated use and occupancy. Such waiver shall not relieve the locality of the requirement for submission to and Board of Corrections approval of a community-based corrections plan, planning study, and construction of a permanent facility or enlargement. The community-based corrections plan and planning study for the permanent facility or enlargement shall be submitted to the Board of Corrections within twelve months of the approval by the Board of Corrections of the waiver for the temporary structure. The locality shall provide to the Board of Corrections an annual update on the progress of the construction of a permanent facility or enlargement by July 1 of each year of the temporary facility's use. Failure of a locality to comply with the above requirements may result in the Board of Corrections terminating the locality's use of the temporary facility. Any locality receiving such a waiver shall not be eligible for construction funding reimbursement authorized pursuant to §§ 53.1-80 through 53.1-82, Code of Virginia, for the temporary facility."

Explanation:

(This amendment authorizes the Board of Corrections to approve certain temporary jail facilities, when the temporary facility complies with the statewide building and fire prevention codes. No state reimbursement would be provided for the capital costs of such temporary structures. Currently, the City of Chesapeake is the only jurisdiction with a temporary housing structure.)

Public Safety Subcommittee

Item 386 #3s

Public Safety

Department Of Corrections

Language

Language:

Page 282, line 43, strike "double-bunking capacity" and insert "design capacity".

Page 283, line 9, strike "actual jail capacity" and insert "design capacity".

Page 283, line 10, strike "double-bunking" and insert "multiple occupancy for medium and minimum security units".

Page 283, line 11, strike "double-bunked: and insert "considered multiple occupancy".

Page 283, line 13, following "1980" insert ", or an appropriate date as determined by the Board".

Page 283, line 13, strike "double-bunking" and insert "multiple occupancy".

Page 283, line 16, strike "of each year" and insert ", 2013, with an interim report by October 1, 2012".

Explanation:

(This amendment amends existing language to express the legislative intent that the Board of Corrections should measure the design capacity of local and regional jails based upon recognition of the anticipated bed capacity of multiple occupancy cells, rooms, and dormitories that are designed for multiple occupancy. Generally, maximum security cells, including isolation and segregation units, are counted as single occupancy cells. However, medium and minimum security cells, rooms, and dormitories may be designed to hold more than one inmate, including, for example, double, triple or quadruple occupancy cells or rooms, or dormitories in which double bunks are planned. The number of beds in these units should be counted in terms of planned multiple occupancy in the measurement of design capacity if the jail infrastructure is appropriately designed and adequate staffing is provided to accommodate the number of inmates anticipated in such multiple occupancy units.)

Public Safety Subcommittee

Item 388 #6s

Public Safety

Department Of Corrections

Language

Language:

Page 285, following line 33, insert:

"L. The Department of Corrections shall develop a plan to open the Grayson County Correctional Facility, beginning not later than July 1, 2013. Copies of the plan shall be provided to the Governor, the Secretary of Public Safety, and the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2012. The Governor shall include sufficient funds and positions as he deems appropriate in his proposed amendments to the 2012-14 biennial budget, as submitted to the 2013 Session of the General Assembly, to phase in the operation of the new facility."

Explanation:

(This amendment expresses the intent of the General Assembly that the Governor provide sufficient funds to open the new correctional facility in Grayson County beginning not later than July 1, 2013.)

Public Safety Subcommittee

Item 389 #1s

Public Safety

Department Of Corrections

FY 12-13

\$1,352,000

FY 13-14

\$1,352,000 GF

Language:

Page 285, line 34, strike "\$97,629,073" and insert "\$98,981,073".

Page 285, line 34, strike "\$85,780,227" and insert "\$87,132,227".

