



Recent  
Agency  
and  
Program  
Reviews

Follow-Up  
of Previous  
Studies

Indexed  
Summaries  
of all  
JLARC  
Reports

**JOINT  
LEGISLATIVE  
AUDIT &  
REVIEW  
COMMISSION**

**1999  
REPORT  
TO THE  
GENERAL  
ASSEMBLY**

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Silver Anniversary Edition: Milestones from 25 Years of Legislative Oversight

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### Vice-Chairman

Delegate Vincent F. Callahan, Jr.

Delegate J. Paul Council, Jr.

Delegate Glenn R. Croshaw

Delegate Jay W. DeBoer

Delegate V. Earl Dickinson

Senator Joseph V. Gartlan, Jr.

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Senator Stanley C. Walker

Mr. Walter J. Kucharski, Auditor of Public Accounts

### Director

Philip A. Leone



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Delegate Robert B. Ball, Sr. (*Chairman, 1988-1990*)

Senator Herbert H. Bateman

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Senator Clive L. DuVal 2d

Delegate Arthur R. Giesen, Jr.

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Delegate Edward E. Lane (*Chairman, 1973-1977*)

Delegate Willard L. Lemmon

Delegate L. Cleaves Manning (*Chairman, 1984-1986*)

Delegate Clinton Miller

Delegate Theodore V. Morrison, Jr.

Delegate Thomas W. Moss, Jr.

Delegate Lewis W. Parker, Jr.

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Delegate Alson H. Smith, Jr.

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Delegate William T. Wilson

Joseph S. James, *Auditor of Public Accounts*

Charles K. Tribble, *Auditor of Public Accounts*

Mr. Ray D. Pethtel (*Director, 1974-86*)

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**To the Honorable Members of the Virginia General Assembly  
The State Capitol, Richmond, Virginia**



My Dear Colleagues:

As Chairman of the Joint Legislative Audit and Review Commission, I am pleased to transmit to you JLARC's 1999 *Report to the General Assembly*. The statutes which empower the Commission also require this biennial report, as a means of keeping the full Assembly informed of the Commission's work. Herein you will find an explanation of our role, summaries of our recent reports, updates on study impacts, and a complete listing of all reports issued by JLARC since its inception.

In addition, this silver anniversary report marks 25 years of service to the legislature. During that time, we have seen many changes in the General Assembly, which are also reflected within the smaller body of JLARC. For example, just as political parity and power-sharing have been working successfully in the full Assembly, leadership accommodations have quietly taken place within JLARC as well. Marking a new milestone in non-partisanship and equity, Delegate Vincent F. Callahan, Jr. has been elected as Vice-Chairman of the Commission. Of course, in terms of JLARC's dual mission of research and oversight, the focus of our work is self-adjusting and automatic, because the topics of our studies are decided by the General Assembly as a whole.

I also want to note that Delegate Callahan is one of two Commission members who have served from the very beginning of JLARC's long and distinguished history. The other is Delegate Lacey E. Putney. Their appointment by JLARC's founding fathers was certainly not accidental. I would be hard pressed to name a pair of colleagues with greater claim to the conscientiousness and integrity that JLARC strives to embody.

Through the years, our work has regularly been recognized by our peer oversight organizations across the country. I am pleased to note that in the interim since our last biennial report, the Commission received a number of significant honors. Foremost among these was the highest citation – the *Award for Excellence in Program Evaluation* – bestowed in 1998 by the National Legislative Program Evaluation Society (NLPES) of the National Conference of State Legislatures. This competitive award recognizes a strong combination of demonstrated impacts, contributions to the field, and sustained service to the General Assembly. In addition, JLARC's recent work in the area of child day care received NLPES' *Significant Impact Award*.

Equally noteworthy, JLARC was recently singled out for its oversight work in the latest edition of a respected college text, Bowman and Kearney's *State and Local Government*. I can think of no better way of summing up JLARC's decades of oversight efforts than the words of that citation, which credit JLARC with "reinventing government before it became fashionable."

Although such honors are gratifying, they are not surprising. After 25 years, and nearly 250 studies, our work can truly be characterized as a tradition of excellence. Such a tradition could only have endured with the continuing, nonpartisan support of the entire General Assembly, which shares equally in all of the Commission's impacts and honors.

Respectfully Yours,

A large, stylized handwritten signature of Richard J. Holland in black ink.

Richard J. Holland

September 13, 1999

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# Members of the Joint Legislative Audit and Review Commission

Chair



Senator  
Richard J. Holland

Vice-Chair



Delegate  
Vincent F. Callahan, Jr.

The Joint Legislative Audit and Review Commission (JLARC) is an oversight agency for the Virginia General Assembly. It was established in 1973 to review and evaluate the operations and performance of State agencies, programs, and functions.

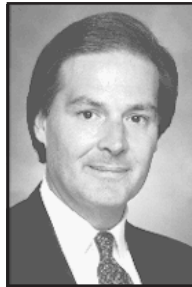
The Commission is composed of nine members of the House of Delegates, of whom at least five also serve on the House Appropriations Committee, and five members of the Senate, of whom two also serve on the Senate Finance Committee. Delegates are appointed by the Speaker of the House, and Senators by the Privileges and Elections Committee. The Chair is elected by a majority of Com-



Delegate  
J. Paul Councill, Jr.



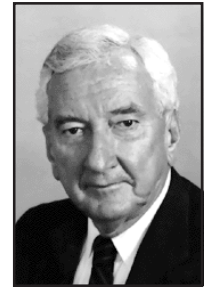
Delegate  
Glenn R. Croshaw



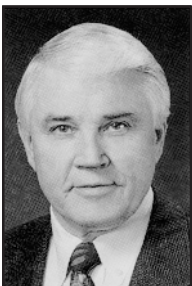
Delegate  
Jay W. DeBoer



Delegate  
V. Earl Dickinson



Senator  
Joseph V. Gartlan, Jr.



Delegate  
Franklin P. Hall



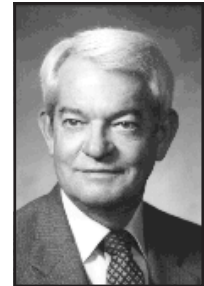
Senator  
Kevin G. Miller



Delegate  
W. Tayloe Murphy



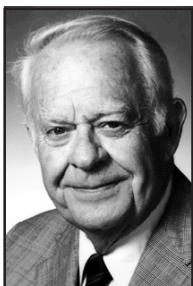
Senator  
Thomas K. Norment, Jr.



Delegate  
Harry J. Parrish



Delegate  
Lacey E. Putney



Senator  
Stanley C. Walker

***Longest-Serving  
Members:***  
Senator Vincent  
F. Callahan, Jr.  
and Delegate  
Lacey Putney  
have served on  
the Commission  
since its inception  
in 1973.



Mr. Walter J. Kucharski  
Auditor of Public Accounts



Mr. Philip A. Leone  
Director

mission members and traditionally has rotated every two years between the House and Senate. The Auditor of Public Accounts is a nonvoting, *ex-officio* member.

The Commission has a full-time staff. A staff Director is appointed by the Commission and confirmed by the General Assembly for a six-year term of office.

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## The Statutory Mandate

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### ***Authority and Duties***

The duties of the Commission and the nature of its studies are specified in Sections 30-56 through 30-63 of the *Code of Virginia*. Report findings and recommendations are to be submitted to the agencies concerned, the Governor, and the General Assembly. These reports are to address:

- ☐ areas in which functions of State agencies are duplicative, overlap, fail to accomplish legislative objectives, or for any other reason should be redefined or redistributed;
- ☐ ways in which agencies may operate more economically and efficiently; and
- ☐ ways in which agencies can provide better services to the State and to the people.

The Commission has also been assigned authority to make special studies and reports on the operations and functions of State agencies as it deems appropriate and as may be requested by the General Assembly. In addition, the Commission is authorized to prepare supplemental studies and reports relating to its evaluations. Once each biennium, the Commission conducts a systematic follow-up of its work. From time to time, usually coinciding with this biennial *Report to the General Assembly*, agencies are requested to file “status-of-action” reports on their efforts to address the Commission’s findings and recommendations. Special follow-up studies are required in cases where the Commission has cited waste, extravagance, fraud, or misuse of public funds.

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### ***Legislative Program Review and Evaluation Act***

In 1978, JLARC embarked on a unique approach to oversight under the auspices of the Legislative Program Review and Evaluation Act. The Act provides for periodic review and evaluation of selected topics from among all seven program functions of State government: (1) Individual and Family Services, (2) Education, (3) Transportation, (4) Resource and Economic Development, (5) Administration of Justice, (6) Enterprises, and (7) General Government. While the principal function of the Evaluation Act is the scheduling of functional area reviews, it also encourages (1) coordination with the standing committees, (2) agency self-studies, and (3) committee hearings on JLARC reports. The Act does not require or restrict standing committee activities in any way.

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<b><i>Financial Audit Reports</i></b>	Under authority of Section 2.1-155 of the <i>Code of Virginia</i> , the Commission also serves as the point of legislative focus for financial audit reports. The specialized accounting and audit resources of the Office of the Auditor of Public Accounts are available to the Commission. The ability of the Legislature to assess agency performance is enhanced by this combination of program and fiscal reviews.
<b><i>Oversight of Internal Service Funds</i></b>	Section 2.1-196.1 of the <i>Code</i> gives JLARC authority to establish new internal service funds and to discontinue those no longer needed. JLARC can also authorize the transfer of excessive retained earnings from internal service funds to the State general fund. To carry out these responsibilities the Commission reviews, on a continuing basis, internal service funds for graphics, systems development, telecommunications, laboratory services, central warehouse, computer services, central garage, building maintenance services in the Capitol area, and State and federal surplus property. See page 81 for a fuller discussion of this function.
<b><i>VRS Oversight</i></b>	The 1994 General Assembly approved the Virginia Retirement System Oversight Act (Section 30-78 through 30-84 of the <i>Code</i> ), which directs JLARC to oversee and evaluate the VRS on a continuing basis. This responsibility of the Commission and its staff is described in detail beginning on page 80 of this document.
<b><i>Fiscal Impact Analysis</i></b>	In 1999, language was added to the Appropriation Act (Item 16 #2c) providing additional funds to expand the technical support staff of JLARC “to assist with legislative fiscal impact analysis” and “to conduct oversight of the expenditure forecasting process.” A new staff unit dedicated to these functions will be fully operational to support the 2000 legislative Session. A fuller description of this new function is described beginning on page 77 of this document.

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## Fulfilling the Mandate: The Audit and Review Process

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To carry out its oversight responsibilities, JLARC issues several types of legislative reports. Performance reports evaluate the accomplishment of legislative intent and assess whether program expenditures are consistent with appropriations. Operational reports assess agency success in making efficient and effective use of space, personnel, or equipment. Special reports are made on State operations and functions at the direction of the Commission or at the request of the General Assembly. Many of these special reports require elaborate statistical applications to assess policy and program effectiveness.

To date, JLARC has issued about 250 reports, which are annotated by subject area in the final section of this publication. In addition, numerous letter reports and briefings have been prepared on specific topics of interest to the Commission. About 15 studies are currently in progress or planned.

A JLARC study begins when the Legislature identifies a topic for review. The Commission authorizes project initiation, and the project is assigned to a staff

team. A workplan is then prepared which documents the research approach to be used.

After the team completes its research, it prepares a report which is reviewed internally and subjected to quality assurance standards. Subsequently, an exposure draft is distributed to appropriate agencies for their review and comment. A revised exposure draft, which also contains agency comments, is reported to the Commission.

The Commission or one of its subcommittees reviews the report, indicates any additional legislative concerns, and authorizes publication of the study as a legislative document. The printed report is distributed to all General Assembly members, the Governor, and other interested parties. Dissemination of study findings to the public has been greatly enhanced in recent years through development of a JLARC internet site (see page 84 for more details).

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## JLARC Staff Resources

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The JLARC staff Director is responsible for preparing the budget, hiring personnel, managing research, and long-range planning.

The staff is organized into two research divisions, each headed by a division chief, and three support functions. Project teams, typically ranging from two to four people, are assigned to the divisions for administrative and research supervision. Team leaders have responsibility for managing projects and directing teams on a day-to-day basis. The teams are supported by specialists in research methods, computer applications, and publications services.

The varied education, training, and professional experience of JLARC's 36 research staff are important to the Commission. Since 1973, the composition of the staff has continued to evolve. Today, while the largest single group still comes into JLARC with backgrounds in public administration or policy analysis and a strong base of quantitative skills, many other academic disciplines are also represented. These fields include business administration, computer science, economics, education, English, philosophy, planning, political science, psychology, and urban systems. Most members of the research staff have graduate degrees.

Only one JLARC staff position – that of the Director – is filled through legislative appointment. All other positions – from new entry-level recruits to senior management positions – are filled through a merit-based competitive selection process.

Staff titles reflect formal education, training, and experience at JLARC. The titles are assistant, associate, senior associate, senior, principal, and chief analyst. Promotions are based on merit. Salaries are competitive with those of similar

types of executive and legislative employment, and each staff member participates in State-supported benefit programs.

