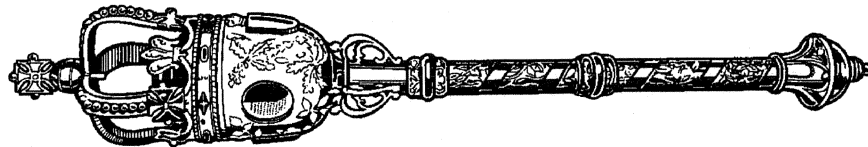


*Report of the
House Appropriations
Subcommittee*

on

Public Safety



House Bill 1500

February 5, 2017

REPORT OF THE SUBCOMMITTEE

on

PUBLIC SAFETY

Mr. Chairman and Members of the Committee:

This Committee and your Public Safety Subcommittee has always maintained a focus on the need to make the Commonwealth's communities and, by extension, its citizens, safer. And, this year has been no exception. As you know, we hear many good ideas from our colleagues during the Session, some of which we would like to fund. But our focus this year has been on funding the Commonwealth's core public safety responsibilities within the constraints imposed by available resources. Following our review of the funding actions included for the Public Safety agencies in the Introduced Budget, there were several issues that the Subcommittee recommended addressing.

But before I begin with the Subcommittee's recommendations, I would like to say how pleased I am to hear the report from the Compensation and Retirement Subcommittee with regard to its recommendations regarding compensation issues, specifically regarding our public safety personnel. As the Chairman of the Public Safety Subcommittee the number one concern I hear is the need to address the compensation package we provide for our public safety professionals and I fully support the steps we are taking to address compensation concerns, in particular for our deputy sheriffs and state troopers.

The Subcommittee is pleased to recommend providing an additional \$1.5 million in state matching funds for our local sexual assault and domestic violence programs. These additional state funds will allow these programs to receive an additional \$6 million in federal Victims of Crime Act funding.

To support the public safety mission of State Police, the Subcommittee recommends restoring \$1.2 million in funding in order for the Department to establish a special operations division. This division will be able to respond to critical incidents as they arise, while allowing our

troopers to remain on patrol. The Subcommittee also recommends provided \$3.8 million for the State Police to implement a statewide electronic summons system in consultation with the Supreme Court. Implementation of this system will improve trooper safety, increase patrol time, and ensure uniformity of information statewide.

In order to ensure the effective operation of our system of criminal justice, the Subcommittee is recommending \$1.1 million be provided to fill vacant circuit and district court judgeships in the Commonwealth. This increase in funding will increase the number of funded judgeships in the Commonwealth from 408 to 412.

The Subcommittee is also recommending \$500,000 in fiscal year 2018 for 10 bills either increasing criminal penalties for existing offenses or creating new penalties. These bills address, among other public safety issues, increased penalties for stalking, trespassing in the computer systems of governments or public utilities, cracking down on cigarette traffickers, enhancing the penalty for providing material support to foreign terrorist organizations, and one of my personal priorities, enhanced punishment of distributors of heroin who contribute to overdose deaths of Commonwealth citizens. This is a serious problem and one I am glad we are addressing in this budget.

In order to support the Commonwealth's other priorities, the Subcommittee's members have recommended increasing the transfer of net profits from the Department of Alcoholic Beverage Control. The recommended transfers of \$13.8 million in FY 2017 and \$13.8 million in FY 2018 to support the many worthwhile initiatives undertaken in this year's budget.

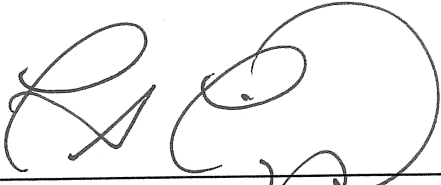
To meet our constitutionally-mandated responsibilities to provide health care to those confined in our correctional institutions, the Subcommittee has recommended an additional \$11.4 million in the first year and \$7.2 million in the second year for increased inmate medical costs.

Mr. Chairman, I know your strong support and that of the entire Committee for our National Guard. They are truly world class. Our Committee identified the need to help them shape a new vision for their several Armories across the Commonwealth, and the need to provide them with a modern infrastructure that is regional in nature. I thank you for

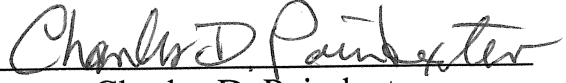
asking the Public Safety and Capital Outlay Subcommittees to work together on this important project.

Finally, I would like to thank the Chairman and the members of Subcommittee for their hard work. Mr. Chairman and fellow Committee members, I will ask staff to take you through our detailed recommendations, and then I hope it will be your pleasure to adopt our Subcommittee report.