Page 286, line 54, following "town." insert:

", except that the Department of Corrections shall pay the following amounts, as specified, for payments in lieu of taxes or service charges:

Sussex County, \$415,000 each year;

Brunswick County, \$108,000 each year;

Greenville County, \$200,000 each year;

Wise County, \$175,000 each year;

Lunenburg County, \$45,000 each year;

Mecklenburg County, \$200,000 each year;

Southampton County, \$47,000 each year;

Buckingham County, \$60,000 each year;

Richmond County, \$32,000 each year; and,

Fluvanna County, \$70,000 each year."

Explanation:

(This amendment restores \$1,352,000 GF each year for the Department of Corrections to make payments in lieu of taxes or service charges to certain specified localities in which state correctional facilities are located.)

Public Safety Subcommittee

Item 389 #8g

Public Safety

FY 12-13

FY 13-14

Department Of Corrections

\$76,231

\$115,394 GF

2.00

2.00 FTE

Language:

Page 285, line 34, strike "\$97,629,073" and insert "\$97,705,304".

Page 285, line 34, strike "\$85,780,227" and insert "\$85,895,621".

Explanation:

(This amendment provides \$76,231 the first year, \$115,394 the second year, and two positions each year from the general fund to evaluate inmates who meet the statutory criteria for involuntary commitment as sexually violent predators. Senate Bill 314 creates a more extensive evaluation process and the department will need additional staff in order to complete the evaluations within the required timeframe. This amendment is contingent upon final passage of Senate Bill 314.)

Public Safety	FY 12-13	FY 13-14
Department Of Corrections	(\$5,916,733)	\$0 GF

Language:

Page 285, line 34, strike "\$97,629,073" and insert "\$91,712,340".

Page 287, line 18, strike "12,128,309" and insert "6,211,576".

Page 287, strike lines 23 through 32 and insert:

- "a. Senate Bill 66, concerning abuse and neglect of children -- \$50,000.
- b. Senate Bill 127, concerning juvenile sex offender registration -- \$50,000.
- c. Senate Bill 159, concerning penalties for drug trafficking -- \$5,512,531.
- d. Senate Bill 224, concerning assault and battery of a family or household member -- \$50,000.
- e. Senate Bill 273, concerning synthetic cannabinoids -- \$50,000.
- f. Senate Bill 345, concerning street gang recruitment -- \$249,045.
- g. Senate Bill 431, concerning financial exploitation -- \$50,000.
- h. Senate Bill 436, concerning penalties for certain sex offenses committed by an adult -- \$50,000.
- i. Senate Bill 459, concerning strangulation -- \$50,000.
- j. Senate Bill 486, concerning harassment by computer -- \$50,000.
- k. Senate Bills 503 and 138, concerning motor vehicle fuels sales tax -- \$50,000."

Explanation:

(This amendment reduces the total deposit into the Corrections Special Reserve Fund, as required under § 30-19.1:4, Code of Virginia, from \$12,128,309 in the budget as introduced to \$6,211,576, based on the adoption by the Senate of sentencing legislation which increases the required number of state-responsible correctional facility beds. Accordingly, this amendment captures a savings of \$5,916,733, relative to the budget as introduced. This amendment is contingent upon final passage of Senate Bills 66, 127, 159, 224, 273, 345, 431, 436, 459 and 486, and Senate Bill 503, which incorporated Senate Bill 138. A companion amendment in Part 2 of this act (Capital Outlay) creates a new Item C-33.1 to appropriate \$6.0 million from the Corrections Special Reserve Fund for the highest priority security-related capital improvement project for the Department of Corrections, consistent with the intent of § 30-19.1:4, Code of Virginia.)

Public Safety	FY 12-13	FY 13-14	
Department Of Criminal Justice Services	\$360,000	\$360,000	NGF

Language:

Page 288, line 17, strike "\$75,858,738" and insert "\$76,218,738".

Page 288, line 17, strike "\$76,371,238" and insert "\$76,731,238".

Page 290, line 42, strike "600,000" and insert "800,000".

Page 290, line 43, strike "600,000" and insert "800,000".