Professional development is encouraged through membership in relevant associations. Training is carried out through on-campus credit instruction in fields related to the work of the Commission, and through in-service programs. Emphasis is placed on enhancing technical, communication, and team management skills.

JLARC's success over the past two decades has depended on the staff sharing a common body of institutional norms relating to such matters as standards of evidence, operating procedures, and rules of ethical behavior. Therefore, training and staff development efforts are designed to instill the JLARC ethic of accuracy, independence, and objectivity; an understanding of what these concepts mean in the JLARC environment; and a recognition of how to apply them in the day-to-day work of the organization.

JLARC is housed on the 11th floor of the General Assembly Building, adjacent to the State Capitol. The close proximity of the other legislative staffs and support services encourages communication and contributes to JLARC's research efforts.

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## Milestones

## 25 Years of Legislative Oversight

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*Versatility has been and will continue to be critical to JLARC's ability to respond to the General Assembly's study requests – whether for a performance audit, a program evaluation, or a broader policy analysis – over a wide range of issues. Legislative and executive use of these study efforts demonstrates that JLARC can examine complex issues affecting politically sensitive programs, yet maintain a position of objectivity and impartiality. The milestones timeline which begins below provides some indication of the range and importance of JLARC's work for over 25 years.*

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**1973** Joint Legislative Audit and Review Commission established as a permanent legislative commission by the General Assembly. Commission appoints subcommittee to hire Director.

**1974** JLARC staffed and operational; first study request is for a review of the Virginia Community College System.

**1975** An evaluation of the Virginia Community College System is the first report prepared and accepted by the Commission. The report describes a community college system in which Virginians can take considerable pride. At the same time, the review identifies administrative and educational issues that require the attention of VCCS and the Legislature to ensure the Commonwealth receives maximum return from its public expenditures.

**1976** JLARC study uncovers numerous financial and general management problems at the Virginia Institute of Marine Science. The JLARC assessment is the beginning of a series of legislative and executive activities which eventually lead to VIMS being merged with the College of William and Mary.

**1977** Study series on the “sunset” and zero-base budgeting approaches in vogue across the country recommends an alternative strategy for legislative oversight, which becomes the basis for the Legislative Program Review and Evaluation Act passed by the 1978 General Assembly. The Act provides for periodic review of the programs in all areas of State government.

**1978** On-site assessments reveal that many homes for adults provide satisfactory quality of resident life, but many homes — especially those housing auxiliary grant recipients or mental health aftercare clients — continue to operate with significant violations of licensure standards.

**1979** A special study of deinstitutionalization and community services is prepared for the Legislative Commission on Mental Health and Mental Retardation (the Bagley Commission). The report’s ten recommendations are endorsed by the Commission.

**1980** A study of federal funds finds that State agencies are consistently underestimating federal fund revenues and, consequently, major portions of State expenditures are not going through the legislative appropriations process. Immediate responses include \$29 million added to the 1980 budget bill as a result of last-minute agency-initiated amendments. Long-term response is implementation of comprehensive new control procedures and improved fund management by executive agencies.

**1981** In response to a 1980 JLARC special study, Legislature creates set-off debt collection program, which is soon bringing in about \$4 million annually. As of 1992, this continuing program has netted the State over \$75 million in real cash savings.

**1982** JLARC completes two comprehensive reports on occupational and professional regulation under the Evaluation Act.

**1983** JLARC begins its continuing series on State/local relations that will eventually include assessments of local mandates and financial resources, local fiscal stress and State aid, and State/local service responsibilities.

**1984** JLARC studies the equity of highway and transportation fund allocations begin to reshape the funding structure of this “big ticket” item. Recommendations ensure that funds will be allocated on an objective, rational basis that includes a clear relationship to needs.

**1985** A JLARC-sponsored Conference on Legislative Oversight reviews and reaffirms the Legislative Program Review and Evaluation Act.

**1986** JLARC staff wrap up a two-year study series on Virginia’s correctional system. Hundreds of recommendations point the way to improvements in population forecasting, staffing, facility utilization, community diversion, security procedures, and capital outlay planning.

**1987** A three-year study is completed assessing the funding of the educational Standards of Quality. The JLARC methodology for calculating SOQ costs is adopted by the General Assembly. The study ultimately results in a restructuring of the school aid funding formula.

**1988** In accordance with a proposal in JLARC’s study of information technology in Virginia State government, the 1988 General Assembly creates the Council on Information Management, which is responsible for statewide strategic planning, standard setting, and procurement.

**1989** JLARC’s review of child day care in Virginia identifies inconsistencies in the way regulation is applied. The study recommendations are embraced over the next two years by both the

legislative and executive branches, effectively doubling the number of children in day care who are subject to State regulation.

**1990** A comprehensive follow-up study of homes for adults outlines a new blueprint for regulation, which will subsequently be implemented with strong support from the Joint Commission on Health Care, the full Legislature, and the Administration.

**1991** A Commission study series on State financial management has significant outcomes: (1) A review of the Department of Taxation estimates a tax gap of more than \$500 million. The General Assembly directs the department to implement a \$65 million revenue enhancement program. (2) JLARC proposes a revenue stabilization or “rainy-day fund” that is approved by the Legislature in two successive sessions, then overwhelmingly approved by voters, becoming the first JLARC-originated amendment to the Virginia Constitution.

**1992** A major staff study effort is devoted to a comprehensive review of Virginia’s Medicaid program, producing a series of eight reports and over 100 recommendations. One study examines the extent to which applicants take advantage of legal “loopholes” to shift the cost of their care to the taxpayer while preserving assets for their heirs. As recommended, the General Assembly enacts legislation that restricts some forms of asset transfers and implements an estate recovery program. These actions will eventually result in an estimated \$15 million in annual savings to the Medicaid program.

**1993** JLARC embarks on a comprehensive review of the Virginia Retirement System, which leads to a major restructuring of VRS, a permanent VRS oversight role for the Commission, and JLARC’s second Constitutional amendment, which redefines VRS funds as independent trusts.

**1994** A staff study of the siting of Virginia’s solid waste facilities uses innovative methodologies to assess the impact on minority communities. This award-winning report also sounds an early alert concerning the volume of out-of-state trash being imported into the Commonwealth.

**1995** A two-year, in-depth look at juvenile corrections assesses court processing, sentencing outcomes, and the operation and impact of treatment services across varied settings. Juvenile recidivism is conclusively documented as a grave societal and correctional issue.

**1996** The Commission concludes its comprehensive study of the Department of Environmental Quality. The General Assembly demands a prompt return to the agency’s statutory mission of safeguarding the environment.

**1997** A follow-up study of child day care in Virginia finds that daycare centers are seriously under-inspected, along with other enforcement shortcomings. A responsive General Assembly allocates new inspector positions and strengthens sanctions. Study receives national impact award.

**1998** First-ever review of the Board of Elections uncovers weaknesses in voter registration which allow thousands of felons and deceased persons to remain on voting rolls. With support from the General Assembly, new linkages are forged between the registrars, the State Police, and the Health Department.

**1999** Concerns about DEQ’s possible withholding of information on PCB’s in the Roanoke River comes to light. The Commission is able to utilize its staff resources for a quick but thorough investigation into this fast-breaking environmental issue. DEQ’s leadership concurs with the study’s findings and recommendations.

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## Objectives of Legislative Oversight

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***Program and Agency Savings:*** Program cost savings are frequently the product of legislative oversight studies, and are usually the most visible of all possible outcomes. Savings directly related to JLARC studies total over \$356 million to date. Harder to pinpoint, but just as important, are the opportunities for savings which may result from the implementation of recommended efficiencies or adoption of program alternatives. The amount of potential savings depends on the extent to which changes are made. In some instances, changes may result in more spending to achieve greater effectiveness.

***Improved Efficiency and Effectiveness:*** JLARC is required by statute to make recommendations on ways State agencies may achieve greater efficiency and effectiveness in their operations. Achieving efficiency means finding ways to accomplish the same tasks at reduced cost; achieving effectiveness means finding ways to better accomplish program and agency objectives. Significant changes have been made in program efficiency and effectiveness in response to oversight reports and recommendations. The fact that a regular program of legislative oversight exists also stimulates agency self-evaluation, which may bring about improved operations.

***An Informed Legislature:*** Oversight studies help inform citizen legislators about agencies, programs, and activities. A primary objective for JLARC is to gather, evaluate, and report information and make recommendations that can be used in legislative decisionmaking. Reports provide information that may be useful to legislators during deliberation on legislation, during committee hearings, and in responding to constituent questions or requests for assistance. Oversight reports are also valuable as a long-term memory of program information, and may be useful to legislators and agency administrators as reference materials.

***Compliance with Legislative Intent:*** Writing and enacting legislation is the law-making function of the General Assembly. This establishes legislative intent. The oversight function helps ensure that laws are being carried out as the Legislature intended. In some cases, intent may not have been clearly understood by program administrators; in other cases, statements of intent may have been ignored. In those instances where legislative intent is not explicit in statute, an oversight study can assess and report to the General Assembly on how an agency has decided to implement its mission.

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## Recent and Cumulative Savings to the Commonwealth Resulting from Legislative Oversight

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### ***Savings Identified in Recent Reports:***

- State savings, local savings, and new local administrative funds from recommended use of Medicaid for Comprehensive Services (annual) ..... \$43,224,000
- Savings from recommended reorganization of the Department of Information Technology (biennial) ..... \$1,895,000

***Cumulative savings, documented in previous editions of the Report to the General Assembly, for studies issued prior to 1996*** ..... \$311,398,000

**CUMULATIVE TOTAL SAVINGS** ..... **\$356,517,000**

Note: Cumulative savings are conservatively estimated based on one to three years of implementation. Many of these savings continue to accrue indefinitely. For example, the Set-Off Debt Collection Act recommended by JLARC and enacted in 1981 has alone resulted in over \$100 million in savings since inception.

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## National Recognition of JLARC: Awards and Honors

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**1975** ➤ The JLARC staff receive national award for “most distinguished research” from the Governmental Research Association for a review of the Virginia Community College System.

**1979** ➤ JLARC staff receive the annual “outstanding legislative research report” award from National Conference of State Legislatures (NCSL) for a review of Virginia’s capital outlay process

**1981** ➤ JLARC staff receive award from the Executive Committee of NCSL’s Legislative Program Evaluation Section for “outstanding contributions to the field of legislative program evaluation.”

**1983** ➤ The Eagleton Institute of Politics at Rutgers University conducts a national study of legislative oversight, ranking JLARC as one of the best such groups in the country. The Commission and General Assembly are lauded for their strong commitment to legislative oversight.

**1991** ➤ NCSL’s Legislative Program Evaluation Society recognizes JLARC for “excellence in research design and method” for a technical review of staffing standards for the funding of sheriffs.

**1991** ➤ JLARC is cited by the journal Education Evaluation and Policy Analysis as an exemplary model for legislative oversight in state governance of education.

**1993** ➤ *Financial World* magazine ranks Virginia as the best managed state. Among the reasons listed are “unmatched” legislative and executive program evaluation and the JLARC-recommended, constitutionally established rainy-day fund.

**1994** ➤ *State Legislatures* magazine devotes its cover article to the Commission, entitling it “Virginia’s JLARC: A Standard of Excellence.” The article provides a history of the Commission, enumerates its accomplishments, and calls it a model for other states.

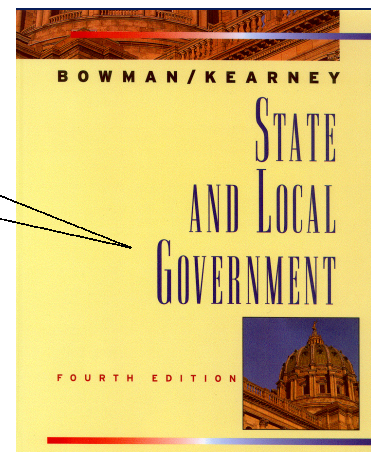
**1998** ➤ JLARC receives the highest national honor, the “Award for Excellence in Program Evaluation” from NCSL’s Legislative Program Evaluation Section. This award recognizes a strong combination of demonstrated impacts, contributions to the field, and sustained service to the legislature.

**1998** ➤ JLARC is also selected as the 1998 recipient of the NLPES’s “Certificate of Recognition of Significant Impact” for the study *Follow-Up Review of Child Day Care in Virginia*. This award recognizes studies that have had significant impact on improving governmental operations and programs.

**1999** ➤ Newest edition of a respected university government textbook includes a substantial citation about JLARC, including the following description:

“... a model for the rest of the country  
... was reinventing government before it became fashionable  
... has saved the state millions of dollars”

**1999** ➤ Virginia ranked best in the nation by the Government Performance Project, a nationwide management study conducted by the Maxwell School of Citizenship and Public Affairs at Syracuse University and *Governing* and *Government Executive* magazines. The Secretary of Finance, coordinator of the submission process for the award, credits JLARC’s work in program evaluation and performance measures as a significant factor in the award.