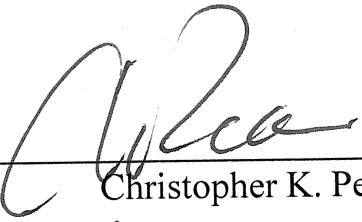
Respectfully Submitted by the House Appropriations Subcommittee on Public Safety:



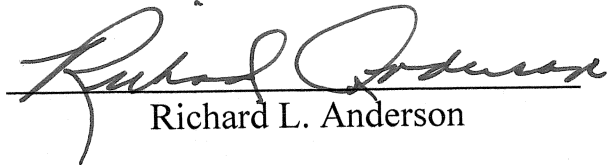
L. Scott Lingamfelter, Chair



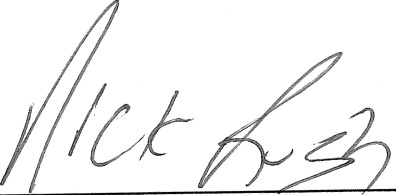
Charles D. Poindexter



Christopher K. Peace



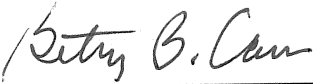
Richard L. Anderson



L. Nick Rush



Luke E. Torian



Betsy B. Carr

Budget Amendment Recommendations

HB 1500 <u>Amendment</u>	2016-18 BIENNIAL TOTAL		
	General <u>Fund</u>	Nongeneral <u>Fund</u>	<u>FTE</u>
Judicial Department			
Statewide Electronic Summons System for State Police	3,800,000		
Criminal Fund Balance	Language		
Specification of Judgeships to be Filled	1,054,156		
Substitute Judges Funding	90,000		
Compensation Board			
Nottoway Reimbursement for VCBR Residents	Language		
Multi-Jurisdictional Commonwealth's Attorney Positions	Language	800,000	
Secretary of Public Safety and Homeland Security			
State Match for Hampton Rds., N. Neck Flooding Study	1,000,000		
Department of Alcoholic Beverage Control			
Transfer of Command Vehicle to VDEM	Language		
Cost of Goods Sold		6,922,410	
Department of Corrections			
Eliminate New Funding for Board Investigators	(200,000)		(2)
Correctional Health Care Request for Information	Language		
Woodrum Impacts - House Bills	200,000		
Department of Criminal Justice Services			
Law Enforcement Training Standards	Language		
Community Engaged Policing	(500,000)		(2)
Firearms Training - Sexual and Domestic Violence Victims	10,000		
Remove Funds for New Community Corrections Programs	(1,500,000)		
Sexual and Domestic Violence Victim Program Funding	1,500,000		
Remove New Funding for Jail Mental Health Assessments	(4,200,000)		(2)
Model Addiction Recovery Programs	153,600		
Adjust HB599 Funds for Revised FY 2017 Growth Forecast	(1,102,410)		
Department of State Police			
Eliminate New Funding for Universal Background Checks	(507,904)		(7)
Eliminate New Positions for Firearms Transactions Program	(164,745)		(2)
Adjust Funding for Separation from VITA	(5,935,000)		
NGF Positions for 1-495 HOT & Express Lanes			15
Restore Funding for Special Operations Division	1,200,000		10
Establish New Area Office in New River Valley	205,772		2
Department of Veterans Services			
Convert Benefits Office Position to Full-Time			1
Transfer Position and Funding to Vet. Serv. Foundation	(115,000)		(1)
Establish Vet. Serv. Foundation as Own Budget Item	115,000		1
Central Accounts			
ABC Authority - Performance-Based Pay	Language		
State Police IT Transition Study and Related Funding	2,935,000		
Part 3			
<u>Interfund Transfers</u>			
Additional ABC Profit Transfer	Language		
Additional ABC Operating Efficiencies	Language		
Part 4			
<u>Goods and Services</u>			
ABC Authority - Exempt from VITA for Procurement	Language		
ABC Authority - Exempt from DGS Fleet Management	Language		
Total - Spending Actions	(1,961,531)	7,722,410	13

Committee Approved Amendments to House Bill 1500, as Introduced

Item 40 #1h

Judicial Department

FY16-17

FY17-18

Supreme Court

\$0

\$3,800,000 GF

Language:

Page 28, line 3, strike "\$30,684,302" and insert "\$34,484,302".

Page 30, after line 18, insert:

"N.1. Included in the appropriation for this item is \$3,800,000 the second year for purposes of the Executive Secretary of the Supreme Court to assist the Department of State Police in the development, procurement, and implementation of a statewide electronic summons system to be used by the Department of State Police.

2. The Executive Secretary, in cooperation with the Superintendent of State Police, shall provide a detailed plan for implementation of the statewide electronic summons system for the Department of State Police to the Chairmen of the House Subcommittee on Appropriations and Senate Committee on Finance. The plan shall include estimated one-time and ongoing costs of procuring, operating, and managing the electronic summons system for the Department of State Police, a consideration of methods and approaches to procuring and operating the system, timelines for the procurement and implementation of the system statewide, and an analysis of the life-cycle costs of the electronic summons system. The plan shall be presented to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance no later than September 15, 2017.

3. Upon presentation of the detailed plan consistent with the requirements of paragraph N.2. of this item, the Executive Secretary is authorized to expend the funds included in paragraph N.1. of this item for the purpose of purchasing the software, equipment, and materials to be used by the Department of State Police as outlined in the detailed plan.

