

## Department of Planning and Budget 2012 Fiscal Impact Statement

**1. Bill Number: SB 411**

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input checked="" type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Enrolled

**2. Patron: Norment**

**3. Committee: Militia, Police and Public Safety**

**4. Title: Powers and duties of boards**

**5. Summary:**

The proposed legislation would amend the powers and duties of the Virginia Fire Services Board and the State Board of Juvenile Justice. In general, the changes would remove language authorizing the boards to undertake activities which would more appropriately be done by an agency and which would be impractical for a part-time citizens' board to carry out, such as conducting fire training schools, developing personnel standards, and implementing a long-range policy. However, under the legislation, both boards would retain their general function of overseeing and monitoring the activities of their respective agencies as well as the authority to approve policies and standards developed by the agencies.

The bill does restrict some activities of the boards. Currently, both boards have the authority to make recommendations to the General Assembly concerning legislation and other matters in their respective spheres. The proposed legislation would restrict that authority to the Governor, Secretary of Public Safety, or the agency director. Under the legislation, the Board of Juvenile Justice would no longer have the authority to review and comment on all budget requests before their submission to the Governor and on all applications for federal funds. The Fire Services Board would be restricted to a maximum of four regular meetings per year.

Finally, the legislation would repeal two Code of Virginia statutes. The first statute that would be repealed authorizes the establishment of the Interoffice Drug Offender Screening and Assessment Committee. This body is comprised of representatives from several state agencies and has the responsibility of monitoring the status and effectiveness of offender drug screening, assessment and treatment programs. The committee has not met in several years.

The second statute to be repealed dates back to the separation of what is now the Department of Juvenile Justice (DJJ) from the Department of Corrections (DOC), of which it was a part. The statute transfers property from DOC to DJJ. It also gives the Board of Juvenile Justice the authority to name facilities operated by DJJ.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary. See Item 8.

**8. Fiscal Implications:**

The proposed legislation deletes the provision of § 9.1-201, Code of Virginia, that requires the members of the Board of Fire Services be compensated. However, a provision of the Appropriation Act, enacted by the 2011 General Assembly prohibits any executive branch agency from paying compensation to board members; therefore no additional savings would be realized from the proposed legislation. The bill does limit the Board of Fire Services to four meetings per year. Because the board in the past has met as often as six times a year, this provision could result in some savings due to a decrease in the amount of member expenses that would be reimbursed. In FY 2011, the Department of Fire Services spent about \$8,000 from nongeneral funds for reimbursement of travel expenses for board members, for an average of \$1,341 per meeting. By reducing the number of board meetings by two per year, the agency may save up to approximately \$2,600 per year; however, that amount will vary, depending on which members attend the meetings and how far they must travel for the meetings.

**9. Specific Agency or Political Subdivisions Affected:**

Department of Juvenile Justice  
Department of Fire Services

**10. Technical Amendment Necessary:** None.

**11. Other Comments:** Identical to HB 1104.

**Date:** 2/13/2012

**Document:** G:\LEGIS\fis-12\sb411s3.doc Dick Hall-Sizemore