# Summaries and Updates of RECENT JLARC STUDIES

*This section summarizes recent Commission reports and older but still-active studies. Also provided are updates on the actions taken by the General Assembly and executive agencies to implement study recommendations.*

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## Review of the State Board of Elections

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### **Summary**

House Joint Resolution No. 51 (1998) directed JLARC to study the State Board of Elections (SBE), including the relationship of the Board with the local registrars, and the automated system used to maintain the registered voters list. The study also examined the important role played by the Division of Motor Vehicles (DMV) in processing voter registration applications, as required by the National Voter Registration (“motor voter”) Act of 1993. The review raised a number of serious concerns:

- ❑ The review found both SBE internal management and external support of the registrars to be weak. This was having a significant impact on operations, as evidenced by poor internal communications, a lack of discipline, and the failure of the State Board to carry out its statutory duties.
- ❑ The State Board had not provided training to local elections officials and had failed to approve new voting equipment. As a result, the registrars reported being dissatisfied with the support provided by the Board.
- ❑ The review found cause for concern about the maintenance of the registered voters list. Information from the State Police and the Department of Health used by the State Board appeared to be inaccurate in some instances, and the process used by the State Board to remove felons and the deceased appeared inadequate.
- ❑ The automated Virginia Voter Registration System being used was inadequate to support the State Board and the local registrars. A new system which used modern equipment, a high-speed network, and an improved database design would enhance the registrars’ ability to keep an accurate list of registered voters.
- ❑ Various procedural modifications and technical improvements were needed to improve DMV’s role in the voter registration process.

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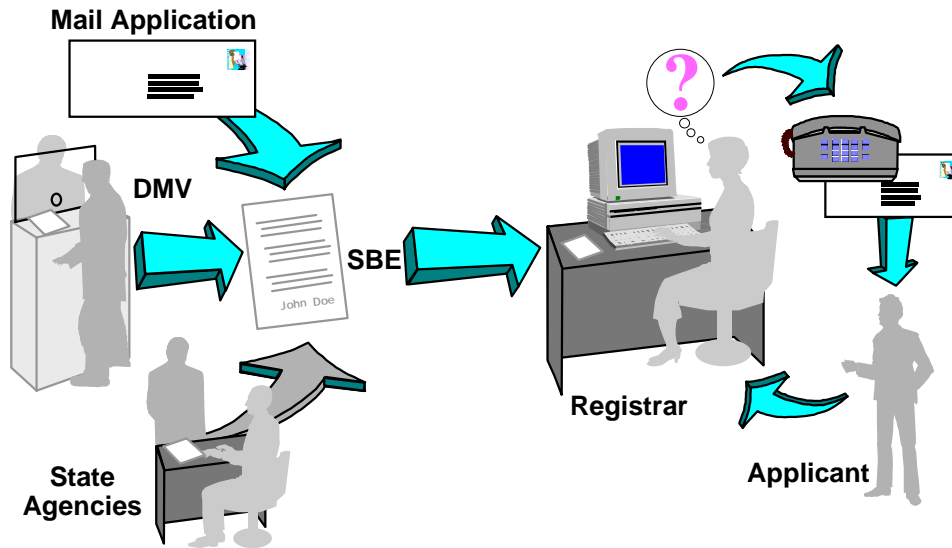
### **Update:**

A number of significant actions have been completed or are under way in response to the JLARC study. These initiatives have involved a range of actors, including the General Assembly, the State Board of Elections, the Division of

Motor Vehicles, the Department of Health, the Department of Information Technology, the State Police, and the general registrars. Selected accomplishments include the following:

- ❑ In response to a study recommendation, the General Assembly amended the *Code of Virginia* to create a National Voter Registration Act Coordinating Committee, as of July 1. The Committee, which will be composed of representatives from the State Board of Elections, DMV, three other State agencies providing voter registration opportunities, and general registrars, will report to the Secretary of SBE, and is currently in the process of organizing.
- ❑ In response to a study concern about the level and timeliness of training provided to election officials and staff, the General Assembly amended the *Code of Virginia* to specify that annual training of registrars and electoral boards is the responsibility of the State Board. The Board appears to have placed a more appropriate emphasis on training for 1999, and is currently planning for year 2000 training.
- ❑ The General Assembly amended the *Code of Virginia* to explicitly allow the transfer of data between DMV, SBE, and each of the general registrars.
- ❑ In support of a JLARC recommendation, the General Assembly provided emergency funding to allow deployment of personal computers and desktop printers, along with standard software and training, to all 135 general registrars' offices. This deployment, including a new telecommunications network and email, is substantially completed.
- ❑ Per a study recommendation, the General Assembly required electronic linkage between SBE and Virginia State Police, effective April 1, 2000. Subsequently, staff of SBE, the State Police, and the Department of Information Technology began working on this linkage, which will allow the transfer of the complete list of felons in Virginia and monthly updates. SBE has stated this is a top priority, and that it will probably be completed "much sooner" than the specified date. SBE is also pursuing the feasibility, as recommended, of verifying voter registrations against national sources of felony records. These approaches should assist SBE in maintaining the accuracy and integrity of the voter registration list.
- ❑ Per another recommendation, the State Board is also working to establish an electronic linkage with the Virginia Department of Health. Such a linkage would increase registration accuracy by allowing timely removal of deceased persons from the voter lists. Matches with the Social Security Master Death Record File are also planned, as recommended.
- ❑ The 1999 General Assembly authorized a pilot project for consolidating the poll-book with the registered voter list. SBE states that it intends in November to test a process for accomplishing this consolidation.
- ❑ The report noted that SBE had not complied with statutory mandate to review and certify new types of voting equipment. In response, the Board reports that

*A graphic from the Board of Elections study shows the complexity of the voter registration process since the implementation of the “motor voter” act.*



new certification procedures were recently implemented and vendor submissions are expected this year.

As recommended, the Board presented a preliminary estimate of the funding required for a new voter registration system to the General Assembly’s money committees prior to the 1999 Session. SBE expects to provide follow-up information prior to the 2000 Session.

The study noted that the “bail-out” provisions of the Voting Rights Act might be useful for certain jurisdictions. This provision frees localities which can demonstrate a high level of compliance with the Act from some of the cumbersome requirements. SBE reports it has been encouraging jurisdictions in this regard. Three localities have recently been approved and several others are actively considering this option.

The study found that DMV employees could do a better job of notifying customers that they could register to vote at DMV offices. DMV reports that in response, it has developed a training manual for use in DMV customer service centers, which contains a voter registration component and is being used as part of new employee training.

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## Review of State-Owned Real Property

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### **Summary**

The Appropriation Act and Senate Joint Resolution 239 of the 1993 General Assembly directed JLARC to examine the management of State-owned real property. The resulting report inventoried and estimated the market value of potentially surplus real property owned by the Commonwealth and made recommendations for improving the State’s real property recordkeeping and disposition of surplus real property.

At the time of this review, the Commonwealth owned more than 730,000 acres of land and 10,000 buildings. JLARC staff identified approximately 7,100 acres of potentially surplus land and approximately 30 surplus buildings held by agencies and institutions of the Commonwealth. This potentially surplus real property had an estimated market value of more than \$36 million.

The review found that the State's real property recordkeeping needed improvement. Real property records maintained by the Department of General Services contained numerous inaccuracies. In addition, the State maintained three databases of its real property assets, creating unnecessary duplication of effort for State agencies. The State also needed a method for recording the estimated market value of its most valuable real property assets so that the Commonwealth's policy makers could determine whether this real property was being optimally used or should be disposed of to generate revenue.

Improvements were also needed in the State's process for disposing of surplus real properties. State law provided little potential for generating general fund revenue from the sale of such properties. The State had no consistent policy regarding transfer of such properties to localities. Further, transfers of surplus real property among State agencies had been problematic. The report recommended modifications to State law to address these issues.

The review concluded that, in general, State agencies had not been sufficiently proactive in identifying surplus real property. The report recommended that the Secretary of Administration develop recommendations for encouraging State agencies and institutions to identify their surplus real property assets. The report also recommended that the Secretary examine the relationship between institutions of higher education and their foundations in real property transfers and the disposition of funds from the sale of surplus real property.

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***Update:***

The effects of this review appear to be long-term, as activities related to the report began immediately after its release and have continued. Shortly after the report was presented to the Commission in the fall of 1994, the Governor created the Commission on the Conversion of State-Owned Property to address many of the findings and recommendations made in the study. Building on the recommendations of the report, two commissions were formed during the last Administration to review and make recommendations about potential surplus property. Each commission was composed of citizens, cabinet officials, and legislators.

Several legislative initiatives have also been adopted, and others continue to be discussed. As recommended, the 1995 General Assembly amended the *Code of Virginia* to authorize DGS to use real estate brokers to sell surplus property. This new approach has turned out to be, according to DGS, "an effective tool."

The 1997 Session provided funds for a new real property database. DGS reports that this new database, called the Property, Land, and Tract System (PLATS), is currently nearing full implementation. As recommended, it merges the real property and risk management systems, along with capital outlay, and should signifi-

cantly improve reliability of surplus property information. This new system appears to incorporate a number of other technical and administrative study recommendations as well. DGS predicts the new system will provide time and resources savings. A major enhancement will be availability through the internet.

The 1999 General Assembly called for a comprehensive review of the laws, administrative processes, policies and procedures related to the control and disposition of surplus or potentially surplus properties. The working group includes representatives of each cabinet secretary, the House Appropriations Committee, the Senate Finance Committee, and Legislative Services. This committee has begun to meet, and will present recommendations before the upcoming Session. The review will undoubtedly revisit some of the issues identified in the JLARC study.

A recent status of action report from the Department of General Services (DGS) indicates that the agency has been more proactive in disposing of surplus prop-

"We believe that the guidance that JLARC provided...has been helpful in developing and executing action plans to improve service..."

---DGS Director's comment in a recent status-of-action report.

erty. The department hired a program director in 1997 to oversee the disposal process. Nearly \$17 million in property sales have been realized since the JLARC study. Included in these are a number of the specific properties identified in the report — for example, the 2,272-acre Elko Tract, which was under control of DGS itself. This tract was sold to Henrico County in 1996. Although the conveyance was for \$1, the agreement stipulated that future revenues generated from the sale of subdivided industrial sites would accrue to the State. To date, two such properties have been sold, generating about \$2.9 million. Other properties have also been transferred between State entities for "higher or better" use purposes.

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## Review of Capital Outlay in Higher Education

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### *Summary*

This 1995 JLARC study examined the roles of the major participants in the capital outlay process for higher education, including the Department of Planning and Budget, SCHEV, and the Department of General Services. One of the major conclusions of the study was that the State should decentralize significant tasks of capital outlay management to institutions of higher education, a recommendation favorably received by the institutions.

The 1996 Appropriation Act implemented this recommendation on a two-year pilot basis by delegating authority for managing capital outlay projects and leases to five institutions: the University of Virginia, Virginia Tech, William and Mary, Radford University, and Christopher Newport University. The purpose of the pilot exemption was to provide sufficient time to assess the potential for reducing the completion time and costs of nongeneral fund projects.

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**Update:**

The 1999 General Assembly continued the pilot project through June 2000. The Department of General Services reports that its Division of Engineering and Buildings (DEB) has made significant strides in working cooperatively with the institutions to ensure that decentralization programs are working well. According to the DGS Director, “We are pleased with the overall working relationships that have developed between DEB and the individual institutions included in the pilot project.”

The 1999 Session also clarified the role of the Bureau of Capital Outlay Management (BCOM) in reviewing higher education capital projects. As recommended, to expedite cost effectiveness review, the Appropriations Act was amended to specify that BCOM’s review should focus on the appropriateness of the overall cost of projects in relation to the purpose intended, rather than on discrete design choices.

Per another JLARC recommendation, the General Assembly also expanded the use of the Virginia College Building Authority to permit the use of collective debt pools to fund capital projects at State-supported institutions of higher education.

To further expedite the review of project designs, the JLARC study recommended that DGS allow Assistant State Building Officials (ASBO) to review project designs for other agencies when BCOM and ASBO workload warrants such assignment. This recommendation has been implemented by DGS, which has amended its *Construction and Professional Services Manual* to effect this change.

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## JLARC Study Series on Juvenile Corrections

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**Summary:**

Senate Joint Resolution 263 of the 1995 General Assembly Session requested JLARC to conduct a comprehensive review of the State’s juvenile justice system. This review was prompted by concerns about the rising rate of juvenile crime, especially the growing number of violent juvenile offenders. JLARC’s review was conducted in two phases. The first phase focused on court processing and outcomes for juvenile delinquents and status offenders. The second phase assessed the operation and impact of juvenile corrections services.

In conducting the first phase of the review, almost 3,000 court files were examined from the court service units across the State. The study concluded that the legislative intent expressed in the juvenile code appeared appropriate for most juveniles addressed by the system. The intent, which put a focus on the “welfare of the child and the family,” but within a stated context of public safety and community protection, appeared generally appropriate for a system in which 19 of 20 juveniles at court intake were not violent offenders.

However, the juvenile code needed to be amended to provide judges with tougher sanctioning authority for the small but increasing segment of the juve-

nile offender population which committed violent offenses. Rather than revamping the entire system to address the problems posed by the few, the study recommended that consideration should be given to linking the juvenile and adult courts to enable the imposition of longer sentences where appropriate.