4. Unexpended balances of the appropriation provided in paragraph N.1. of this item shall not be reverted from this item."

Explanation:

(This amendment provides \$3.8 million from the general fund the second year in order to develop and implement a statewide electronic summons system for use by the Department of State Police. The amendment requires that the Executive Secretary of the Supreme Court, in cooperation with the Superintendent of State Police, provide a detailed plan on the costs and timelines of implementing a statewide electronic summons system for State Police. The plan is required to be provided to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance no later than September 15, 2017. The amendment authorizes the funds provided to be used by the Executive Secretary to purchase the equipment and materials for State Police identified in the detailed plan as necessary for State Police to operate a statewide electronic summons system.)

Item 53 #4h

Judicial Department

Judicial Department Reversion Clearing Account

Language

Language:

Page 39, after line 49, insert:

"C. On or before June 30, 2017, the Direct, Department of Planning and Budget, shall authorize the reversion to the general fund \$1,500,000 the first year from the fiscal year 2016 balances of the Criminal Fund."

Explanation:

(This amendment is self-explanatory.)

Item 53 #6h

Judicial Department

FY16-17

FY17-18

Judicial Department Reversion Clearing
Account

\$0

\$1,054,156 GF

Language:

Page 39, line 25, strike "\$3,377,395" and insert "\$4,431,551".

Page 53, after line 49, insert:

"C. Sufficient funding the second year is included within the Judicial Department to support a total of 412 circuit and district court judgeships. The vacant judgeships to be filled as of July 1, 2017, are as follows:

1. Circuit Court judgeships: one each in the 3rd, 6th, 7th, 19th, 20th, 27th Circuits, for a total of six Circuit Court judgeships to be filled as of July 1, 2017.
2. General District Court judgeships: one in the 8th, and two in the 15th, for a total of three General District Court judgeship to be filled on July 1, 2017.
3. Juvenile and Domestic Relations District Court judgeships: one each in the 2nd, 5th, 15th, 16th, 20th, and 24th for a total of six Juvenile and Domestic Relations District Court judgeships to be filled on July 1, 2017."

Explanation:

(This amendment specifies the judicial vacancies to be filled as of July 1, 2017.)

Item 53 #7h

Judicial Department

FY16-17

FY17-18

Committee Approved Amendments to House Bill 1500, as Introduced

Judicial Department Reversion Clearing Account	\$0	\$90,000	GF
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Language:

Page 39, line 25, strike "\$3,377,395" and insert "\$3,467,395".

Page 39, after line 49, insert:

"C. Included within the general fund appropriation for this item is \$90,000 the second year for the anticipated costs of substitute judges."

Explanation:

(This amendment provides \$90,000 in fiscal year 2018 for the increased cost of substitute judges.)

Item 70 #1h

Administration

Compensation Board

Language

Language:

Page 54, line 43, after "County." insert:

"Reimbursements by the Board are to be made quarterly, and shall be equal to demonstrated costs incurred by the County of Nottoway for confinement of these individuals, and shall not exceed the amounts provided in this paragraph for each fiscal year. Reimbursement of demonstrated costs in the first year may include expenses incurred in the prior fiscal year if not previously reimbursed. In subsequent years, demonstrated costs may include expenses incurred in the last month of the prior fiscal year if not previously reimbursed. The County of Nottoway, the Virginia Center for Behavioral Rehabilitation, and Piedmont Regional Jail shall upon request provide the Compensation Board any information and assistance it determines is necessary to calculate amounts to be reimbursed to the County of Nottoway."

Explanation:

(This amendment makes technical changes to language directing the Compensation Board to reimburse Nottoway County for the costs of inmates held in Piedmont Regional Jail who have been referred from the Virginia Center for Behavioral Rehabilitation for new offenses. The amendment requires the reimbursements be distributed on a quarterly basis, and reflect the demonstrated costs incurred by Nottoway County for incarceration of these individuals.)

Item 73 #1h

Administration

FY16-17

FY17-18

Committee Approved Amendments to House Bill 1500, as Introduced

Compensation Board	\$400,000	\$400,000	NGF
	2.00	2.00	FTE

Language:

Page 56, line 45, strike "\$71,412,817" and insert "\$71,812,817".

Page 56, line 45, strike "\$72,047,835" and insert "\$72,447,835".

Page 58, after line 41, insert:

"J. Notwithstanding the provisions of Article 7, Chapter 4, Title 38, Code of Virginia, beginning July 1, 2017, \$400,000 the second year from the Insurance Fraud Fund is included in this appropriation to fund multi-jurisdictional Assistant Commonwealth's Attorney positions that shall be dedicated to prosecuting insurance fraud related criminal activities. The Virginia State Police will identify jurisdictions most affected by insurance fraud based upon data provided by the Virginia State Police Insurance Fraud Program to be served by these Assistant Commonwealth's Attorney positions. The Virginia State Police Insurance Fraud Program shall ensure that these positions work across jurisdictional lines, serving jurisdictions identified as most in need of these resources as support by data. These funds shall remain unallocated until the Compensation Board and Virginia State Police notify the Director of the Department of Planning and Budget of the joint agreements reached with Commonwealth's Attorneys of the jurisdictions receiving the additional Assistant Commonwealth's Attorney positions and the jurisdictions to be served by these positions. The Commonwealth's Attorneys receiving such positions shall annually certify to the Compensation Board that positions are used primarily, if not exclusively, for the prosecution of insurance fraud related criminal activities."

