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EX-OFFICIO MEMBERS

## COMMONWEALTH OF VIRGINIA

### *Compensation Board*

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

March 15, 2010

#### 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 fiscal year 2010 funding recommendations in HB29 and biennial budget funding recommendations in HB30 impacting Constitutional Officers and the Compensation Board. Also included are items proposed in the Budget Bill as introduced that remain unchanged.

#### All Constitutional Officers

- Continuation of annual Aid to Localities reductions, with statewide amounts increased to \$60 million in each year of the next biennium, requiring local governments to choose whether to send a check to the Commonwealth or to reduce funds flowing through an Aid to Localities funding program such as constitutional officer or regional jail reimbursements through the Compensation Board;
- Restoration totaling \$5,186,896 supporting all constitutional officer and employee career development programs (programs include Sheriffs' Accreditation and Certification, Master Deputy, Master Jail Officer, Career Prosecutor, Master Commissioner, Master Deputy Commissioner, Master Treasurer, Master Deputy Treasurer). Budget language provides that program funding is available for existing participants in each program, but that further participation for individuals not participating and funded as of January 10, 2010 is suspended;
- Language is restored providing for the recovery of 50% of liability and surety bond premiums paid on behalf of Constitutional Officers;
- Language is restored providing for the reimbursement in FY11 and FY12 of VRS retirement and group life insurance premium amounts payable on reimbursed salaries for constitutional officers and their employees.

Budget Bill proposals, unchanged in Conference:

- Current reductions implemented in September, 2009 based on the Governor's FY10 Budget Reduction Plan (9/8/09) totaling \$30,423,297 are maintained in the Caboose Bill for FY10;

- Reductions in funding of \$7,783,515 in FY10 eliminating some remaining fiscal year reimbursements to localities for VRS retirement and group life insurance premium amounts payable on reimbursed salaries for constitutional officers and their employees;
- Reductions totaling \$2,170,919 in FY10 based on a 1 day furlough for all Constitutional Officers and their employees.

#### Sheriffs and Regional Jails

- Restoration of law enforcement deputy funding of \$12,628,029 in FY11 and \$12,079,990 in FY12 based on the current staffing standard of one deputy per 1,500 (No additional staff or funding was approved to fully support current staff need.);
- Restoration of \$10 million of the \$23.3 million FY10 supplant of Sheriffs and Regional Jails general fund operating budgets with Byrne JAG funding;
- Restoration of general fund reductions totaling \$23,867,176 in each year of the biennium. Total unrestored appropriation reductions, including unrestored Byrne JAG supplant funds but excluding vacancy freeze funds, is \$17 million in FY11 and \$16.1 million in FY12, equating to just under 4% of base appropriations;
- Adjustments to new jail construction funding based on a technical correction to the approved funding for Patrick County's jail expansion project in FY11 and the delayed opening of the Pittsylvania County expansion project.

#### Budget Bill proposals, unchanged in Conference:

- Supplant of general funds for Sheriffs and Regional Jails in FY10 with fiscal stabilization federal funding in the amount of \$109,452,074;
- Reduced funding of \$2,401,616 based upon delays in opening jail expansion projects scheduled for completion in FY10 in Loudoun County and Riverside Regional Jails;
- Additional non-general fund support of \$2 million from E-911 non-general funds in FY10 and in each year of the new biennium to supplant reduced general fund support for salaries of communications officers;
- Supplant of general fund support for law enforcement and court services staff with \$8,300,448 in FY11 and \$21,674,170 of non-general Virginia Public Safety funds.

#### Jail Per Diem Funds

- Additional reduction of \$2,000,000 to per diem payments in each year of the next biennium;
- Eliminates additional payments for state responsible inmates housed in jails under the jail contract bed program and reduces per diem funding of \$1,464,000 in each year of the biennium;

Budget Bill proposals, unchanged in Conference:

- Reductions in per diem funding of five percent at \$3,586,790 in FY10; no funding for currently anticipated shortfalls of approximately \$6 million in FY10;
- Technical language correction to remove Commonwealth capital construction costs from the formula for calculating overhead recovery related to housing federal inmates in local and regional jails. This language change impacts both FY10 and the next biennium, and will result in some adjustments to amounts already recovered in FY10;
- Additional per diem funding of \$1,564,920 in FY11 and \$878,400 in FY12 to support the anticipated increase in inmate populations due to the potential housing of Pennsylvania inmates in Department of Corrections facilities;
- Reductions in per diem funding of \$19,587,856 in FY11 and \$19,261,327 in FY12 based on reductions to the per diem amounts paid for local responsible inmates housed in local or regional jails from \$8 per day to \$4 per day, for local responsible inmates housed in jail farms from \$22 per day to \$18 per day, for state responsible inmates housed in local or regional jails from \$8 or \$14 per day to \$12 per day, and the reduction of the additional \$14 per day currently paid for any inmates in contract beds by agreement with the Department of Corrections to \$8 per day (later eliminated entirely by Conference action as noted above);
- Reductions in per diem funding of \$2,610,480 in FY11 based on one-time savings due to language associated with the early release of state responsible inmates.

#### Commonwealth's Attorneys

- Restoration of general fund reductions totaling \$7,519,712 in each year of the biennium. Total unrestored appropriation reductions, excluding vacancy freeze funds, is \$2.6 million in each year of the next biennium, equating to just under 4% of base appropriations.

#### Circuit Court Clerks

- Restoration of general fund reductions totaling \$9 million in each year of the biennium. Total unrestored appropriation reductions, excluding vacancy freeze funds, is \$480,917 in each year of the next biennium, equating to just under 1% of base appropriations, including technology trust funds.

Budget Bill proposals, unchanged in Conference:

- Continuation of the use of an additional \$1.49 million (for a total of \$2.98 million) of non-general Technology Trust Funds to offset a reduction in Clerks' general fund operating expenses and \$1 million to supplement Clerks' general fund operating expenses;
- Removes language authorizing the use of Technology Trust Funds to support office operations in the Clerk's office in the City of Newport News;

- Language provides for a line of credit in the amount of \$8 million for budgeting Technology Trust Fund cash in the year in which it is collected, beginning with FY11, to replace \$2 million in FY09 cash and \$7 million in FY10 cash collections, both to be reverted to the general fund at FY10 year-end.

#### Treasurers

- Restoration of general fund reductions totaling \$7.2 million in each year of the biennium. Total unrestored appropriation reductions, excluding vacancy freeze funds, is \$3.8 million in each year of the next biennium, equating to just under 19% of base appropriations.

#### Commissioners of the Revenue

- Restoration of general fund reductions totaling \$7.5 million in each year of the biennium. Total unrestored appropriation reductions, excluding vacancy freeze funds, is \$3.0 million in each year of the next biennium, equating to just under 15% of base appropriations.

#### Directors of Finance

- Restoration of general fund reductions totaling \$4.6 million in each year of the biennium. Total unrestored appropriation reductions, excluding vacancy freeze funds, is \$1.6 million in each year of the next biennium, equating to just under 24% of base appropriations.
- Eliminates language added authorizing counties and cities to establish offices of finance that would assume the duties of the offices of Treasurers and Commissioners of the Revenue.

#### Administration

- Eliminates language that moved the Compensation Board from under the authority of the Secretary of Administration to the Secretary of Public Safety;
- Restores funding of \$11,221 in each year provided to the Virginia Center for Policing Innovation in support of the SAVIN victim notification system in local and regional jails;
- Restores funding of \$102,000 in each year related to shifting a portion of LIDS system support costs to local and regional users;

Budget Bill proposals, unchanged in Conference:

- Reduction of \$218,409 and 3 positions each year in elimination and consolidation of agency responsibilities;

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As you know, these matters remain subject to review or change at the upcoming "veto" session on April 21, 2010. Please contact Charlotte Luck or me if you have any questions.

cc: Compensation Board Staff

Lisa Hicks-Thomas, Secretary of Administration  
The Honorable Neil S. Vener, President, Virginia Association of Commonwealth's Attorneys  
The Honorable Gerald Duncan, President, Treasurers' Association of Virginia  
The Honorable Page Johnson, President, Commissioners of the Revenue Association of Virginia  
The Honorable Charles E. Jett, Sr., President, Virginia Sheriffs' Association  
The Honorable Charles "Vic" Mason, President, Virginia Court Clerks' Association  
The Honorable Gary Clemens, President, Virginia Association of Local Elected Constitutional Officers  
Lance Forsythe, President, Virginia Association of Regional Jails  
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  
Robert Q. Harris, Administrator, Commonwealth's Attorneys' Services Council  
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