The study also raised a number of other concerns about the juvenile justice system, including:

- ❑ limited availability of graduated sanctions and treatment programs to combat recidivism and help juveniles take responsibility for their actions in the face of frequently devastating problems, and
- ❑ evidence that even after controlling for a number of key factors, the race of the juvenile appeared to play a role in judicial decisions.

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***Update:***

In response to the first phase of the study, the 1996 General Assembly implemented a number of changes affecting sanctions for violent juvenile offenders. The most significant included:

- ❑ mandatory transfer to a circuit court of cases involving juveniles 14 years or older who are charged with violent crimes,
- ❑ discretionary transfer for other serious charges when deemed appropriate by the Commonwealth's Attorney,
- ❑ permitting juvenile judges to add a mandatory period of supervised parole following sentencing under the serious juvenile offender statute.

In response to a study recommendation, the 1996 General Assembly also amended the *Code of Virginia* to specify the discretionary authority of intake staff in making diversion decisions. This change significantly limits those situations when an intake officer may choose to proceed informally.

Since the JLARC study, a number of additional actions have been taken by both the General Assembly and the Department of Juvenile Justice (DJJ) to increase the number and types of programs available to judges for addressing both treatment and punishment needs of juvenile offenders. Major initiatives have included:

- ❑ the *Virginia Juvenile Community Crime Control Act*, which provides funding for localities to develop a variety of community-based residential and non-residential programs, and
- ❑ creation of a boot camp program (now operating at 100 beds) for nonviolent offenders who have not previously been committed to juvenile corrections.

DJJ also reports that the department has worked with localities to develop detention plans which increase the amount of space available in communities for both pre- and post-dispositional detention. DJJ states that capacity has been increased from 549 at the time of the study to 933 currently, with new space under con-

struction. The Department also reports it is contracting with private providers to allow for alternative placements for nonviolent offenders in less restrictive, community-based facilities.

Another study concern was the need for better statewide data collection of the circumstances and offenses of juveniles brought into the system, the disposition of their cases, and the outcomes. DJJ reports that it has placed a priority on developing a “wraparound juvenile tracking system.” Several modules are already in place:

- ☐ a juvenile profiling system for youths committed to the State,
- ☐ an automated intake system to gather data from complaints and petitions filed in court service units,
- ☐ a database that records ward progress in the institutions,
- ☐ a length-of-stay system that calculates and records the recommended time indeterminately committed juveniles will stay in the correctional system,
- ☐ a system that records activities in local programs so that local alternative dispositions can be assessed, and
- ☐ a system for transferring intake and dispositional data between the Supreme Court and the department.

DJJ is also in the process of installing a statewide network to facilitate the communication and sharing of data between field offices and the central office.

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***Phase 2:  
Impacts***

The second phase of JLARC’s study of the juvenile corrections system reviewed the performance of the State’s juvenile corrections facilities, which are managed by the Department of Juvenile Justice. A major focus was assessing the impact of these programs on juvenile recidivism. As a part of this study, JLARC staff reviewed program files and criminal records for almost 1,000 juvenile offenders who received rehabilitation services at one of the six juvenile corrections facilities in the State or through various residential or community programs.

This assessment resulted in two key findings. First, the results of the State’s attempt to reduce future delinquency among juvenile offenders through structured programs of treatment had clearly fallen short of the expectations of the public and the General Assembly. Specifically, the study showed that nearly seven out of every ten juveniles who had received juvenile corrections services were re-arrested within a short time period. Furthermore, no particular treatment setting appeared to be more effective than another in reducing recidivism.

Second, while the Departments of Juvenile Justice and Correctional Education had made a number of improvements to juvenile corrections, some long-standing problems and weaknesses in the system still persisted. Chief among these were:

- ❑ facility overcrowding, exacerbated by poor population management practices and the continued institutionalization of a significant number of non-serious offenders, and
- ❑ a fragmented, under-funded, and outdated system of rehabilitation that was ill-equipped to address the needs of the juveniles in the State corrections centers.

The final report made recommendations to address these shortcomings, as well as weaknesses in long-range planning and program oversight.

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***Update:***

In response to a study recommendation, the Board of Juvenile Justice developed a comprehensive long-range youth service policy and presented it to the General Assembly in October 1998.

In response to another recommendation, DJJ has developed and implemented a methodology for gathering and analyzing data on recidivism. The methodology was reviewed by JLARC staff prior to the beginning of data collection. This assessment tool is currently being used to evaluate the results of the alternative sentencing programs discussed previously.

A study concern was DJJ's ability to handle increasing numbers of juvenile offenders with dysfunctional families, chronic substance abuse problems, and serious mental health problems. Per a JLARC recommendation, DJJ studied and reported to the General Assembly during the 1998 Session on the department's rehabilitation programs and therapists. The department notes that it has received additional resources and opened a new correctional facility, which have positively impacted levels of treatment available to committed juveniles. DJJ also reports that with the added resources, it now meets the JLARC-recommended ratios of 1 counselor to 40 wards and 1 treatment staff to 15 wards with specialized needs. The department is now in the process of gathering detailed information on all its programs, their staffing levels, and the educational qualifications of all treatment staff for a possible restructuring of staffing and service delivery.

DJJ has moved clinical services, including substance abuse and sex offender treatment, under the supervision of its behavioral services unit, in partial response to a study recommendation. The department also reports it is now providing more intense management and delivery of treatment services in the juvenile centers by creating a separate deputy director position to take over other, community-related functions, such as court service units, detention, and the boot camps.

DJJ reports it has also taken steps to ensure that any abusive practices by staff in the correctional centers will not be tolerated. Standard operating procedures have been issued to address areas of concern in the JLARC report. The placement of institutions under one deputy should also improve monitoring and enforcing compliance with proper procedures. The department also now receives inspection reports from the Department of Health and the fire marshal, as recommended.

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## Virginia's Welfare Reform Initiative: Implementation and Participant Outcomes

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### *Summary*

In 1997, the Virginia General Assembly approved language in the 1997 Appropriation Act directing JLARC to review the State's welfare reform program. Begun in 1995, the *Virginia Initiative for Employment Not Welfare*, or VIEW, was a new direction in welfare reform for Virginia which prescribed tougher work requirements and strict limits on the amount of time that able-bodied recipients could receive benefits.

This study found that since initiation of welfare reform in Virginia, the number of welfare recipients in the Commonwealth had decreased dramatically, exceeding even optimistic projections for this measure. In 1994, the year before Virginia initiated its reforms, monthly welfare caseloads exceeded 70,000. By August of 1998, the average number of families on assistance had declined to 43,000 — a reduction of 39 percent. While part of this decline must be attributed to the overall healthy economy, part of it also must be attributed to Virginia's program of welfare reform.

One of the philosophies of Virginia's welfare reform program was that welfare recipients should be placed in jobs as soon as possible. An outcome of this "work first" philosophy has been the successful placement of many former recipients into jobs. This approach has resulted in post-welfare employment rates of 50 percent for those tracked in the study. In addition, the proportion of resources attributable to the individuals' earnings rose from 16 to 39 percent, and the proportion from TANF benefit payments declined from 43 percent to 26 percent.

The study found, however, that there were also areas of concern where program improvements could be made. First, among those who were working, low wages continued to be a problem. Specifically, in 1998 the annualized income for recipients who were subject to the new work requirements was only \$6,600. Second, while half of post-program participants were working, an equal number continued to be unemployed. Moreover, the rate of joblessness was found to be especially high for those with multiple barriers to employment. This suggested that hard-to-serve welfare clients were posing a more difficult challenge than those already removed from the rolls.

As Virginia's welfare reforms were relatively new, the study noted that the findings should be considered a status report on the early implementation and outcomes of welfare reform; it remained to be seen whether the current program would enable clients to successfully obtain and retain jobs.

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### *Update:*

During the 1999 Session, the JLARC project leader for the welfare reform study was requested to present study findings to the Senate Committee on Rehabilitation and Social Services. Subsequently, the 1999 General Assembly amended the *Code of Virginia* to better serve hard-to-employ VIEW participants. The groups covered include:

- ❑ those with problems related to finding and retaining employment, such as participants with less than a high school education,
- ❑ those whose reading or math skills are at or below the eighth grade level, those who have not retained a job for a period of at least six months during the prior two years,
- ❑ those who are in a treatment program for substance abuse, and
- ❑ those who are receiving services through family violence treatment programs.

Under the new statutes, these individuals may be exempted from job search requirements and placed directly into vocational education under the VIEW program.

Also in response to the study, the 1999 Appropriation Act directed the Department of Social Services (DSS) to develop and implement a plan for providing education, training, job-specific skills development, and other services to VIEW participants who have difficulty in finding and maintaining employment. The Department of Social Services reports that it has initiated several programs to better target and assist hard-to-employ participants. For example, the department has an interagency agreement with the Department of Rehabilitative Services (DRS) to provide services to this population. Nine projects across the State began this past spring to serve disabled TANF recipients. According to DSS, these programs involve significant collaborative efforts among local service agencies, DRS field staff, employment service organizations, and centers for independent living. Other programs are also under way to help individuals with substance abuse problems to enter employment activities at the earliest point and support them in the work setting.

To enable future assessments of the progress of welfare reform in Virginia, DSS reports that a contract has been awarded to the Center for Policy Studies at Virginia Tech and Mathematical Policy Research, Inc. to conduct a comprehensive evaluation of VIP/VIEW.

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## **Solid Waste Facility Management in Virginia: Impact on Minority Communities**

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### ***Summary***

Local governments and private companies operate more than 240 non-hazardous solid waste facilities in Virginia. In recent years, there has been an increase in the number of private regional landfills in the Commonwealth. Most of these facilities import waste from outside of Virginia as a regular part of their operations. All solid waste facilities in the Commonwealth are regulated by the Department of Environmental Quality (DEQ).

House Joint Resolution 529 of the 1993 General Assembly directed JLARC to study the practices related to the siting, monitoring, and cleanup of solid waste facilities, with a special focus on the impact of these activities on minority communities. This study mandate was passed in response to charges that minority neighborhoods were being targeted as host communities for solid waste facilities, in particular large regional landfills.

This study presented special challenges because of the difficulty of pinpointing waste facility “communities” and obtaining the necessary demographic data for such neighborhoods across the State. JLARC staff utilized a multifaceted approach, including a computerized geographic information system, to gather the necessary data. This study won the 1995 *Award for Research Methodology* from the National Legislative Program Evaluation Society, affiliated with NCSL.

The findings of the study were mixed: there were some racial inequities associated with the local siting of the private regional landfills, but approximately 72 percent of the persons living around recently permitted solid waste facilities were white. However, the review found that in approximately 35 percent of the communities in which facilities have been sited since the State adopted a comprehensive set of regulations, minorities were living in disproportionately high numbers. While localities generally did a poor job of involving the community in the process for siting these facilities, there was no reliable evidence to indicate that there has been any intent to discriminate in the local site selection process.

The report also found significant gaps in DEQ’s central office oversight program, as well as problems in the solid waste inspection program that is implemented by regional office staff. With regard to the inspection process, the report found that solid waste sites in minority communities received fewer inspections and had especially long periods of noncompliance compared to those facilities in white communities. These problems appeared to be at least partly the result of chronic staff shortages among inspectors, a lack of guidance from DEQ’s central office, and an inefficient and weak enforcement process.

The report included recommendations intended to improve community involvement in the siting process, DEQ’s central office oversight program, and the agency’s inspection and enforcement activities. These improvements were necessary to ensure compliance with Virginia’s solid waste management regulations as well as to ensure protection of the environment and minimize any negative impact on minorities or other citizens of the Commonwealth who live near solid waste facilities.

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### ***Update***

The study was critical of DEQ’s oversight program for groundwater monitoring and landfill closure requirements. The agency recently reported that it is being more proactive in this area. It has developed new guidance documents to assist inspectors of the ground water monitoring systems for both closed and operational landfills. The oversight responsibilities for all central and regional office staff have been clarified.

The department contracted with PricewaterhouseCoopers to analyze and design a comprehensive environmental data system, which will consolidate all permit

and compliance information into a single system. Beginning in April 1996, DEQ implemented a tracking system that requires regional offices to provide compliance and inspection information for all permitted solid waste management facilities on a quarterly basis. This information is now maintained in a permit and compliance database that should greatly assist in tracking the compliance activities, violations, and operating status of all facilities.

Per a specific report recommendation, DEQ completed a detailed workload analysis for solid waste inspectors in each region, and staffing has been adjusted in accordance with that analysis. To improve oversight of landfills, the 1999 Appropriations Act included 19 additional DEQ positions, which the agency intends to use for increased inspection of landfills, better review of facility groundwater monitoring reports, and faster processing of permit amendments required to correct any groundwater impacts.

In response to another JLARC recommendation, DEQ has proposed more specific regulations regarding the hazardous waste inspection programs that facilities are required to have in place, including the inspection of incoming waste. Based upon significant public comment received and changes made by the 1999 General Assembly, a revised draft of these regulations should be ready for final approval in the fall of this year. In addition, written guidance and technical training are being provided to regional office staff to ensure proper enforcement of these requirements.