Explanation:

(This amendment provides \$400,000 each year, beginning July 1, 2017, from the Virginia State Police Insurance Fraud Fund to fund two (2) multi-jurisdictional Assistant Commonwealth's Attorney positions that will be dedicated to prosecuting insurance fraud related criminal activities.)

Item 76 #1h

Administration

Compensation Board

Language

Language:

Page 63, line 5, strike "1,266" and "1,266" and insert "1,268" and "1,268".

Page 63, line 7, strike "16,618" and "16,618" and insert "16,620" and "16,620".

Explanation:

(This amendment makes a technical adjustment to the positions table for Commonwealth's Attorneys. A companion amendment to Item 73 of this act authorizes the creation of two

Committee Approved Amendments to House Bill 1500, as Introduced

multi-jurisdictional Commonwealth's Attorneys positions focused on prosecuting insurance fraud.)

Item 383 #1h

Public Safety and Homeland Security

FY16-17

FY17-18

Secretary of Public Safety and Homeland
Security

\$0

\$1,000,000 GF

Language:

Page 376, line 3, strike "\$647,093" and insert "\$1,647,093".

Page 376, after line 23, insert:

"C. Included in the appropriation for this item is \$750,000 the second year year from the general fund for the Commonwealth's nonfederal cost match requirement to accomplish the United States Corps of Engineers Regional Reconnaissance Flood Control Study for both the Hampton Roads and Northern Neck regions as authorized by the U.S. Congress."

Explanation:

(This amendment provides \$1,000,000 the second year from the general fund for the nonfederal match to complete studies of flood control in the Hampton Roads and Northern Neck regions as authorized by the U.S. Congress to be conducted by the U.S. Army Corps of Engineers. Both studies will evaluate each region's recurrent flooding patterns and hydrology; identify and score several high impact regional flood control projects; identify costs and benefits of mitigating high impact regional flood control projects; and make recommendations for comprehensive and coordinated regional flood mitigation to obtain federal funding for future projects. Without these studies, Hampton Roads and the Northern Neck are poorly positioned to accept federal funds from emergency appropriations that generally follow events like Hurricanes Isabelle, Irene, Matthew, and Super Storm Sandy.)

Item 386 #1h

Public Safety and Homeland Security

Department of Alcoholic Beverage Control

Language

Language:

Page 377, after line 20, insert:

"D. The Department of Alcoholic Beverage Control shall convey ownership and possession of its mobile command vehicle to the Virginia Department of Emergency Management no later than July 1, 2017."

Explanation:

(This amendment is self-explanatory.)

Committee Approved Amendments to House Bill 1500, as Introduced

Item 387 #1h

Public Safety and Homeland Security	FY16-17	FY17-18
Department of Alcoholic Beverage Control	\$2,307,470	\$4,614,940 NGF

Language:

Page 377, line 21, strike "\$660,569,809" and insert "\$662,877,279".

Page 377, line 21, strike "\$677,576,464" and insert "\$682,191,404".

Explanation:

(This amendment provides \$2.3 million the first year and \$4.6 million the second year from nongeneral funds for the anticipated increase in the cost of merchandise purchased for sale in agency stores. The source of the nongeneral funds is Enterprise Funds. A corresponding amendment to Part 3 increases the profit transfer from the Department of Alcoholic Beverage Control by \$800,000 the first year and \$1,600,000 the second year.)

Item 394 #1h

Public Safety and Homeland Security	FY16-17	FY17-18
Department of Corrections	\$0 0.00	(\$200,000) GF -2.00 FTE

Language:

Page 383, line 41, strike "\$99,301,981" and insert "\$99,101,981".

Page 386, strike lines 14 through 18.

Explanation:

(This amendment reduces the general fund appropriation to the Department of Corrections by \$200,000 the second year and removes two additional positions included in the introduced budget for the purpose of assisting the Board of Corrections investigate deaths of inmates in local and regional jails in the Commonwealth. The associated House Bill was not passed by the House of Delegates.)

Item 394 #3h

Public Safety and Homeland Security	FY16-17	FY17-18
Department of Corrections	\$0	\$200,000 GF

Language:

Committee Approved Amendments to House Bill 1500, as Introduced

Page 383, line 41, strike "\$99,301,981" and insert "\$99,501,981".

Page 386, strike lines 2 through 13.

Page 386, after line 1, insert:

"N. Included in the appropriation for this item is \$500,000 the second year from the general fund for the estimated net increase in the operating cost of adult correctional facilities resulting from the enactment of of sentencing legislation as listed below. This amount shall be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4, Code of Virginia.

