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COMMONWEALTH OF VIRGINIA

Compensation Board

P.O. Box 710
Richmond, Virginia 23218-0710

March 2, 2009

MEMORANDUM

TO: Compensation Board Members

FROM: Robyn M. de Socio, Executive Secretary

RE: Conferees Report

Following is a summary of funding and language amendments recommended by the conferees to HB1600 impacting Constitutional Officers and the Compensation Board. Also included are items proposed in the Budget Bill as introduced that remain unchanged:

All Constitutional Officers

Budget Bill proposals, unchanged in Conference:

- The elimination of salary increases for Constitutional Officers and their employees originally provided in the FY09/FY10 biennial budget remains unchanged;
- Existing restrictions on the use of turnover and vacancy savings, and the 90-day delay in hiring of vacant positions, are maintained;
- Recovery of 50% of surety bond and liability insurance premiums and the proposed increased recovery of 100% of the cost of the retiree health care credit premiums paid on behalf of Constitutional Officers and their employees remain unchanged.

Sheriffs and Regional Jails

- Funding of \$5.3 million was restored from reductions initially included in the Budget Bill as introduced;
- Additional language included in Items 395 and 475.50 specifies that the distribution of \$23.3 million from Virginia's allocation from the Edward Byrne Memorial Justice Assistance Grant program is to restore remaining reductions for Sheriffs' offices and local and regional jails operating budgets (to the extent such funds are made available as part of the federal economic stimulus legislation); this is anticipated to restore up to 99% of budget reductions initially included in the Budget Bill;
- Technical language was added to clarify that the date by which a sheriff's office can be approved by an accrediting agency is March 1 to be considered by the Compensation Board for the purpose of compliance with the Sheriffs' Career Development Program and allocation of the associated salary supplement;

- FY10 proposed funding associated with the completion of the Loudoun County jail expansion project, originally scheduled to be completed July 1, 2009, was reduced by \$965,874 based on a revised completion date of November 15, 2009;
- Additional funding of \$291,195 to support 16 positions for the previously unfunded Blue Ridge Regional Jail expansion project was approved based on a November 1, 2009, estimated date of completion;
- Language and an associated savings of \$256,000 was removed from jail per diem funding that expands the existing federal inmate cost recovery methodology to recoup the entire costs borne by the Commonwealth for federal inmates housed in local and regional jails;
- Funding for per diem payments was reduced by \$2.2 million in FY09 and FY10 based on recent inmate population data; adequate funding remains for payment of the FY09 4th quarter per diem payment.

Budget Bill proposals, unchanged in Conference:

- General fund appropriation of \$6 million to support communications operators will be supplanted by a transfer of E-911 non-general funds of \$6 million, resulting in level funding of these positions;
- Additional positions and funding to support the jail expansion project for the New River Valley Regional Jail remain unchanged;
- Funding reductions of \$5.6 million, representing 7% of budgeted funds for FY10 per diem payments, have not been restored;
- No changes were made to current language that provides for exemptions from the federal inmate cost recovery for Alexandria City Jail and Central Virginia and Northern Neck Regional Jails.

Commonwealth's Attorneys

- Funding of \$3,529,849 was included to fully restore budget reductions initially included in the Budget Bill.

Budget Bill proposals, unchanged in Conference:

- The removal of administrative funding that supported the cost for the Geronimo Legal Research tool for Commonwealth's Attorneys was not restored;
- No additional funding was provided for the conversion of part-time Commonwealth's Attorneys requesting full-time status effective July 1, 2009.

Circuit Court Clerks

- Funding of \$2,749,929 was included to fully restore budget reductions initially included in the Budget Bill;
- Language and an additional appropriation of \$1 million in non-general fund Technology Trust Funds (TTF) was included to increase the amount that can be used to support the operations of Clerks' offices, for a total allowable transfer of \$3.98 million in FY10;
- Funding of \$2.1 million was included based on the additional cost associated with the change in reimbursement rate of Clerks' fringe benefits from the current one-third rate to a two-thirds reimbursement rate required by a change in the distribution of excess fees;
- Language was included to allow the Newport News City Clerk to allocate up to \$100,000 in FY09 and \$200,000 in FY10 of their TTF moneys for operating expenses of the Clerk's office.

- Language related to the disposition of excess fees collected by Circuit Court Clerks remains unchanged from the Budget Bill proposal, providing that two-thirds of excess fees will be retained by the Commonwealth and one-third will be distributed to localities beginning July 1, 2009. However, additional language was added to this item to provide for an exemption from this change in disposition of excess fees for the thirty-first circuit (Prince William County); this locality will maintain two-thirds of excess fees in FY10.

Treasurers

- Funding of \$1,059,334 was included to fully restore budget reductions initially included in the Budget Bill.

Budget Bill proposals, unchanged in Conference:

- No additional funding was provided for increased participation of officers or deputies in the Treasurers' Career Development Program or the Master Deputy Treasurers' Career Development Program.

Commissioners of the Revenue

- Funding of \$1,071,500 was included to fully restore budget reductions initially included in the Budget Bill.

Budget Bill proposals, unchanged in Conference:

- No additional funding was provided for increased participation of officers or deputies in the Commissioners' Career Development Program or the Master Deputy Commissioners' Career Development Program.

Directors of Finance

- Funding of \$620,504 was included to fully restore budget reductions initially included in the Budget Bill.

Administration

- Language was included requiring the Compensation Board to convene a workgroup to update the staffing standards for Commonwealth's Attorneys' offices by November 15, 2009, for Sheriffs' offices by June 30, 2010, and for Circuit Court Clerks, Treasurers, Commissioners of Revenue and Finance Directors by November 15, 2010.

Budget Bill proposals, unchanged in Conference:

- Budget reduction strategies to streamline agency operations that resulted in a reduction of \$553,028 in FY09 and \$437,064 in FY10 remain unchanged.

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As you know, these matters remain subject to review or change at the upcoming "veto" session on April 8, 2009. Please call Charlotte Luck, Wade Jewell or me if you have any questions.

cc: Compensation Board Staff

Viola O. Baskerville, Secretary of Administration
The Honorable Joel R. Branscom, President, Virginia Association of Commonwealth's Attorneys
The Honorable Tara L. Thomas, President, Treasurers' Association of Virginia
The Honorable W. Jean Shrewsbury, President, Commissioners of the Revenue Association of Virginia
The Honorable Steve M. Draper, Sr., President, Virginia Sheriffs' Association
The Honorable Thomas E. Roberts, President, Virginia Court Clerks' Association
The Honorable Larry Pritchett, President, Virginia Association of Local Elected Constitutional Officers
Lance Forsythe, Virginia Association of Regional Jail Superintendents
Robert Q. Harris, Administrator, Commonwealth's Attorneys' Services Council
John W. Jones, Executive Director, Virginia Sheriffs' Association
Michael Amyx, Executive Director, Virginia Municipal League
Janet Areson, Virginia Municipal League
James D. Campbell, Executive Director, Virginia Association of Counties
Dean Lynch, Director of Intergovernmental Affairs, Virginia Association of Counties
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