Page 290, line 44, strike "500,000" and "500,000" and insert "580,000" and "580,000".

Page 290, following line 51, insert:

"I. Out of the amounts for this Item, \$80,000 the first year and \$80,000 the second year from nongeneral funds shall be transferred to the Department of Social Services pursuant to Item 341.E. of this Act, for staff support for the Virginia Child Protection Accountability System. The Department of Social Services shall provide quarterly progress reports on the program website."

Page 290, line 51, after "each year." insert "The Department of Criminal Justice Services shall submit a summary annual report to the Governor and the General Assembly on the activities funded through the Internet Crimes Against Children Fund, pursuant to § 17.1-275.12, Code of Virginia, for publication as a Senate document for each year. The report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports no later than the first day of the next Regular Session of the General Assembly and shall be posted on the General Assembly's website."

Explanation:

(This amendment provides \$360,000 NGF each year from the Internet Crimes Against Children (ICAC) Fund. Of this amount, \$200,000 each year is provided to the Southern Virginia ICAC Task Force, \$80,000 each year is added to the grant program for law enforcement agencies, and \$80,000 is added for transfer to the Virginia Child Protection Accountability System in the Department of Social Services. The source of the nongeneral funds is the \$10 fee on each misdemeanor and felony conviction, which is added as court costs. A companion amendment to Part 3 of this act transfers these funds.)

Public Safety

Department Of Criminal Justice
Services

Language

Language:

Page 291, following line 45, insert:

"E. Notwithstanding § 15.2-32-1 of the Code of Virginia, nothing in this Item shall be construed to terminate the prohibition against any city or county filing, instituting, or otherwise initiating any annexation as set forth in § 15.2-3201, Code of Virginia."

Explanation:

(This amendment expresses the intent of the General Assembly that nothing in this Item terminates the current moratorium on annexation.)

Public Safety Subcommittee

Item 405 #1g

Public Safety

Department Of Forensic Science

FY 12-13

5.00

FY 13-14

5.00 FTE

Language:

Page 295, line 45, strike "305.00" and "305.00" and insert "310.00" and "310.00".

Page 295, line 46, strike "305.00" and "305.00" and insert "310.00" and "310.00".

Explanation:

(This amendment restores five positions for forensic photography support services and requires the department to achieve the required savings as proposed in the introduced budget through other operational efficiencies.)

Public Safety Subcommittee

Item 405 #2s

Public Safety

Department Of Forensic Science

Language

Language:

Page 295, line 31, strike "B" and insert B.1".

Page 295, following line 43, insert:

"2. Upon a request pursuant to the Virginia Freedom of Information Act for public records concerning the Post Conviction DNA Testing and Notification Project, the Department of Forensic Science shall, except where disclosure is expressly prohibited by law, make available for inspection and copying all requested records."

Explanation:

(This amendment provides for public access to information related to the Post Conviction DNA Testing and Notification Project.)

Public Safety Subcommittee

Item 410 #1s

Public Safety

Department Of Juvenile Justice

Language

Language:

Page 298, following line 30, insert:

"The Department of Juvenile Justice shall assess the feasibility of creating a juvenile justice apprenticeship program for the purpose of recruiting, training and employing students who may be interested in pursuing careers in the juvenile justice system, and who would be employed as auxiliary juvenile correctional officers or related positions, as a potential strategy to assist the department in filling its current vacancies or supplementing existing staff. As part of its assessment, the department shall review the experience of similar programs at the state or local level in other jurisdictions. The department shall provide a report on its findings and any recommendations by October 1, 2012, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees."

Explanation:

(This amendment directs the Department of Juvenile Justice to assess the feasibility of recruiting and training students as apprentice correctional officers to address the current level of vacancies in state juvenile correctional facilities.)

Public Safety Subcommittee

Item 411 #1s

Public Safety

Department Of Military Affairs

FY 12-13

\$485,000

FY 13-14

\$485,000 GF

Language:

Page 298, line 40, strike "\$3,014,944" and insert "\$3,499,944".