1. House Bill 1485 -- \$50,000
2. House Bill 1616 -- \$50,000
3. House Bill 1815 -- \$50,000
4. House Bill 1913 -- \$50,000
5. House Bill 2238 -- \$50,000
6. House Bill 2288 -- \$50,000
7. House Bill 2335 -- \$50,000
8. House Bill 2410 -- \$50,000
9. House Bill 2470 -- \$50,000
10. House Bill 2473 -- \$50,000."

Explanation:

(This amendment provides \$550,000 from the general fund the second year for the required deposit into the Corrections Special Reserve Fund, pursuant to § 30-19.1:4 of the Code of Virginia, for sentencing legislation which has been adopted by the 2016 General Assembly. These sentencing bills, as referenced in the accompanying language, increase the number of state-responsible prison beds that will be required over the next six years. The effect of this amendment is to increase the amount provided in the budget as introduced for deposit in the fund, from \$300,000 to \$500,000 the second year. The amendment is contingent upon final passage of the legislation as cited in this amendment.)

Item 395 #1h

Public Safety and Homeland Security

Department of Criminal Justice Services

Language

Language:

Page 386, after line 40, insert:

"The Director of the Criminal Justice Services Board (the Director) shall, in conjunction with the relevant stakeholders, review all compulsory minimum training standards applicable to law-enforcement officers and update them as needed.

The Director shall ensure that the training standards appropriately educate law-enforcement officers in the areas of mental health, community policing, and serving individuals who are disabled. The updated compulsory minimum training standards shall, where appropriate,

Committee Approved Amendments to House Bill 1500, as Introduced

include consideration of, but not be limited to, the recommendations of the President's Task Force on 21st Century Policing. The Director shall identify current resources available to officers in dealing with situations related to mental health and identify what resources are needed.

Law enforcement training standards were last updated in 1998, and jail training standards regarding mental health issues were last updated in 2008.

Any updates to the compulsory minimum training standards shall be completed by June 1, 2019, and reported to the Chairmen of the House Committees on Militia, Police, and Public Safety; Courts of Justice; and Appropriations, and to the Chairmen of the Senate Committees for Courts of Justice and Finance."

Explanation:

(This amendment requires the Department of Criminal Justice Services to review, and if necessary, update compulsory minimum training standards for law enforcement officers in the Commonwealth. The amendment requires the Department to complete updates to the minimum training standards by June 1, 2019, and report its findings to the Chairmen of the standing House and Senate Committees listed in the amendment.)

Item 395 #2h			
Public Safety and Homeland Security	FY16-17	FY17-18	
Department of Criminal Justice Services	\$0	(\$500,000)	GF
	0.00	-2.00	FTE

Language:

Page 386, line 33, strike "\$2,343,901" and insert "\$1,843,901".

Explanation:

(This amendment reduces the general fund appropriation for the Department of Criminal Justice Services by \$500,000 the second year and removes two positions included in the introduced budget. The associated bill, House Bill 1894, was not passed.)

Item 398 #5h			
Public Safety and Homeland Security	FY16-17	FY17-18	
Department of Criminal Justice Services	\$0	\$10,000	GF

Language:

Page 387, line 9, strike "\$83,112,089" and insert "\$83,122,089".

Page 388, after line 42, insert:

"9. Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims Fund, \$10,000 the second year from the general fund to reimburse entities that offer free of charge

Committee Approved Amendments to House Bill 1500, as Introduced

firearms safety or training courses or classes approved by the Department of Criminal Justice Services to victims of domestic violence, sexual abuse, stalking, or family abuse."

Explanation:

(This amendment provides \$10,000 from the general fund the second year for the Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims Fund as proposed by House Bill 1853.)

			Item 398 #6h
Public Safety and Homeland Security	FY16-17	FY17-18	
Department of Criminal Justice Services	\$0	(\$1,500,000)	GF

Language:

Page 387, line 10, strike "\$83,112,089" and insert "\$81,612,089".

Page 388, line 44, delete "\$26,538,056" and insert "\$25,038,056".

Explanation:

(This amendment removes \$1.5 million from the general fund the second year included in the introduced budget to fund new local community corrections and pre-trial services programs in localities where they have not already been established.)

			Item 398 #7h
Public Safety and Homeland Security	FY16-17	FY17-18	
Department of Criminal Justice Services	\$0	\$1,500,000	GF

Language:

Page 387, line 9, strike "\$83,112,089" and insert "\$84,612,089".

Page 389, line 49, strike "\$1,000,000" and insert "\$2,500,000".

Page 389, line 50, after "(SACCs)" insert:

"and domestic violence programs".

Page 389, line 51, before "violence" insert:

"and domestic".

Page 389, line 52, after "assault" insert:

"and dating violence".

Explanation:

(This amendment provides \$1.5 million the second year from the general fund to sustain state funding used to match federal Victims of Crime Act (VOCA) funding. VOCA funds are

Committee Approved Amendments to House Bill 1500, as Introduced

sourced through federal grants to the state for efforts to combat human trafficking, victim/witness program, and other sexual and domestic violence victim programs.)