In response to a report finding, the 1996 General Assembly enacted legislation enabling DEQ's director to impose unilateral "special orders" with penalties of up to \$10,000 in cases where a facility is found in violation of waste management regulations. The 1999 Session expanded this authority, authorizing the Virginia Waste Management Board to impose penalties up to \$15,000, and to require corrective action for violations of *the Virginia Waste Management Act*. Further, legislation passed by the 1997 General Assembly significantly increased the early involvement of impacted residents in any community where a new facility is proposed, including the site selection process.

The report expressed concerns about the actual status of supposedly "inactive" landfills. In response, DEQ has identified all such landfills, officially closed many of them, and categorized others as active. The responsibility for ensuring compliance with the closure requirements has been clearly identified, and additional guidance and training has been provided to regional inspectors to ensure that inactive landfills continue to comply with waste management regulations.

The report recommended that DEQ develop a geographical mapping database to assist in identifying the racial characteristics of residents surrounding proposed waste facility sites. Although DEQ has not developed this mapping capability, the agency has acquired a data layer showing census data and the location of landfills and waste sites. It is hoped that the recently-established Virginia Geographical Information Network Authority will encourage further progress in this area.

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# Improvement of Hazardous Highway Sites in Virginia

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## **Summary**

House Joint Resolution No. 579 (1997) required JLARC to study the procedures for identifying and funding the improvement of hazardous roadway sites. The study focused on the performance of the Virginia Department of Transportation (VDOT) in defining, identifying, and making appropriate improvements to sites in the State highway system that pose potential or actual hazards to the traveling public.

The review found that VDOT follows a reasonably systematic process for identifying potentially hazardous roadway sites. This process includes the analysis of accident and traffic data, consideration of public input, and reliance on professional engineering judgment.

The study noted, however, that additional actions could be taken to prevent the occurrence of, or more effectively identify, potentially hazardous roadway locations. For example, improved administration of statutory provisions governing commercial entrances to State highways could provide VDOT with greater influence over local land-use decisions that can create roadway hazards.

The review found that VDOT had a difficult job in balancing its internal procedures and the public's concerns about hazardous roadway locations. The department appeared to make reasonable efforts to improve roadway sites that pose potential hazards to the traveling public. However, in its attempts to be responsive to community concerns, VDOT occasionally acted outside of its normal process in making improvement decisions.

The report recommended that VDOT work cooperatively with other State and local agencies in order to identify effective methods to enhance highway safety, with a focus on improving the compliance of motorists with highway safety laws.

The report also presented recommendations concerning the Hazard Elimination Safety Improvement Program, and the State Traffic Operations and Safety Improvement Program. Other recommended actions included the development of more accurate highway inventory, traffic, and accident data, and the identification and replication of best practices throughout the department.

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## **Update**

The department has taken significant action regarding most of the JLARC study recommendations. Responding to the concern about enforcing *Code of Virginia* requirements pertaining to commercial highway entrances, VDOT has:

- ☐ produced a land development manual that explains in a step-by-step fashion the tasks involved in reviewing proposed commercial and residential site access to highways,
- ☐ revised and redistributed the *Minimum Standards of Entrances to State Highways*,

- ❑ administered additional training to VDOT personnel to ensure that the statutes are enforced,
- ❑ begun drafting legislation to revise a number of relevant statutory passages, and
- ❑ established a technical committee comprised of district and residency personnel and chaired by the State Traffic Engineer to draft a policy addressing access management. The Committee is soliciting input from appropriate personnel and local governing bodies.

The report called for the department to identify best practices regarding the selection of hazardous locations for improvement. VDOT has responded by: developing relevant training courses, streamlining informational reports to allow on-line interactive availability, and (with assistance from the Transportation Research Council) developing a computer program to aid the comparison of improvement projects by examining crash history. VDOT plans to use its quarterly district traffic engineers meetings as a forum for sharing innovative critical rate data applications.

Per a report recommendation, VDOT has taken action to ensure that data prepared for publication in its critical accident rate listings and its summary of crash data is provided in an accurate and timely fashion. The department has been working with the Department of Motor Vehicles and the Virginia State Police to significantly reduce crash data processing time and duplication of effort. VDOT has also revised its procedure for compiling crash data to improve data accessibility and accuracy.

In response to a specific JLARC recommendation, the agency has developed and disseminated new policy guidelines for its State Traffic Operations and Safety Improvement Program. The new guidelines explain the rationale for annual district allocations, clarify provisions for the purchase of right-of-way, and provide guidance on exceeding and carrying over allocations.

The agency has also implemented a new traffic monitoring system. This should provide more accurate and useful data, especially for urbanized areas, a need identified in the JLARC study.

Finally, VDOT reports that it has several inter-agency initiatives under way to identify methods for enhancing highway safety and improving motorist compliance with highway laws. These include membership in Virginia's Safety Management System (with DMV, the Virginia State Police, the Department of Health, the office of Emergency Services, and the Virginia Safety Alcohol Safety Action Program, and local police representatives). An inter-agency memorandum of agreement has been drafted for signatures by the Secretaries of Transportation and Public Safety. VDOT is also developing initiatives with the transportation departments of other states in the region. Further, the agency is working the Department of Rail and Public Transportation to develop strategies for eliminating rail-highway crossings.

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## Review of the Virginia State Bar

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### ***Summary***

The Virginia State Bar (VSB) was created in 1938 by the General Assembly as an administrative agency of the Supreme Court of Virginia. VSB's mission includes regulating attorneys, providing services to Bar members, and promoting the quality of legal services provided to Virginians.

Senate Joint Resolutions 262 and 263 (1995) directed JLARC to review and evaluate the area of administration of justice. SJR 263 further directed JLARC to review the Virginia State Bar.

The study found that the Bar was effectively fulfilling its primary mission to regulate the legal profession. The review also found that VSB's non-regulatory activities were consistent with its mission, but that the Bar needed to better prioritize its activities and reexamine its mission.

The report identified several concerns regarding funding of the Bar. The VSB's growing cash balances indicated that two mandatory dues increases may have been unnecessary and that the resulting dues were too high. In addition, certain expenditures from the Bar's administration and finance fund were not consistent with the purpose of the fund as established by the Supreme Court.

Although the review found that the disciplinary system worked relatively well, the Bar could improve its operations to improve public protection, public trust and accountability, fairness to both complainants and respondents, and efficiency. Recommendations included further opening the disciplinary process to the public and providing immunity to complainants.

While the study found most of VSB's activities to be generally within its mission, the Bar needed to further examine its future role. The Bar's involvement in both regulatory and non-regulatory activities was typical of mandatory Bars in other states, but this mix of activities was unusual for regulatory agencies in Virginia. The association-like nature of some of the activities of the Bar raised questions about whether VSB was properly focused on its regulatory mission.

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### ***Update***

In June 1996, VSB's total reserve balance was about 41 percent of actual operating expenditures for the fiscal year that had just ended. In response to a study recommendation, the Bar reduced its dues to active members from \$185 to \$169 per year, with the expectation that the reserve balance would be reduced to less than 10 percent by June 30, 2000. This approach appears to have worked well, as the reserve has steadily decreased, standing at about 16 percent for the year ending June 30, 1999. The Bar projects the reserve will decrease to less than 5 percent during the current fiscal year.

The Supreme Court also approved changes to the *Rules of the Virginia Supreme Court* to ensure that henceforth dues would be increased only when increases in annual operating expenditures required it. The Bar reports, however, that a dues

increase will probably be necessary next year to pay for necessary additional resources to accommodate growth in the Bar's workload.

The JLARC review recommended that a formal assessment be made of the consistency in outcomes of the various district committees. Such a study is currently under way, using the independent resources of Virginia Commonwealth University to conduct surveys and analysis. The object of this ongoing study is to determine whether race, gender, firm size, or geographical considerations produce inconsistent outcomes in disciplinary matters.

"The report contains many recommendations and suggestions we are certain will be helpful to us as we continue to carry out our responsibilities in the future."

---State Bar Executive Director's  
comment in the agency's response to the  
JLARC study.

The Supreme Court and VSB have also taken a number of other administrative and operational actions to make improvements in line with the JLARC study recommendations. These include:

- ❑ revising the *Rules of the Virginia Supreme Court* to ensure that every effort is made to secure a non-lawyer to participate in all district committee and board hearings, strengthening the documentation requirements for dismissal of complaints,
- ❑ providing complainants the right of written rebuttal to the response of an accused attorney,
- ❑ providing respondents with limited discovery in disciplinary cases scheduled for a hearing,
- ❑ providing complainants a fuller, clearer explanation as to why their complaints have been dismissed,
- ❑ actively monitoring hours worked by discipline attorneys and investigators, and
- ❑ improving training efforts in the area of professional responsibility.

VSB is also in the process of investigating ways to improve the performance of district committees in meeting the 90-day timeline for hearings, and improving the accuracy and consistency of data used to analyze the Bar's performance in meeting such timeline goals.

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## Review of the Use of Consultants

### by the Virginia Department of Transportation

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#### *Summary*

House Joint Resolution No. 263 (1998) directed JLARC to review the use of consultants by the Virginia Department of Transportation (VDOT). The study focused on VDOT's use of engineering consultants in the development of road and bridge projects in the State.

The study found that while VDOT had always used consultants, its level of consultant use had increased substantially in recent years. As of August 31, 1998,

VDOT had 675 consultant contracts for engineering-related services outstanding, with a total dollar value of \$840.9 million. This amount was eight times the dollar value of outstanding consultant contracts in 1987.

The review found that VDOT's procurement and management of consultant projects was generally good. However, with the rapid growth in outsourcing, VDOT was not well positioned to adequately monitor its overall use of consultants and consultant processes. VDOT needed to put in place management tools to better track its level of consultant use and the quality and cost-effectiveness of consultant work.

The department had not been proactive in assessing the most appropriate level of consultant use, particularly from the perspective of cost-effectiveness. While consultants generally provide a valuable service to VDOT, this review found reason for concern that VDOT's level of consultant use might not be optimal in some instances.

In addition, VDOT needed to address significant staffing and workload issues concerning the oversight of consultants. Further, the department needed to implement a system to ensure coordination of overlapping projects.

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*Update*

VDOT's recent status-of-action report highlights a number of initiatives which respond to the study concerns:

The department reports that it has created a project management office, which will address a number of the study concerns, including the coordination of potentially overlapping projects, provision of needed training, and project information collection, dissemination, and retention.

In line with a study recommendation, VDOT has begun tracking levels of consultant use on a department-wide, consistent basis. The department reports it has initiated several new methodologies to break down consultant work activities into useful categories, monitor man-hours, and provide more accurate and timely information. The centerpiece of the new approach is a "make vs. buy" methodology, which includes decision-making criteria, adequacy of policies and procedures used in negotiation, and a cost/quality comparison of in-house and contract work. It is hoped the new tracking and evaluation systems will allow the department to recognize and determine the best mix of consultant, contractor, and staff work.

In partial response to study concerns, the department has designated a position to review all Location and Design Division contracts to ensure that the documents accurately reflect the scope of the required services, that the man-hours are reasonable for the project, and that the net fee is consistent with the fees paid on other contracts. Per another report recommendation the division has established guidelines for the use of limited services contracts. The policy sets the dollar amount, the time frame for the work to be completed, and defines the authorization procedure. While these actions are commendable, they need to be implemented department-wide.

The department has taken actions to improve the processing of consultant vouchers, including the assignment of additional staff and expanded training in this function.

In response to a specific report recommendation, VDOT reports it has discontinued the practice of issuing a notice to contractors to proceed on a project prior to having a signed memorandum of agreement.

In response to another study recommendation, VDOT reports it has begun placing more emphasis on consultant evaluations. The evaluation form has been revised for consistency and better understanding. More importantly, performance evaluations on firms under contract are now being considered part of the selection process.

VDOT plans to initiate new project management training modules in the area of contract negotiation, as recommended.

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## Follow-Up Review of Child Day Care in Virginia

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### *Summary*

The 1997 Appropriation Act directed JLARC to conduct a follow-up review of its 1990 study of child day care. Between the two studies there had been significant growth in the number of day care facilities licensed in Virginia, and substantial changes in the regulation of child care. The follow-up study examined the State's three principal roles in child day care: (1) regulation of child care to ensure the health and safety of children in care, (2) enforcement of child care regulations, and (3) funding of child care for low-income families.

The review found that the State's regulations for child care were generally appropriate for ensuring the State's interest in protecting the health and safety of children in care. However, the regulatory process for child care could be streamlined by consolidating regulatory authority for child care into one regulatory entity instead of the existing two.

Even the best regulations will be ineffective in protecting children in care without a credible enforcement program to ensure compliance with the regulations. The review found that the Department of Social Services (DSS) needed additional staff to carry out the inspection of all licensed child care providers at least twice annually, as required by law. DSS' failure to conduct the required inspections for more than 800 centers potentially placed the safety of children at risk.