Page 298, line 40, strike "\$3,014,944" and insert "\$3,499,944".

Page 298, after line 43, insert:

"A. 1. Out of this appropriation, up to \$485,000 the first year and \$485,000 the second year from the general fund is designated to provide members of the Virginia National Guard that currently qualify for out-of-state tuition at a public institution of

higher education a grant of up to the differential between out-of-state and in-state tuition, with eligibility as defined under § 23-7.4:2.B., Code of Virginia.

2. The amount of the award is an estimate depending on the number of students that are eligible.

3. The Adjutant General, Department of Military Affairs, shall allocate these funds to public institutions of higher education on behalf of students qualifying under this provision.

4. Each institution shall report the number of recipients for this program to the State Council of Higher Education for Virginia by April 1 of each year. The State Council of Higher Education for Virginia shall report this information to the Chairmen of the House Appropriations and Senate Finance Committees by May 15 of each year."

Explanation:

(This amendment provides \$485,000 GF each year to the Department of Military Affairs to administer a grant to out-of-state members of the Virginia National Guard. This funding provides for a grant of up to the differential between out-of-state and in-state tuition. Awards are to be prorated if funds are insufficient for the purposes as set forth in Senate Bill 508.)

Public Safety Subcommittee

Item 412 #1g

Public Safety

FY 12-13

FY 13-14

Department Of Military Affairs

\$1,335,213

\$1,335,213 GF

Language:

Page 298, line 44, strike "\$2,818,082" and insert "\$4,153,295".

Page 298, line 44, strike "\$2,818,082" and insert "\$4,153,295".

Explanation:

(This is a technical amendment which reflects the transfer of \$1,335,213 GF each year from the Department of Juvenile Justice to the Department of Military Affairs for the Commonwealth Challenge program. The introduced budget reduced funding by these amounts in the Department of Juvenile Justice for the Commonwealth Challenge program, but failed to add it back in the Department of Military Affairs. This transfer was originally approved by the General Assembly in the 2011 Reconvened Session.)

Public Safety Subcommittee

Item 416 #1s

Public Safety	FY 12-13	FY 13-14	
Department Of State Police	\$1,341,806	\$1,341,806	GF
	(\$939,682)	(\$939,682)	NGF
	5.00	5.00	FTE

Language:

Page 300, line 3, strike "\$52,132,298" and insert "\$52,534,422".

Page 300, line 3, strike "\$52,132,298" and insert "\$52,534,422".

Page 300, line 39, strike "18.2-308, 18.2-308.2:2,".

Page 300, line 41, strike "the Firearms Transaction Program Fund, the Concealed Weapons Program,".

Explanation:

(This amendment provides \$1,341,806 GF each year to support the firearms background check program. Currently, the program is supported with an estimated \$939,682 in nongeneral funds from the \$2 per transaction fee and other related fees. The provision of general funds is intended to provide a stable source of revenue for this program. The additional \$402,124 each year in funding above the current estimated fee revenue is intended to cover program costs not covered by the current fee. This amendment also results in a net increase of 5.0 FTE positions, including an increase of 19.0 general fund positions and a decrease of 14.0 nongeneral fund positions. A companion amendment to the revenue page records the transfer of the special funds from the fees to the general fund. A companion amendment to Part 3 authorizes the State Comptroller to transfer these funds to the general fund.)

Public Safety Subcommittee

Item 417 #2s

Public Safety	FY 12-13	FY 13-14	
Department Of State Police	\$200,000	\$200,000	NGF

Language:

Page 301, line 7, strike "\$230,990,533" and insert "\$231,190,533".

Page 301, line 7, strike "\$229,661,531" and insert "\$229,861,531".

Page 302, line 25, strike "600,000" and "600,000" and insert "800,000" and "800,000".