Item 398 #8h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of Criminal Justice Services	\$0	(\$4,200,000)	GF
	0.00	-2.00	FTE

Language:

Page 387, line 10, strike "\$83,112,089" and insert "\$78,912,089".

Page 391, strike lines 19 through 33.

Explanation:

(This amendment removes \$4.2 million from the general fund the second year and 2.0 positions and associated language pertaining to grants for mental health assessments in local and regional jails. The associated House Bill was not passed by the body.)

Item 398 #9h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of Criminal Justice Services	\$0	\$153,600	GF

Language:

Page 387, line 10, strike "\$83,112,089" and insert "\$83,265,689".

Page 388, after line 42, insert:

"9. For model addiction recovery programs administered in local or regional jails, \$153,600 the second year from the general fund. The Department of Criminal Justice Services, consistent with the the provisions of House Bill 1845 of the 2017 General Assembly Session, shall award grants not to exceed \$38,400 to four pilot programs selected in consultation with the Department of Behavioral Health and Developmental Services."

Explanation:

(This amendment provides \$153,600 the second year in general funds for the Department of Criminal Justice Services to award grants up to four pilot sites administering model addiction recovery programs within local or regional jails. The sites are to be selected in consultation to Department of Behavioral Health and Developmental Services, pursuant to the provisions of House Bill 1845.)

Item 400 #1h

Committee Approved Amendments to House Bill 1500, as Introduced

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of Criminal Justice Services	(\$551,205)	(\$551,205)	GF

Language:

Page 391, line 43, strike "\$177,964,014" and insert "\$177,412,809".

Page 391, line 43, strike "\$177,964,014" and insert "\$177,412,809".

Page 392, line 3, strike "\$177,964,014" and "\$177,964,014" and insert: "\$177,412,809" and "\$177,412,809".

Page 392, line 5, strike "3.2" and insert "2.9".

Explanation:

(This amendment reduces the general fund appropriation for financial assistance to local police departments (House Bill 599 funding) by \$551,205 each year. This reflects the difference between the amount provided in Chapter 780 of the 2016 General Assembly Session, which assumed a 3.2 percent rate of growth in first general fund revenue collections over fiscal year 2016, and the revised 2017 general fund forecast of 2.9 percent growth provided in December, 2016.)

Item 422 #1h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of State Police	\$0	(\$507,904)	GF
	0.00	-7.00	FTE

Language:

Page 405, line 17, strike "\$60,796,758" and insert "\$60,288,854".

Explanation:

(This amendment removes \$507,904 from the general fund the second year and 7.0 positions included for the State Police to conduct background checks for all firearms transactions.)

Item 422 #2h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of State Police	\$0	(\$164,746)	GF
	0.00	-2.00	FTE

Language:

Page 405, line 17, strike "\$60,796,758" and insert "\$60,632,012".

Explanation:

Committee Approved Amendments to House Bill 1500, as Introduced

(This amendment reduces the general fund appropriation for State Police by \$164,745 the second year and two positions the second year. The introduced budget included a total of an additional \$494,236 from the general fund the second year and six new positions, four of which were to support criminal background checks of child care center employees and volunteers, and two were to support background checks for the firearms transaction program. This amendment removes the two new positions for the firearms transaction program and associated funding.)

Item 422 #3h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of State Police	\$0	(\$5,935,000)	GF

Language:

Page 405, line 17, strike "\$60,796,758" and insert "\$54,861,758".

Page 406, strike lines 38 through 54.

Page 407, strike lines 1 through 10.

Explanation:

(This amendment reduces the general appropriation for the Department of State Police by \$5.9 million the second year and removes language associate with Senate Bill 1115, which would have exempted State Police from VITA oversight and allowed them to assume full responsibility for developing, operating, and managing all information technology services. The associated Senate Bill was not passed by the Senate, and no corresponding House Bill was introduced. A corresponding amendment to Central Appropriations provides \$2.9 million for State Police assumption of information technology services, contingent upon production of a report detailing operating and capital costs needed to effectuate this transition and the signing of a Memorandum of Understanding with VITA laying out the first phase of this transition.)

Item 423 #2h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of State Police	0.00	15.00	FTE

Language:

Explanation:

(This amendment provides 15.0 nongeneral fund positions for the purposes of toll and HOV enforcement services I-95 HOT and Express Lanes. These positions are to be funded by Transurban (USA) Operations, Inc. by agreement with the Department of State Police.)

Item 423 #3h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of State Police	\$0	\$1,200,000	GF
	0.00	10.00	FTE

Language:

Page 407, line 14, strike "\$259,725,668" and insert "\$260,925,668".

Page 409, after line 23, insert:

"S. Included within the appropriation for this item is \$1,200,000 the second year from the general fund and 10 positions to establish a special operations division."

Explanation:

(This amendment restores \$1.2 million from the general fund and 10 positions the second year for the purposes of the establishment of a special operations division within the Department of State Police.)