DSS also needed to comply with provisions of the Appropriation Act regarding child care funding. During the prior two biennial budget cycles, DSS had not spent all of the funds set aside by the General Assembly for providing child care assistance to working low-income families. Failure to spend all of these funds was problematic because there was a waiting list of more than 10,000 families for such assistance.

Further, contrary to the Appropriation Act's provisions, DSS had been using unexpended funds allocated for providing working low-income families with day care assistance to cover child care expenses for welfare recipients. The report also recommended that DSS reconsider its methodology for allocating federal funds for child care assistance to ensure equitable treatment of equally needy families across the State.

While the regulations for child care could be improved in certain areas, there was no compelling reason to make regulations less stringent. Fewer than ten percent of respondents to a JLARC survey of licensed child care providers identified any regulations they thought were too stringent. The report also included a number of specific report recommendations related to child care regulations, among them: requiring a safe sleeping position for infants, as recommended by the American Academy of Pediatrics, and requiring a Child Protective Service Central Registry clearance for persons working in child day care centers,

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***Update***

Bills were introduced, but not enacted, in both the 1998 and 1999 Sessions to consolidate child care regulatory authority in the State Board of Social Services.

The General Assembly implemented a study recommendation to require a Child Protective Services Central Registry clearance for all persons working in a child day care center. The 1998 Session revised the *Code of Virginia* to this effect, including a requirement for a sworn statement that the potential child care worker has not been the subject of a founded complaint of child abuse or neglect within or outside the Commonwealth. The General Assembly also expanded background clearance requirements regarding felonies. Emergency regulations to reflect these changes were approved by the State Board, signed by the Governor, and became effective in May 1999.

One study concern was the lack of medical expertise among the child care regulatory authorities. The General Assembly addressed this concern during the 1998 Session by requiring at least one member of the State Board of Social Services to be a licensed health care professional. The Governor subsequently made this appointment.

Another study concern was that in some cases, the person licensed as a family day home provider actually provided little or no care to the children. The General Assembly addressed this concern by revising the statutes to require that the licensee disclose to parents or guardians the percentage of time per week that persons other than the licensee provided care.

To relieve the backlog of inspections and unmanaged caseloads, the study recommended the hiring of sufficient licensing staff. The General Assembly allocated additional licensing inspector positions to the Department of Social Services in both the 1998 and 1999 Sessions, totaling 18. About half of these positions have been filled and recruiting continues. The Department of Social Services notes that Governor Gilmore's Executive Order 26 has significantly expedited the filling of vacancies.

The 1998 General Assembly amended the *Code of Virginia*, as recommended, to grant the DSS Commissioner authority to freeze admissions or reduce licensed capacity for licensed child day care providers.

The 1998 General Assembly also amended the *Code of Virginia* to require providers to contact parents regarding any violations of minimum health and safety standards, as recommended. DSS is also now authorized to assess monetary fines for violating the minimum standards.

Per another report recommendation, DSS has developed and implemented a risk assessment instrument to identify cases of health and safety violations that require either formal enforcement or injunctive relief.

Regarding the study concerns over funding issues, the DSS reports that it has taken internal actions to bring the Department into compliance with the Appropriations Act. These actions have included a needs assessment, assignment of new staff to address the more severe compliance problems, greater emphasis on marketing scholarship programs, more timely monitoring of local expenditures, and the timely reallocation of unencumbered funds to localities with demonstrated needs for additional day care funding.

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## Review of Information Technology in Virginia State Government

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### *Summary*

The 1996 Appropriation Act directed JLARC to complete a review of information technology services in Virginia State government. The study was to include an assessment of technology planning, the feasibility of privatizing the State data center, and the effectiveness of the State's multiple mainframe computer platforms. Because of the technical nature of the study, Gartner Group Consulting Services was hired to conduct the review.

In completion of this study, Gartner Group produced a several reports, totaling more than 500 pages, with 23 recommendations for improvement in the State's management of information technology. These reports included the results of benchmarking reviews of the State's data center and telecommunications services, and a final report on findings and recommendations.

Findings from the study related to three broad categories: privatizing of information technology services, management of resources, and reorganization of the information technology function. With regard to privatization, Gartner Group found no compelling business reasons to privatize the State data center, although some other information technology services were recommended for privatization. In pursuing the outsourcing of services, Gartner Group recommended that the State adopt a standard process to ensure that privatization decisions are sound.

Gartner Group's analysis of resource management resulted in recommendations to discontinue the use of the Unisys mainframe and to develop a new client/server operation within the State data center. Other recommendations addressed issues related to network administration, billing reconciliation, and procurement.

In the final area of review, Gartner Group recommended a major reorganization of the information technology function within State government. This included creation of a cabinet-level Chief Information Officer position to be responsible for all information technology planning and services. In addition, Gartner Group recommended creation of a new technology services agency and an advisory council to better integrate State agencies into the information technology planning process.

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*Update*

In May of this year, the Governor appointed the first Secretary of Technology for Virginia and the Secretary was designated as the Chief Information Officer. Legislation enacted by the General Assembly outlines in detail the duties and responsibilities of the Secretary, building upon the recommendations in the JLARC report.

The General Assembly implemented the study recommendation to abolish the Council on Information Management. Further, the General Assembly created the Department of Technology Planning, with responsibilities similar to those recommended by JLARC.

In line with a related recommendation, the Governor created a Council on Technology Services, with membership and responsibilities similar to those outlined in the Gartner study. This council is now meeting on a monthly basis. One of the first items on the council's agenda is requiring each agency to perform a self-assessment of its information technology organization, with the Department of Technology Services assigned as lead agency on the project. In support of this approach, the General Assembly has required each agency to designate an agency information officer.

In line with a study recommendation, the General Assembly has required periodic benchmarking of the DIT's data center. This policy has also been extended to all State data centers.

Per another recommendation, the Commonwealth is continuing to outsource all voice and data telecommunications network services.

The study noted that there appeared to be potential for outsourcing of systems development, desktop computing acquisition, and related services. The Secretary of Technology reports that the Council on Technology Services is currently working closely with the Department of Transportation on a pilot project in this area. If the pilot is successful, the Secretary intends to establish this kind of "seat management contract" as an option for State agencies. In line with another recommendation, the Secretary is also exploring expanded use of statewide contracts, performance-based contracts, and electronic ordering of information technology procurements.

The study recommended that the State's two voice/data networks (Net.Work.Virginia and the Metropolitan Area Network) be consolidated, and that wide area network research be established as a responsibility of the Commonwealth's research universities. The Secretary of Technology reports that DIT and Virginia Tech have laid the foundation for implementing these recommendations, and a memorandum of understanding between Tech and DIT has been signed which provides for the joint administration of Net.Work.Virginia. Old Dominion and William and Mary are also participating in the process.

Finally, DIT reports that agencies continue to migrate systems from the UNISYS mainframe, although the ADAPT system at the Department of Social Services will remain on the UNISYS computer for the foreseeable future.

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## Review of the Involuntary Commitment Process

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### *Summary*

Involuntary commitment is the process whereby individuals with a mental illness, who are a danger to themselves or others, or who are unable to care for themselves, may be temporarily detained and involuntarily committed to a hospital following a hearing. State statutes govern the process, which involves the participation of several State entities, including the Supreme Court of Virginia (through appointment and oversight of special justices), local magistrates, Community Services Boards, the Department of Medical Assistance Services, and the Department of Mental Health, Mental Retardation, and Substance Abuse Services.

In Virginia, there are two major stages in the process: the period of temporary detention and the involuntary commitment hearing. The individual is evaluated during the period of temporary detention and the results of the evaluation are the basis for the outcome of the involuntary commitment hearing. Virginia, unlike many other states, has established the involuntary mental commitment fund to pay for the medical and legal costs associated with the temporary detention period and the commitment hearing.

JLARC was directed by Item 15 of the 1993 Appropriation Act to examine the fiscal issues related to the Involuntary Mental Commitment Fund, and also the operational and policy issues involving the involuntary mental commitment process. A preliminary report was issued in February 1994, and a final report was prepared in accordance with Item 15 of the 1994 Appropriation Act, which continued the study.

The review found that, overall, the process does protect an individual's rights of due process. However, five areas were identified where improvements could be made:

- ☐ More effective oversight of the fund could produce cost savings.
- ☐ While the statutes provided important due process safeguards, improvements could be made in the implementation of the statutes.

- ❑ The role that law enforcement officers played in the process (primarily transportation-related) could be reduced.
- ❑ Changes needed to be made in pre-screening for detention, detention criteria, and hearing oversight.
- ❑ Some concerns were identified about the availability of treatment alternatives to inpatient hospitalization.

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***Legislative Update***

A number of the report recommendations were implemented by the General Assembly through specific amendments to the *Code of Virginia* to enable and restructure the detention and commitment process. Most of these amendments were accomplished through House Bill 1960 of the 1995 Session. The changes dealt with a variety of issues:

- ❑ The study found that the criteria for involuntarily detaining individuals were too broad. The General Assembly amended the *Code of Virginia* to limit such detention to cases where the person “presents an imminent danger to self or others as a result of mental illness, or is so seriously mentally ill as to be substantially unable to care for self, and the person is incapable of volunteering or unwilling to volunteer for treatment.”
- ❑ The report found continuing problems with the consistency of pre-admission screenings. In response the General Assembly amended the *Code* to require that such screenings be made by a qualified staff member from a Community Services Board (CSB). Also, to ensure more appropriate placements and promote more efficient use of hospitals, the *Code* was amended to require that CSB staff determine the facility of temporary detention for all individuals detained.
- ❑ As recommended, the statutes were amended to ensure that any resident of an adult home who is subject to a temporary detention order (TDO) but not involuntarily committed will be accepted back in the adult care residence.
- ❑ The *Code* was also amended to require magistrates to be available around the clock for the purpose of issuing emergency custody and temporary detention orders, thereby eliminating possible conflict of interest and objectivity issues which have arisen from allowing special justices to perform this function. The training of magistrates for this purpose has also been improved, as recommended, by including representatives from the CSBs and the Department of Mental Health, Mental Retardation and Substance Abuse Services in developing and conducting the training.
- ❑ The study concluded that releasing individuals prior to commitment hearings was appropriate in cases where a qualified evaluator judged the patient to no longer meet the commitment criteria. As recommended, the *Code of Virginia* was amended to allow this practice under the authority of the director of the hospital involved, based on an evaluation by a psychiatrist or clinical psychologist.

- ❑ Other changes to the statutes were implemented in order to streamline the hearing process, eliminate possible conflicts of interest, document hearings through audio recordings, set more realistic fees for commitment hearing services, and other changes to clarify and protect the legal rights of both detained individuals and petitioners.

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***Supreme  
Court  
Update***

The Supreme Court of Virginia reports additional responses to study recommendations. The following are examples:

- ❑ As a potential cost-saving measure, the insurance and Medicaid status of individuals under temporary detention orders are now routinely determined. As recommended, the *Code of Virginia* was amended to require the Community Services Boards or their designees to determine the insurance status as part of the individual's evaluation. The intent is to encourage, in cases where a Medicaid recipient is being hospitalized, the selection of a facility which is enrolled as a Medicaid provider. Further, the Supreme Court has made changes to the temporary detention order forms to help facilitate this approach.
- ❑ Oversight of the involuntary commitment hearing process and payments has been improved through revised instructions issued to all special justices by the Supreme Court.
- ❑ Finally, the Supreme Court reports that it has established a comprehensive reporting process in response to the study's call for keeping better data on the activities of special justices involved in involuntary commitment.

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***DMAS  
Update***

One of the report's most significant recommendations was for transferring from the Supreme Court to the Department of Medical Assistance Services the payment and oversight of the hospital and medical services portion of the Involuntary Commitment Fund. This recommendation was implemented as of July 1, 1996. DMAS reports a number of activities related to this change:

- ❑ The agency has established a claims processing database to handle the new processing volume, and this database can interface with the CARS system to automate issuing and disbursement of provider checks.
- ❑ DMAS has established a temporary detention order provider file which collects new and important types of data for later analysis. These include the type of services utilized and the funds charged and approved for individual hospitals, physicians, and courts.
- ❑ Processing of claims has been improved, averaging only two weeks turnaround from reception to reimbursement.
- ❑ Perhaps most importantly, the department's ability to cross-reference eligibility files with TDO client information now allows DMAS to determine if other sources of payment (particularly Medicaid or CMSIP Medicare) are available. According to DMAS, this cross-referencing capability alone has resulted in savings of the Commonwealth of well over \$1 million so far. Another \$150,000 has been saved

through denial of submitted services determined to be non-emergency or medically unnecessary, or involved contractual adjustments from other insurance carriers.

- ❑ In the future, DMAS also plans to increase reviews of emergency-room claims, and to monitor TDOs for patterns, such as availability of outpatient services in localities, for possible corrective action that will result in better utilization and dollars saved.

