

February 28, 2005

MEMORANDUM

TO: COMPENSATION BOARD MEMBERS

FROM: Bruce W. Haynes, Executive Secretary

RE: Conferees Report

Attached is a spreadsheet indicating funding and language amendments recommended by the conferees to SB700/HB1500. This spreadsheet includes items that impact Constitutional Officers and the Compensation Board, as well as items impacting us indirectly. A summary of these items is as follows:

- All constitutional officers and their employees are included in Central Accounts language and funding that provides for salary increases on December 1, 2005: for Sheriffs and their sworn staff, and all Regional Jail sworn staff, a 3.0% increase; for all other constitutional officers and their employees, and non-sworn staff in Sheriffs' offices and regional jails, a 4.4% increase;
- Provides an additional 2 law enforcement positions to the 28 proposed in the Governor's budget bill, for a total of 30 positions, to meet the ratio of 1 per 1500 locality population in FY06;
- Provides language and funding to split the Clerk's 100,000 – 249,999 population bracket into two separate groups: 100,000 – 174,999 and 175,000 – 249,000, providing pay increases for Clerks in the new 175,000 – 249,999 population group effective December 1, 2005;
- Removes \$1,566,744 from proposed per diem funding in FY06 based on language requiring the use of actual FY06 inmate counts rather than projections;
- Provides language and funding to increase the number of positions to meet Commonwealth's Attorneys' staffing standards provided in the Governors' Budget Bill in FY06 to a total of 72 (46 assistant attorneys, 20 secretaries, and 6 paralegals), as part of a 3-year plan to meet total staffing needs;
- Provides language for the development of career development programs for Circuit Court Clerks and Deputy Court Clerks and language authorizing the use of Technology Trust Funds for consulting services of the National Center for State Courts;
- Increases the current Technology Trust Fund appropriation to match projected non-general fund revenue in FY06;
- Reduces funding by \$1.7 million in FY05 for staffing of new or expanded jail capacities due to savings from opening delays. Based upon savings from delays in the City of Virginia Beach and Fairfax County.

A few other amendments that strictly involve language changes are:

- Language requiring the Circuit Court Clerk to provide copies of sentencing event orders to the Commonwealth's Attorney when being sent to the Virginia Criminal Sentencing Commission upon request;
- Language for the Compensation Board to develop options for a per diem recovery method for housing federal and out of state inmates that considers all costs, including the Commonwealth's capital construction costs, in lieu of just staffing costs;
- Language proposed in the Governor's budget bill designating a "return to custody" pilot program to be developed by the Department of Corrections has been amended to clarify the procedures for the program, and additional language has been added authorizing the Compensation Board to pay for the proposed pilot program;
- Provides an exception to the moratorium on jail construction to a number of local and regional jail facilities;
- Adds language prioritizing the removal of inmates from jails to the Department of Corrections when being treated for certain illnesses;
- Adds a number of different pieces of language regarding planning for the housing of probation and parole violators in local and regional jails and/or state correctional facilities;

As you know, these matters remain subject to change at the upcoming "veto" session. Budget estimates will be available on March 11th. Please give me or Robyn de Socio a call if you have any questions.

Attachment

cc: Compensation Board Staff
Sandra D. Bowen, Secretary of Administration
Bob Bushnell, Virginia Association of Commonwealth's Attorneys
Elizabeth B. Curran, Treasurers' Association of Virginia
Mar Vita L. Flint, Commissioners of the Revenue Association of Virginia
Sheriff James R. Woodley, Virginia Sheriffs' Association
Paul C. Garrett, Virginia Court Clerks' Association
John R. Kuplinski, Virginia Assoc. of Reg. Jail Superintendents, Inc.
Samuel H. Cooper, Virginia Association of Local Elected Constitutional Officers
Susan B. Goldsticker, Administrator, Commonwealth's Attorneys' Services Council
John W. Jones, Executive Director, Virginia Sheriffs' Association
Michael Amyx, Executive Director, Virginia Municipal League
James D. Campbell, Executive Director, Virginia Association of Counties
Alan D. Albert, LeClair Ryan
John Crooks, Department of Planning and Budget

SB700/HB1500 - Conference Committee Amendments to the Budget Bill - 2005 Session

Item	Conference Number	Impacts	Description	Senate		House		Conference		Issues:
				FY05	FY06	FY05	FY06	FY05	FY06	