Item 423 #4h

Public Safety and Homeland Security	FY16-17	FY17-18	
Department of State Police	\$0	\$205,772	GF
	0.00	2.00	FTE

Language:

Page 407, line 14, strike "\$259,725,668" and insert "\$259,931,440".

Page 409, after line 23, insert:

"S. The Superintendent of Virginia State Police shall establish a new area office in the New River Valley. Included in the amounts appropriated for this item is \$205,772 the second year from the general fund to establish the new area office."

Explanation:

(This amendment is self-explanatory.)

Item 434 #1h

Technology

Virginia Information Technologies Agency

Language

Language:

Page 422, strike lines lines 17 through 37.

Committee Approved Amendments to House Bill 1500, as Introduced

Explanation:

(This amendment removes language relating to VITA cost recoveries from State Police following separation of its information and technology services and infrastructure from VITA. The Associated Senate Bill authorizing this change was not passed, and no associated House Bill was introduced.)

	Item 470 #2h	
Veterans and Defense Affairs	FY16-17	FY17-18
Department of Veterans Services	1.00	1.00 FTE

Language:

Explanation:

(This amendment converts one wage employee to full-time status at the McGuire VA Medical Center benefits office to reflect increased workloads.)

	Item 470 #3h	
Veterans and Defense Affairs	FY16-17	FY17-18
Department of Veterans Services	\$0	(\$900,000) GF

Language:

Page 455, line 13, strike "\$16,824,308" and insert "\$15,924,308".

Page 455, strike lines 49 and 50.

Page 455, line 51, strike "C." and insert "B."

Explanation:

(This amendment reduces the general fund appropriation by \$900,000 the second year and deletes associated language included in the introduced budget relating to the establishment of the Virginia Veteran Entrepreneurship Grant program. The associated legislation authorizing establishment of the program was not passed by the House of Delegates.)

	Item 472 #1h	
Veterans and Defense Affairs	FY16-17	FY17-18
Department of Veterans Services	\$0	(\$115,000) GF
	0.00	-1.00 FTE

Language:

Committee Approved Amendments to House Bill 1500, as Introduced

Page 456, line 18, strike "\$2,900,227" and insert "\$2,785,227".

Page 456, after line 23, insert:

"Included within the general fund appropriation for this item is up to \$160,000 the second year to support the operations of the Veterans Services Foundation."

Explanation:

(This amendment reduces by the general fund appropriation to the Department of Veterans Services by \$115,000 the second year and eliminates one position. A companion amendment establishes Item 472.20 as a distinct appropriation for the Veterans Services Foundation and provides \$115,000 and one position for this purpose, pursuant to House Bill 2148 of the 2017 General Assembly. The amendment also adds language specifying that up to \$160,000 from the general fund appropriation for the item is to be used to support operations of the Veterans Services Foundation.)

	Item 472.20 #1h		
Veterans and Defense Affairs	FY16-17	FY17-18	
Department of Veterans Services	\$0	\$115,000	GF
	0.00	1.00	FTE

Language:

Page 456, after line 36, insert:

"472.20 Veteran Services Foundation		\$0	\$115,000	
Fund Sources:	General	\$0	\$115,000	
	Dedicated Special Revenue	\$0	\$0	"

Explanation:

(This amendment establishes the Veterans Service Foundation as an entity independent of the Department of Veterans Services under the cognizance of the Secretary of Veterans and Defense Affairs, pursuant to House Bill 2148. The amendment provides \$115,000 the second year from the general fund and one position. A companion amendment to Item 472 of this act makes corresponding reductions to the appropriation and position level of the Department of Veterans Services.)

	Item 475 #1h		
Central Appropriations			
Central Appropriations			Language

Language:

Committee Approved Amendments to House Bill 1500, as Introduced

Page 467, after line 8, insert:

"i. The Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority."

Explanation:

(This amendment adds the Chief Executive Officer of the Virginia Alcoholic Beverage Control Authority to the list of agency heads authorized to use agency funds to implement a performance-based pay plan.)

		Item 476 #1h	
Central Appropriations	FY16-17	FY17-18	
Central Appropriations	\$0	\$2,900,000	GF

Language:

Page 469, line 6, strike "\$16,962,496" and insert "\$19,862,496".

Page 471, after line 43, insert:

"3.a Notwithstanding the provisions of § 2.2-2011, Code of Virginia, the Department of State Police is authorized to procure, develop, operate, and manage the cyber security and management tools required to protect the information technology used by the Department that is defined as out-of-scope from the Virginia Information Technologies Agency pursuant to the Memorandum of Understanding (MOU) between the two agencies dated August 30, 2013. The Department of State Police shall be solely responsible for securing all aspects of information technology defined as out-of-scope in the current MOU.

b. Costs expended by the Department of State Police for cyber security and management tools shall be reimbursed by the Director, Department of Planning and Budget from unexpended funds provided in paragraph I.1. of this item, after such expenses have been approved by the Chief Information Office and determined to be in compliance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

4.a. The Superintendent of State Police and the Chief Information Officer of the Commonwealth shall jointly develop and report to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance a detailed transition plan addressing the steps required for the Department of State Police to assume responsibility for the development, operation, and management of all of its information technology infrastructure and services.