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**DMHMRSAS Update** The Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) also played a significant role in implementing report recommendations:

- ❑ The department disseminated written information about the revised statutes pertaining to involuntary commitment and the changes required of CSBs, DMHMRSAS facilities, and other agencies and participants in the detention and commitment process. This effort culminated in a major statewide teleconference in June 1995, which was targeted to clinicians, administrators, judicial officials, and other practitioners in the public and private sector. Through 16 down-link sites arranged by DMHMRSAS, the teleconference was viewed by about 700 persons, who evaluated the session very positively.
- ❑ DMHMRSAS notes that since the release of the study, the agency has been working closely with other major commitment process actors – the Supreme Court, the Virginia Hospital and Healthcare Association, and the Virginia Association of Community Services Boards (VACSB – to implement a variety of interagency training initiatives.
- ❑ The agency has completed work in the area of patient's rights, including the development (with the Supreme Court) of a written explanation of these rights which is now used statewide, and the development (with VACSB) of a new pre-admission screening form to be implemented in the next few months. The new standard pre-admission screening protocol now includes a basic medical screening, and a more comprehensive medical assessment is required prior to hospitalization.

- ❑ The agency reports that following the implementation of JLARC recommendations, the costs of detention and commitment were sharply reduced, presumably through more effective care management. CSBs have generally reported a significant increase in referrals for evaluation, but report fewer total detention orders being issued. Analysis of data from the Supreme Court and DMAS indicates that the medical costs of detention have been significantly reduced. Medical costs, however, have continued to rise as they have nationally.

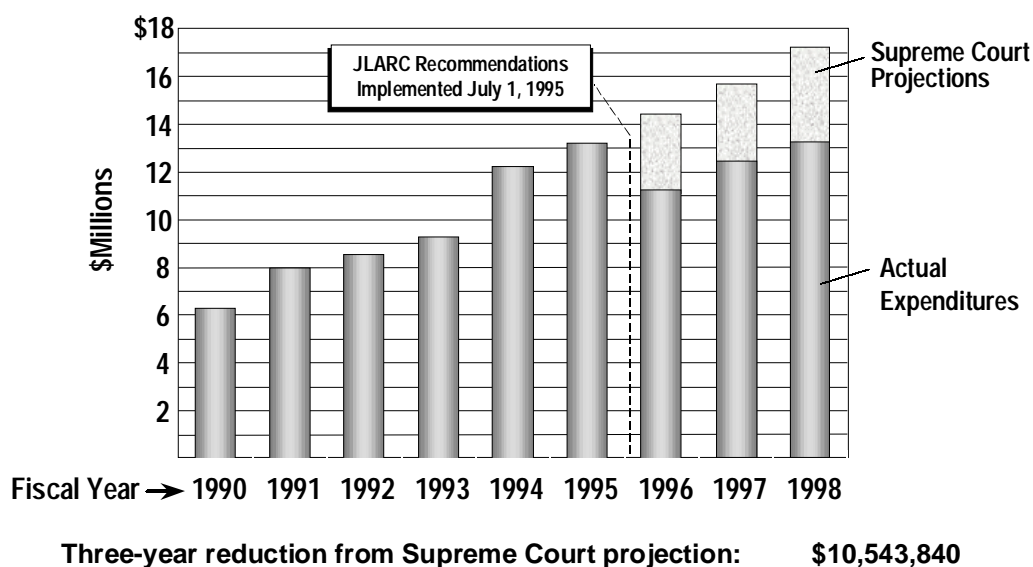
"We continue to believe that the review was an exemplary study which fostered many positive changes in a complex and sometimes controversial area. We continue to experience the beneficial effects of this work today."

---DMHMRSAS Commissioner's  
comment in a recent status-of-action report.

- DMHMRSAS has noted many positive outcomes from the study and the changes which ensued. A recent follow-up report from the agency's commissioner states: "In addition to the important statutory changes, this agency has observed stronger public/private partnership, more dialogue between agencies and practitioners at all levels, and a higher level of confidence among consumers and family members that the detention and commitment process is being used appropriately."

The legislative and administrative actions taken after the 1995 JLARC study have had a significant positive impact on controlling program expenditures for the involuntary commitment program. The General Assembly has been able to reduce appropriations for the past four years to well below the Supreme Court's estimates prior to the study. Multi-year savings illustrated on the figure below now total in excess of \$10.5 million.

### Reductions in Involuntary Mental Commitment Fund Expenditures



## State Oversight of Commercial Driver-Training Schools in Virginia

### Summary

House Joint Resolution 470, approved by the 1997 Session of the General Assembly, directed JLARC to conduct a study of the effectiveness of State oversight of commercial driver-training schools, including the licensing and monitoring of these schools. The oversight of commercial driver-training schools is a responsibility of the Department of Motor Vehicles (DMV).

This study found that, systemwide, most commercial driver-training schools were complying with DMV's standards and training drivers as required. However, de-

spite the increasing role of commercial schools in training and licensing young drivers, graduates of commercial driver-training schools were more likely to be involved in accidents than were graduates of public or private school driver education programs.

In terms of DMV's oversight, this review found that selected existing standards needed to be strengthened. Further, there was a need for additional standards to ensure uniformity and consistency of instruction statewide, and compliance with of the *Code of Virginia* and DMV's *Curriculum Guide for Driver Education in Virginia*.

The review also identified other areas in DMV's oversight process for commercial driver-training schools that needed improvement. For example, DMV needed to focus on increasing several factors:

- ☐ the consistency of its reviews of student training documentation and course curricula,
- ☐ the comprehensiveness of the audits of commercial school training vehicles,
- ☐ the use of monitoring visits between annual audits, and
- ☐ the training given DMV staff who conduct audits.

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***Update***

As recommended, DMV has proposed regulatory changes and/or changed its commercial school audit forms to:

- ☐ toughen requirements for the safe mechanical condition of training vehicles and to require specific safety equipment,
- ☐ require commercial schools to provide standardized documentation of the subject areas covered for each period of in-car driving instruction, and enforce compliance with all subject areas required by the *Curriculum Guide for Driver Education in Virginia*,
- ☐ change the periodicity of the commercial school annual audit to 12 months rather than each calendar year, in order to ensure a one-year maximum gap between audits,
- ☐ limit commercial schools' use of misleading references in their advertisements to certification or licensing by other State agencies or boards,
- ☐ require that classroom instruction on aggressive driving be provided in classroom instruction,
- ☐ verify commercial school compliance with local fire regulations.
- ☐ clarify how driving demerit points and safe driving points are to be calculated in considering instructor driving records,

- ❑ require a State Police (as opposed to local law enforcement) background check for all applicants seeking to operate or teach in a commercial school, and
- ❑ revise background check provisions to include convictions for illegal drugs and for sexual exploitation crimes.

Most of these improvements require promulgation and approval of regulations. It is anticipated that the necessary hearings will be conducted this fall. DMV's investigative unit reports that processing of criminal background checks have already begun.

In response to study recommendations, the 1999 General Assembly passed House Bill 2499, which increases and clarifies the DMV Commissioner's authority over commercial driver-training schools, including the authority to issue sanctions for violations of standards. This legislation, which must be reenacted during the 2000 Session to become effective, would allow the Commissioner to place limits on the types of driver education training provided, or restrict the use of a school's vehicles. It would also allow the Commissioner to immediately suspend a school operator's license to operate if the school's conduct violates the *Code of Virginia* or promulgated regulations and is a danger to public safety.

Per another study recommendation, DMV has developed a standardized and automated database for use in analyzing and tracking results of commercial school audits.

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## The Concept of Benchmarking for Future Government Actions

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### *Summary*

In recent years, a number of states have initiated benchmark or performance measure processes on a large-scale or statewide basis. House Joint Resolution 107 of the 1994 General Assembly directed JLARC to study the concept of benchmarking for future government actions in Virginia. Interest in a number of factors cited in the study mandate — measuring results rather than inputs, making more efficient use of existing resources, and setting program and budget priorities — provided the catalyst for this study, which examined both the concept of benchmarks and the process of benchmarking.

The study concluded that, while the development of benchmarks for application on a statewide basis might not be feasible for Virginia, a framework for benchmark or performance measurement activity on a less extensive scale already existed in the Commonwealth. For example, the Department of Planning and Budget, as directed by the General Assembly, had recently conducted a performance measure pilot project. Moreover, in 1994 the Department had recommended implementation of an agency-based strategic planning and performance measurement process. This type of process would enable the State to begin a mean-

ingful benchmark process on a smaller, less resource-intensive scale while achieving many of the same benefits attributable to the processes found in other states.

In addition to performance measures or benchmarks, the report recommended that best practice benchmarking be utilized by State agencies. Many functions in State agencies appear appropriate for this kind of benchmarking, which could reveal new and innovative methods already in use by both private and public organizations.

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***Update***

All of the recommendations in the JLARC report received the support of the Department of Planning and Budget (DPB). In June 1995 the Governor issued Executive Memorandum 3-95, which established an initiative for agency goal-setting and performance budgeting to be used in developing the 1996-1998 budget. The 1997 General Assembly supported the study conclusions by amending the 1996-98 budget bill, requiring DPB to act as the coordinator for an executive branch benchmarking effort focusing on “program effectiveness rather than outputs” in nine State agencies. The amended budget bill also requires JLARC an advisory role in helping DPB staff and the money committees to evaluate proposed agency performance measures.

An early example of an executive branch benchmarking activity indicates that such an approach can save the State money. The report proposed several starting points for implementing best practice benchmarking, among them the claims processing function of the Department of Worker’s Compensation. Subsequently, DPB comprehensively examined the program and recommended the State move to experience-based premiums for workers’ compensation and general liability programs. After start-up costs, the program is expected to produce savings of 20 to 30 percent.

The Secretary of Finance recently noted that benchmarking activities are continuing. All executive branch agencies are reported to be using the integrated planning and performance measurement system instituted in 1995. DPB continues to include a section on performance measures in its Executive Budget Document, prepared annually for the General Assembly.

The Secretary surmised that Virginia’s excellent “grade” in *Governing Magazine’s* “Managing for Results” survey (see “National Recognition,” page 9) was partly in response to the State’s use of benchmarking techniques. The most recent Executive Budget Document states that Virginia’s performance budgeting process is recognized as one of the best in the nation. The process was cited by the Vice President’s National Partnership for Reinventing Government for its integration of strategic planning, budgeting, performance tracking, and results-based decision making. Further, the Commonwealth’s system received recognition as “best in class” when Virginia was selected to serve as a benchmarking partner for a national study on performance measurement.

The Secretary of Finance also reports that, as recommended, he intends to convene an inter-agency advisory group to set the necessary benchmarking framework for future initiatives.

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## Minority-Owned Business Participation in State Contracts

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### *Summary*

The Commonwealth does not have set-aside or preference programs for minority firms competing for State business. However, State law prohibits discrimination and promotes the inclusion of minority firms in the procurement process.

House Joint Resolution 554 of the 1995 General Assembly directed JLARC to study minority-owned business participation in State contracts. This review was undertaken to develop reliable information on the number and magnitude of State contracts with minority-owned businesses.

The review showed that the Commonwealth paid minority firms more than \$108 million for goods and services in FY 1995. This amount represented 3.9 percent of a State expenditure base of \$2.78 billion.

The study found that additional oversight and inter-agency cooperation were needed in the area of minority-owned business solicitation to enhance compliance with existing statutes.

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### *Update*

The study recommended that the responsibility for preparing minority participation reports be removed from approximately 100 State departments preparing them separately, and transferred to the Department of Minority Enterprise (DMBE) and the Department of Accounts. This recommendation became a part of the administrative operation of DMBE in 1998, and the first minority expenditure report was generated in November of that year. In implementing this process, DMBE incorporated the automated process and standards used by JLARC for the study.

To implement JLARC's recommendation that the Department of General Services' Division of Purchase and Supply become more involved in minority business procurement activity, DMBE and General Services staff have met and established a procurement review process. This annual process will assist both agencies in developing outreach initiatives to ensure the inclusion of minority businesses in their procurement opportunities. Staff from the two agencies have also begun meetings to clarify relevant policies in the DGS procurement manual.

The report recommended that an inter-agency task force should be convened by the Secretary of Administration to respond to the concerns raised by the study. This recommendation was implemented through an Executive Order from the Governor's office in the fall of 1998. As recommended, this ongoing task force is taking a multifaceted approach to its mandate. Among its activities are the following:

- ❑ examining possible statutory changes to enhance procurement reporting practices and improve accessibility of contracting opportunities,

- ❑ examining ways to promote cooperation between State agencies with minority procurement oversight,
- ❑ exploring the possibility of a centralized repository of State procurement opportunities,
- ❑ considering ways to eliminate duplication of certification and registration requirements for minority, disadvantaged, and small businesses seeking State contracts,
- ❑ assessing the need for education and training on the State's procurement process for vendors and for State employees, and
- ❑ working with the Department of Information Technology, the Department of Accounts, and the Department of Procurement Services to develop a simplified process for tracking and expanding the minority vendors list and its impact of State expenditures.

The final recommendations of the task force should be available before the 2000 Session of the General Assembly.

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## Review of the Highway Location Process in Virginia

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### *Summary*

House Joint Resolution 222 (1996) directed JLARC to review the highway location process used by the Virginia Department of Transportation to select corridors for new road locations in Virginia. The highway location process is used to select one alternative location for a highway among several, based on engineering and human resource impacts. The process is complex and is sometimes controversial, because of the multiple and often conflicting interests involved.