Conference Amendments Included

63	1c	Admin	Language to develop options for a per diem recovery method for housing fed and other state's inmates that considers all state-funded costs v. current method that recovers personnel costs only			-	language	-	language	
63	2c	Admin	Provides positions in the position count table for an additional 2 LE officers per 1:1500					-	language	
64	1c	Sheriffs	Reduce funds for staffing for delayed jail expansions, includes savings from VA Beach and Fairfax (Gov amend)	(1,700,000)	-	(1,700,000)	-	(1,700,000)	-	
64	2c	Sheriffs	Funds an additional 2 LE officers per 1:1500			-	192,402	-	56,662	
65	1c	Comm Attys	Provides funding and language to double the pos proposed by the Gov for Comm Attys to a total of 72: 46 asst attys, 20 sec, 6 paralegals to achieve staffing standards funding over 3 years	-	1,309,604			-	1,309,604	language references only 1/2 of funds provided and total positions provided - funding amount referenced in language s/b doubled to \$2,619,208 to include funds provided in bill already, as it includes positions already provided; amend to item 63 req'd to i
66	1c	Clerks	Increases TTF appropriation to match NFG revenue projections	-	6,723,620			-	6,723,620	
66	2c	Clerks	Splits 100k-249k pop group for Clerks into two separate groups: 100k-174k and 175k-249k, providing pay increase for Clerks in new group 175k-249k	-	7,444	-	7,000	-	7,444	
66	3c	Clerks	Provides language for the development of Circuit Court Clerks and Deputy Circuit Court Clerks Career Development Programs; includes authorization to allocate TTF funds for consulting services of the Nat'l Ctr for State Courts	-	language			-	language	
66	4c	Clerks	Language requiring that, upon request of the Comm Atty, the Clerk will contemporaneously provide a copy of the sentencing event report to the Commonwealth's Attorney upon submission to the VA Crim Sent Commission	-	language			-	language	
67	1c	Jails	Adds language authorizing CB to pay for the "return to custody" pilot pgm proposed in Item 415 (Gov amend)	-	language	-	language	-	language	
67	2c	Jails	Removes funding proposed in budget bill for per diem fund needs in FY06 per language requiring actual FY06 inmate counts			-	(1,566,744)	-	(1,566,744)	
403	1c	Sec Pub Safety	Language requiring that probation violators be specifically estimated in the offender population forecast, and moving from Oct 15 to Sep 30 the date for the final forecast to be submitted	-	language			-	language	
403	2c	Sec Pub Safety	Language requiring the Sec of PS and DOC to develop a plan to provide min security facilities for probation & parole violators. Incl participation of BOC, VSA, VARJ, VACA, CB, OAG, SCV, VIDC, VCSC	-	language			-	language	
410	1c	DOC	Adds language prioritizing the removal of inmates from jails to DOC when being treated for certain illnesses	-	language	-	language	-	language	

SB700/HB1500 - Conference Committee Amendments to the Budget Bill - 2005 Session

Item	Conference Number	Impacts	Description	Senate		House		Conference		Issues:
				FY05	FY06	FY05	FY06	FY05	FY06	
415	1c	DOC	Adds language clarifying procedures for the "return to custody" pilot pgm proposed in budget bill (Gov amend)	-	language	-	language	-	language	
416	1c	DOC	Moratorium exemption for jail capacity outlay project for Culpeper jail	-	language			-	language	
416	2c, 3c	DOC	Moratorium exemptions for jail capacity outlay projects for: VA Peninsula Reg Jail, Pamunkey Reg Jail, Franklin and Montgomery to join Roanoke/Salem in reg jail	-	language	-	language	-	language	
416	3c	DOC	Language for DOC to work with local and reg jail facilities to determine whether appropriate space is available or will be available for housing probation & parole violators in conjunction w/plan to be developed per 403, 2s. Includes peer review process.	-	language			-	language	
416	4c	DOC	Moratorium exemption for jail capacity outlay project for Roanoke Co/Salem Jail			-	language	-	language	
416	5c	DOC	Moratorium exemption for jail capacity outlay project for Loudoun Co jail					-	language	
505	1c	Central Approp	Provides a 3% pay increase to state employees, Sheriffs, sworn deputies, and regional jail officers. Provides a 4.40% increase to nonsworn staff in sheriffs' offices and regional jails, and to all other constitutional officers and their employees. Also provides a \$50 increase per year of service to state employees with 5 years or more of state service.			-	14,759,675	-	16,074,126	