b. The report shall, at a minimum, include a detailed transition plan that identifies and evaluates (i) anticipated transition timelines, tasks, activities, and responsible parties, (ii) one-time and ongoing costs of transitioning responsibility for information technology services from the Virginia Information Technologies Agency to the Department of State Police including the estimated costs to obtain existing information technology assets or

Committee Approved Amendments to House Bill 1500, as Introduced

transition services from Northrop Grumman, (iii) the ongoing costs of staffing, services, and contracts related to enterprise security and management tools, legacy system replacements or upgrades, construction or lease of facilities including data centers, labor costs and workload analyses, and training costs, (iv) any other such factors deemed necessary for discussion as identified by the Superintendent of State Police or Chief Information Officer of the Commonwealth, and (v) identify necessary statutory changes required to effectuate the transition and modernize current statutes related to basic State Police communication systems consistent with the Criminal Justice Information Services Security Policy Version 5.5, or its successor, and (vi) a jointly developed and agreed upon MOU between the Department of State Police and the Virginia Information Technologies Agency that certifies the information.

c. The report and accompanying Memorandum shall be provided to the Chairmen of the House Committee on Appropriations and Senate Committee on Finance no later than October 1, 2017.

5. Included within the appropriation for this item, up to \$2,900,000 the second year from the general fund is provided to reimburse the Department of State Police for costs associated with mitigating information technology security threats and gaps not addressed in paragraph 3a. All such costs shall be eligible for reimbursement if they have been procured in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency. The Director, Department of Planning and Budget is authorized to release this funding following certification by the Chief Information Officer that these costs address cyber security threats and gaps, including upgrades to legacy applications to remediate audit findings by the Auditor of Public Accounts or Commonwealth Security and Risk Management."

Explanation:

(This amendment authorizes the Department of State Police to assume full responsibility for procuring, developing, operating, and managing the cyber security and management tools required to protect the information technology used by the Department that is deemed to be not covered by the Virginia Information Technologies Agency pursuant to a written Memorandum of Understanding between the two agencies. The amendment authorizes the Department to access unexpended balances of the information technology contingency fund established for State Police in Chapter 780 of the 2016 Session of the General Assembly. The amendment requires the Superintendent of State Police and Chief Information Officer of the Commonwealth to provide a report to the Chairmen of the House Appropriations and Senate Finance Committees detailing the timelines and estimated costs of transitioning the Department of State Police to procuring, operating, and managing all information technology infrastructure and services independent of the Virginia Information Technologies Agency. The amendment also provides \$2.9 million from the general fund the second year for projects necessary to begin transitioning information technology services pursuant to the report required by paragraph 4.a. being completed, and the signing of a Memorandum of Understanding between the Department of State Police and the Virginia Information

Technologies Agency detailing such projects.)

Item 3-1.01 #3h

Transfers

Interfund Transfers

Language

Language:

Page 514, line 1, strike "\$97,328,070" and insert "\$98,128,070".

Page 514, line 1, strike "\$101,428,070" and insert "\$103,028,070".

Explanation:

(This amendment increases the transfer of net profits from the Department of Alcoholic Beverage Control to the general fund by \$800,000 the first year and \$1.6 million the second year.)

Item 3-1.01 #4h

Transfers

Interfund Transfers

Language

Language:

Page 517, line 29, strike "\$2,464,585" and insert "\$3,364,585".

Page 517, line 30, strike "\$2,464,585" and insert "\$3,864,585".

Explanation:

(This amendment increases the transfer to the general fund related to operating efficiencies to be implemented by the Department of Alcoholic Beverage Control by \$900,000 the first year and \$1,400,000 the second year.)

Item 3-1.01 #5h

Transfers

Interfund Transfers

Language

Language:

Page 518, line 27, strike "\$280,000" and insert "\$889,748".

Page 518, line 28, strike "\$600,000" and insert "\$1,209,748".

Explanation:

Committee Approved Amendments to House Bill 1500, as Introduced

(This amendment increases the transfer to the general fund from the Firearms Transaction and Concealed Weapons Permit Programs by \$609,748 each year.)

Item 4-5.04 #1h

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 559, line 40, after "Assembly" insert:
"or to the Virginia Alcoholic Beverage Control Authority."

Explanation:

(This amendment exempts the Virginia Alcoholic Beverage Control Authority from Virginia Information Technology Authority oversight of agency procurement of information technology facilities and services.)

Item 4-5.04 #2h

Special Conditions and Restrictions on Expenditures

Goods and Services

Language

Language:

Page 559, line 48, after "education" insert "and the Alcoholic Beverage Control Authority".
Page 559, line 51, after "education" insert "or the Authority".
Page 559, line 51, after "institution" insert "or the Authority".
Page 559, line 53, after "institution" insert "or the Authority".

Explanation:

(This amendment exempts the Virginia Alcoholic Beverage Control Authority from participation in the fleet management program operated by the Virginia Department of General Services.)