Explanation:

(This amendment provides an additional \$200,000 NGF each year from the Internet Crimes Against Children Fund, created pursuant to § 17.1-275.12, Code of Virginia, for the Northern Virginia Internet Crimes Against Children Fund operated by the Department of State Police. The source of the nongeneral funds is the \$10 fee assessed on all misdemeanor and felony convictions assessed as court costs for this purpose. A companion amendment to Part 3 of this act transfers these funds.)

Public Safety Subcommittee

Item 420 #1s

Public Safety	FY 12-13	FY 13-14	
Virginia Parole Board	\$100,000	\$100,000	GF

Language:

Page 303, line 32, strike "\$1,284,177" and insert "\$1,384,177".

Page 303, line 32, strike "\$1,284,191" and insert "\$1,384,191".

Explanation:

(This amendment provides \$100,000 GF each year to convert two additional members of the Parole Board from part-time to full-time status. Currently, only two members of the five-member board are full-time. With this amendment, four of the five members of the board will be full-time.)

Public Safety Subcommittee

Item 462 #1s

Veterans Affairs And Homeland Security	FY 12-13	FY 13-14	
Department Of Veterans Services	\$150,000	\$150,000	GF

Language:

Page 349, line 26, strike "\$6,554,010" and insert "\$6,704,010".

Page 349, line 26, strike "\$6,554,010" and insert "\$6,704,010".

Page 349, line 39, strike "five positions" and insert "seven positions".

Page 349, line 40, strike "five positions" and insert "seven positions".

Page 349, line 40, strike "\$150,000" and insert "\$550,000".

Page 349, line 41, strike "\$150,000" and insert "\$550,000".

Explanation:

(This amendment provides \$150,000 GF each year for licensing costs for the automated claims processing system for veterans' benefits. This amendment also

corrects certain references to the number of positions and the nongeneral funds provided for the Wounded Warrior program.)

Public Safety Subcommittee

Item 464 #1s

Veterans Affairs And Homeland Security

FY 12-13

FY 13-14

Department Of Veterans Services

\$140,000

\$140,000 GF

\$20,000

\$20,000 NGF

Language:

Page 350, line 14, strike "\$1,539,348" and insert "\$1,699,348".

Page 350, line 14, strike "\$1,619,083" and insert "\$1,779,083".

Explanation:

(This amendment provides \$140,000 each year from the general fund and \$20,000 each year from nongeneral funds to address financial management, internal operating procedures, and internal organizational issues identified by the Auditor of Public Accounts in audits of the Department of Veterans Services, the Veterans Services Foundation, and the Virginia War Memorial. The nongeneral funds are provided from revenues received by the veterans care centers.)

Public Safety Subcommittee

Item C-33.10 #2s

Public Safety

FY 12-13

FY 13-14

Department Of Corrections

\$6,000,000

\$0 NGF

Language:

Page 377, following line 21, insert:

OFFICE OF PUBLIC SAFETY

2-13.1. DEPARTMENT OF CORRECTIONS (799)

"C-33.10. Improvements: Security System

\$6,000,000

\$0

Infrastructure Replacement and Repairs

Fund Sources: Special

\$6,000,000".

\$0".

A. Included in the amounts in this Item is funding for the following project:

Marion Correctional Treatment Center

Repair and replace electronic security system, doors, locks, consoles, and wiring

B. Funds to support this capital project are provided from the Corrections Special Reserve Fund, pursuant to §30-19.1:4, Code of Virginia, and Item 389 of this act."

Explanation:

(This amendment provides \$6,000,000 NGF the first year from the Corrections Special Reserve Fund for capital projects to repair and replace the security system infrastructure at Marion Correctional Treatment Center. This is the highest security-related capital improvement project for the Department of Corrections. A companion amendment to Part 3 of this act provides for the transfer of these funds.)

