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HOUSE JOINT RESOLUTION NO. 34
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 14, 2004)

(Patrons Prior to Substitute—Delegates Putney and Carrico [HJR 274])

Establishing a joint subcommittee to study the Virginia Retirement System and benefits for public safety officers under the Virginia Line of Duty Act. Report.

WHEREAS, the last study of the benefit structure of the Virginia Retirement System was conducted during the late 1970s and early 1980s; and

WHEREAS, the retirement industry, tax laws, and Social Security Benefits have changed significantly since that study; and

WHEREAS, the Virginia Retirement System and its member employers must ensure that employees who are members are provided a comprehensive benefits package that is competitive with other public and private sector entities, and help member employees prepare for retirement by facilitating a thorough understanding of member benefits for retirement planning purposes; and

WHEREAS, the Virginia Retirement System also serves as a means to attract and retain a highly qualified and motivated workforce for the Commonwealth and employer members to the System; and

WHEREAS, Virginians serving as public safety officers face enormous risks on a daily basis to ensure the safety of their fellow Virginians; and

WHEREAS, Virginia public safety officers encounter daily the risk of death or permanent, severe, and disabling catastrophic personal injuries in the course of performing their duties; and

WHEREAS, annually, Virginia public safety officers, undetermined in number, incur catastrophic personal injuries in the line of duty, causing such officers to become severely and permanently disabled; and

WHEREAS, the death or permanent disability of a public safety officer may decrease the income available to the officer's family, increase medical and other expenses to the family, and otherwise create extraordinary financial burdens for the officer's family or survivors; and

WHEREAS, although limited benefits are available to public safety officers or their families from other sources, such as Workers' Compensation, no benefits are available to them under the Virginia Line of Duty Act (§9.1-400 et seq.) of the Code of Virginia; and

WHEREAS, many public safety officers who are severely and permanently injured in the line of duty and their families are bereft without any support or benefits, experience financial hardship, and, frequently, must rely upon public assistance; and

WHEREAS, the plight of these public safety officers should be addressed to determine whether benefits might be made available to them under the Virginia Line of Duty Act; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the Virginia Retirement System and benefits for public safety officers under the Virginia Line of Duty Act. The joint subcommittee shall consist of 10 legislative members to be appointed as follows: six members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; and four members of the Senate to be appointed by the Senate Committee on Rules.

The joint subcommittee may appoint a technical advisory committee to assist it with its work. However, all persons appointed to the technical advisory committee shall serve in a voluntary capacity without compensation or reimbursement of expenses.

Nonlegislative citizen members of the technical advisory committee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

In conducting its study, the joint subcommittee shall (i) examine the current benefit structure of the Virginia Retirement System; (ii) review matters relating to funding, including amortization schedules, level and adequacy of funded ratios, and blending of contribution rates between and among retirement systems; (iii) make recommendations to improve the Virginia Retirement System; (iv) examine existing Virginia benefits and those provided by other states and the federal government to public safety officers who suffer severe and permanent disabilities as a result of catastrophic personal injuries incurred in the line of duty; (v) estimate the potential population of public safety officers who would be eligible for such benefits, and determine the feasibility, advisability, and costs of creating a new state benefit within

60 the Virginia Line of Duty Act for such public safety officers; (vi) solicit the participation of
61 representatives of Virginia's public safety community in the conduct of the study; and, (vii) consider
62 such other related matters as the joint subcommittee deems appropriate.

63 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.
64 Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be
65 provided by the Division of Legislative Services. Fiscal analysis and other related services shall be
66 provided by the staffs of the House Committee on Appropriations and the Senate Committee on Finance.
67 Technical assistance shall be provided by the Virginia Retirement System, including financial, actuarial,
68 and benefit consultants to assist in the furtherance of the work of the joint subcommittee. The Virginia
69 Retirement System shall bear all costs related to the provision of financial, actuarial, and benefit
70 consultants for the study. All agencies of the Commonwealth shall provide assistance to the joint
71 subcommittee for this study, upon request.

72 The joint subcommittee shall be limited to four meetings for the 2004 interim, and the direct costs of
73 this study shall not exceed \$10,000 without approval as set out in this resolution. Approval for
74 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the
75 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is
76 agreed to, written authorization of both Clerks shall be required.

77 No recommendation of the joint subcommittee shall be adopted if a majority of the House members
78 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the
79 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the
80 joint subcommittee.

81 The joint subcommittee shall complete its meetings by November 30, 2004, and the chairman shall
82 submit to the Division of Legislative Automated Systems an executive summary of its findings and
83 recommendations no later than the first day of the 2005 Regular Session of the General Assembly. The
84 executive summary shall state whether the joint subcommittee intends to submit to the General
85 Assembly and the Governor a report of its findings and recommendations for publication as a document.
86 The executive summary and the report shall be submitted as provided in the procedures of the Division
87 of Legislative Automated Systems for the processing of legislative documents and reports and shall be
88 posted on the General Assembly's website.

89 Implementation of this resolution is subject to subsequent approval and certification by the Joint
90 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
91 delay the period for the conduct of the study, or authorize additional meetings during the 2004 interim.