Public Safety Subcommittee

Item 3-1.01 #2s

Transfers

Interfund Transfers

Language

Language:

Page 390, line 14, strike "1,800,000" and insert "2,430,000".

Page 390, line 15, strike "Items 331, 384, and 408" and insert "Items 59, 341, 393, and 417".

Page 390, line 16, after "Any amounts remaining in the fund following these transfers" strike the remainder of line 16 and all of line 17 and insert "shall remain in the fund each year.".

Explanation:

(This amendment is one of a series of amendments which allocates the nongeneral fund revenues estimated at \$2,430,000 each year from the \$10 fee on all misdemeanor and felony convictions, which is added on as court costs pursuant to § 17.1-275.12, Code of Virginia, for the Internet Crimes Against Children (ICAC) Fund. The current language in this Item provides that the balances remaining in the fund each year, after the current allocations for the ICAC task forces and programs, estimated at \$630,000 each year, are to be deposited into the general fund. The effect of this amendment is to allocate the \$630,000 remaining balance each year, which would otherwise have gone to the general fund, to the ICAC task forces and programs.)

Public Safety Subcommittee

Item 3-1.01 #3s

Transfers

Language:

Page 391, following line 3, insert:

"MM. On or before June 30 each year the State Comptroller shall transfer all amounts, estimated at \$939,682 the first year and \$939,682 the second year, to the general fund from the fees generated by the Firearms Transaction Program Fund, the Concealed Weapons Program, and the Conservator of the Peace Program pursuant to § 18.2-308, 18.2-308.2:2 and 19.2-13, Code of Virginia."

Explanation:

(This amendment provides for the transfer to the general fund of an estimated \$939,682 each year from the \$2 firearms transaction fee and other related fees. A companion amendment to the revenue page records this revenue for the general fund. A companion amendment to Item 416 of this act appropriates these funds to the Department of State Police to operate the firearms transaction program.)

Transfers**Language:**

Page 391, following line 3, insert:

"MM. On or before June 30, 2013, the Comptroller shall transfer \$6,000,000 from the Corrections Special Reserve Fund authorized pursuant to § 30-19.1:4, Code of Virginia, to the Department of Corrections for the capital project authorized in Item C-33.1 of this act."

Explanation:

(This amendment provides for the transfer of \$6,000,000 to the Department of Corrections from the Corrections Special Reserve Fund for a capital outlay project for security improvements at Marion Correctional Treatment Center. A companion amendment to Item C-33.1 of this act provides the appropriation for this project from special funds. A companion amendment to Item 389 of this act provides the required deposit to the Corrections Special Reserve Fund, consistent with sentencing legislation as adopted by the Senate, pursuant to § 30-19.1:4, Code of Virginia.)

Transfers

Interfund Transfers

Language

Language:

Page 386, line 44, strike "53,700,000" and "54,000,000" and insert "55,007,718" and "55,007,718".

Explanation:

(This amendment increases the estimated transfer of ABC profits to the general fund by \$1,307,718 the first year and \$1,007,718 the second year. A companion amendment to Part 3 in Senate Bill 29 increases the estimated transfer in FY 2012 by \$1,707,718.)

Working Capital Funds and Lines of Credit

Lines of Credit

Language

Language:

Page 392, following line 38, insert:

"f. The Secretary of Finance or his designee, consistent with any Executive Order signed by the Governor, may provide the Department of Emergency Management with anticipation loans in such amounts as may be needed to appropriately reimburse the department for disaster related costs. Such loans shall be based on the federal reimbursements anticipated in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act and, notwithstanding the provisions of § 4-3.02.b. of this act, may be extended for a period longer than twelve months, if necessary."

Explanation:

(This amendment provides authority for the Secretary of Finance to issue treasury loans for the Department of Emergency Management to cover disaster-related costs in anticipation of reimbursement by the Federal Emergency Management Agency. The language is needed because of delays in receiving FEMA reimbursement for expenses related to Hurricane Irene.)