The study found that the highway location process worked relatively well in Virginia. Based on a detailed review of 20 highway location projects, it appeared all entities with significant interests in a highway's location were provided the opportunity to participate in and impact the process. Further, the process has generally led to reasonable decisions about highway locations.

However, the review found that the process used for improvements to Route 29 in the Charlottesville area raised some concerns about the location process in that case. The Commonwealth Transportation Board's reversal of a prior location decision, participation by a Board member with a personal interest in the highway location, and the lack of coordination between projects all raised concerns about the process used for that project.

The study also found that aspects of the process related to the Board's role and to public participation needed to be modified. In addition, the Board and the Department of Transportation appeared to have inappropriately used a planning process to determine the location for a proposed new road. Finally, the review

found problems that needed to be addressed concerning the workload and qualifications of Department staff.

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***Update***

In response to the study, VDOT's Transportation Research Council is evaluating the current public involvement process to ensure best practices are identified for possible implementation. The Council will present the report to the General Assembly for its consideration during the 2000 Session.

The study revealed concerns with the so-called "open forum" being used for many highway location public hearings. The JLARC report recommended requiring that all location hearings provide citizens the opportunity to present their comments through a structured, traditional public hearing format. Chapter 500 of the 1999 Acts of Assembly implements this recommendation. This act must be reenacted by the 2000 General Assembly.

Per another study recommendation, VDOT is preparing a manual outlining the public participation requirements set forth in State and federal statutes. This manual, a draft of which has already been approved by the Federal Highway Administration, will include instructions on when and how to conduct public hearings, and guidelines on hearing materials, graphics, and renderings. VDOT anticipates submitting the manual for formal approval by the Commonwealth Transportation Board within the next year. The agency has also developed written guidelines to explain the highway location process in general.

As recommended, the department has curtailed use of Major Investment Studies for transportation improvement projects. These studies are no longer required by the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21).

The study recommended that the *Code of Virginia* be revised so that any member of the Commonwealth Transportation Board with a personal interest in a location decision would be required to recuse him/herself from participation in the decision. In response, the 1999 General Assembly enacted HJR 712, which established a subcommittee to review conflict of interest laws relating to members of policy and supervisory boards, commissions, and councils. The subcommittee will recommend *Code* revisions to the 2000 Session.

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## **Year 2000 Compliance of State Agency Systems**

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***Summary***

The fact that most computer systems and programs have relied on a two-digit representation of the current year has led to a potentially disastrous processing problem, on a global scale, as the year 2000 approaches. Because so much State data analysis, computation, and processing is accomplished with computers, the Commonwealth has been facing a critical, shortening deadline to bring all its systems into compliance with year 2000 compatibility.

The 1997 Appropriation Act directed JLARC to complete a review of the status of year 2000 compliance of State agency computer systems. Gartner Group Consulting Services completed the review with assistance from the JLARC staff. JLARC staff subsequently prepared an overview report summarizing the findings and recommendations from the Gartner Group study.

The study found that addressing the year 2000 problem in State computer systems may cost as much as \$83 million. Given the costs and the potentially serious consequences of not adequately addressing the problem, Gartner Group recommended that the State create a year 2000 project office to refocus the efforts of State agencies. In addition, the study made a number of specific recommendations regarding the responsibilities of such a project office.

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### *Update*

As recommended, the 1998 General Assembly created a year 2000 project office, which was established in March 1998 as the Century Date Change Initiative (CDCI) Project Office. The CDCI office's staff of 15 are charged with monitoring and tracking compliance progress, contingency planning, intervention, verification, and communications for more than 100 State agencies and institutions.

The legislation which established the office also provided it with the power and responsibilities recommended in the Gartner report. All executive departments must comply with CDCI directives and reporting requirements, thereby giving the office "all powers necessary to direct the Commonwealth's effort to make it compliant with the standards necessary to operate computers, computer applications, and other date sensitive electronic equipment after December 31, 1999."

The CDCI's recent status-of-action report to JLARC indicates that the project office is responding appropriately to the study recommendations, including:

- ☐ establishing priorities for bringing State systems into compliance, based on the critical services they provide to the State and its citizens,
- ☐ establishing a rigorous compliance certification process for State agencies and institutions of higher education,
- ☐ providing support to the General Assembly in enacting several liability-related bills which provide State agencies, higher education institutions, local governments, and officers and employees of the Commonwealth with immunity from claims resulting from date compatibility problems, and
- ☐ assisting in the development of an incentive-based personnel retention policy to retain critical information technology personnel.

Virginia is recognized as a leader in the nation for its program on year 2000 preparedness.

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## Review of the Virginia Liaison Office

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### *Summary*

The General Assembly created the Virginia Liaison Office (VLO) in 1978 in order to act as “an institutional and organizational link” between the State and federal governments. The main activities of the VLO are monitoring and influencing federal legislation of interest to the State and maintaining a broad network of contacts throughout the federal government. The 1996 Appropriation Act directed JLARC to study the “mission, staffing, organizational structure, and operations” of the VLO.

JLARC staff found that the VLO was complying with most of its statutory mandate in *the Code of Virginia*. Despite some shortcomings, the office was a valuable function for the State, which should be continued at its advantageous location in the Hall of States in Washington, D.C.

However, the office was devoting few resources to monitoring federal regulations or facilitating the State’s acquisition of federal grants. The lack of activity in the grants area was particularly significant, because this study found that Virginia ranked last among the states in grants received per capita.

The study also found that, with changing administrations, staff continuity to be a recurring problem.

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### *Update*

In a recent status-of-action report, VLO reports that it has implemented a new federal grant opportunity notification system. The acquisition of updated computer equipment now allows VLO to e-mail notices of federal grant opportunities on a daily basis to appropriate State and local entities, providing prospective applicants with more timely notice of funding programs and initiatives.

The study recommended that VLO take additional steps to ensure that State officials are aware of the VLO facilities and services in Washington. VLO has responded by conducting an awareness session as part of last fall’s Governor’s Executive Leadership Workshop, attended by over 100 State agency heads and deputies. VLO has also improved its meeting facilities at the Hall of States Building.

Regarding the concern about continuity, the current administration agrees that smooth transitions are important to maintaining the effectiveness of the office. VLO’s director noted that VLO intends to “provide the succeeding administration as much information and recordation as necessary to be able to conduct the business of the VLO effectively.”

The study also found that annual meetings between the Governor and Virginia’s Congressional delegation, which helped VLO formulate legislative priorities, had been discontinued. The report recommended that these meetings be renewed. Such a meeting was held this past January, resulting in a useful document entitled “The Commonwealth’s Federal Legislative and Regulatory Priorities for the 106<sup>th</sup> Congress,” which was developed by VLO and the Governor’s office in consulta-

tion with cabinet secretaries and agency heads. However, the practice of including General Assembly members in such meetings, as was done in the past, would further enhance State/federal relations and also allow Members of the General Assembly to become more familiar with the VLO.

As recommended, funding for the operation of the Virginia Liaison Office has been continued by the General Assembly. VLO reports that it has been very active during recent years concerning major federal funding issues such as highway and transit funding, substance abuse block grants, the Older Americans Act, and tobacco suit settlement funds.

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## Review of the Magistrate System in Virginia

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### *Summary*

House Joint Resolutions 403 and 532, and Senate Joint Resolution 374 of the 1995 General Assembly directed JLARC to conduct a review of Virginia's magistrate system. Interest in a number of issues cited in the mandates, including the possible need for a full-time magistrate system, the adequacy of the system's compensation structure, and increased use of magistrate videoconferencing, provided the impetus for this study.

This study found that the establishment of a full-time magistrate system appeared neither necessary nor cost effective. The workload of many offices did not warrant full-time status, and a full-time magistrate system could require an additional \$10 million annually. However, magistrate compensation needed to be enhanced to eliminate the salary disparity between part- and full-time magistrates and to align the entire magistrate compensation structure with the executive branch salary scale for comparable positions.

Another study concern was that rapidly-developing videoconferencing technology, which could be of considerable benefit to the magistrate system, was beginning to be implemented without the necessary State-level coordination and oversight. There appeared to be a risk that fragmented and incompatible systems might develop across the State, which would not maximize the potential benefits.

Finally, analysis conducted for this study indicated that, due to a number of structural and non-structural factors, the magistrates' scope of authority should not be broadened. In addition, greater structure and consistency was needed in the magistrate system's monitoring process.

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### *Update*

Most of the recommendations in this report have received the support of the Office of the Executive Secretary of the Supreme Court. The court system continues to rely on part-time magistrates unless workload statistics demonstrate the need for a full-time officer. Further, as recommended by the JLARC study, no adjudicatory or arbitration authority has been assigned to magistrates.

The 1997 General Assembly authorized a 5% increase to the magistrate system salary scales in order to align the magistrates with comparable positions in the

executive branch, as recommended. In addition, the 1998 General Assembly authorized funding so that part-time magistrate pay could be proportional to full-time pay. This will be implemented effective November 25, 1999.

A study concern was that background investigations of candidates for magistrate were not required. This has been corrected though policy statement adopted by the Committee on District Courts. Chief magistrates must now obtain and provide this confidential information to the chief circuit court judge before appointment.

The study indicated that more consistent monitoring of magistrate operations would be achieved through written policies and procedures to govern monitoring visits. As a result of the study, the Supreme Court's technical assistance department implemented a standardized field visit interview form, and ongoing management analysis is being conducted statewide through monitoring visits. Further, a follow-up process has been implemented for these visits.

As recommended, the Office of the Executive Secretary of the Supreme Court has taken a lead role in regard to the videoconferencing issue, with assistance from the Department of Information Technology. Currently four pilot sites across the State are implementing state-of-the-art videoconferencing technology. This initiative was funded through a grant award obtained by the Office of the Executive Secretary, requiring no additional start-up funding from the State.

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## Review of the Virginia Fair Housing Office

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### *Summary*

The Fair Housing Office (FHO) is an administrative title for designated staff within the enforcement division of the Department of Professional and Occupational Regulation (DPOR). The agency processes, investigates and attempts to resolve complaints alleging discriminatory housing practices pursuant to the Virginia Fair Housing Law, and educates the public concerning rights and obligations conferred by the statute.

The 1997 Appropriation Act directed JLARC to study the operations of the FHO. The study mandate required an assessment of the allocation of resources within FHO, taking into consideration caseload, case processing time, office staffing, staff training and other appropriate issues. This report focused on the efficiency and effectiveness of the FHO staff in administering and enforcing the provisions of the Virginia Fair Housing Law.

A large backlog of unresolved complaints affected fair housing operations from FY 1993 through FY 1997, increasing the amount of time needed to process complaints. However, the study found that recent actions taken by DPOR and FHO management had eliminated the backlog.

The study found, however, that the operations of the FHO could be made more efficient and effective in several respects, thereby enhancing its ability to

promote and enforce compliance with the Virginia Fair Housing Law. For example, while staffing and resource levels were generally adequate to support current operations, clerical staffing, staff training, and legal support all required attention. Case processing procedures also needed clarification. Furthermore, data management problems identified during the study threatened the funding received from the U.S. Department of Housing and Urban Development for complaint processing.

The study also found that a cohesive strategy was needed to promote and increase public awareness of the Virginia Fair Housing Law, particularly among those housing providers who are not required to be licensed by DPOR. Approximately 80 percent of FHO workload is attributable to complaints filed against individuals and firms who are not required to be licensed by DPOR.

The report also presented recommendations concerning the investigation and adjudication of fair housing complaints. The study found that the investigation of complaints could be strengthened through improved collection of evidence, including better use of fair housing testing methods. The adjudication of complaints could be improved through better consideration of evidence generally, and through the establishment of a quasi-judicial administrative hearing process.

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### *Update*

DPOR reports that all of the study recommendations have been implemented, and that senior management are pleased with the resulting accomplishments. Among these accomplishments:

To improve case processing and ensure compliance with HUD's processing criteria, FHO has implemented comprehensive case-processing procedures which define each step necessary from the receipt of a complaint until it is either conciliated or dismissed, or a charge of discrimination is issued.

Per a specific report recommendation, a full-time senior secretary position has been reestablished and the position filled. A second full-time intake position is also being established, to enable the office to review and investigate more complaints without compromising efficiency or effectiveness.

"Senior management of the Department has continued to monitor the Fair Housing section very closely and has been pleased with the results and accomplishments that have been achieved since the JLARC study."

---Department of Professional and Occupational Regulation Director's comment in a recent status-of-action report.

As recommended, a formal training manual has been developed. Further, the agency reports that training has received a very high level of attention over the past 18 months, including attendance at HUD workshops, staff completion of investigator certification courses, participation in programs offered by the John Marshall Law School, and planned training to be provided by the Attorney General's office.

Per another recommendation, FHO staff have been meeting regularly with the Office of the Attorney General to provide more direct access to legal advice needed during the processing of complaints.

The study raised concerns about the agency's data management capabilities. During 1998, information systems staff completed major changes to the fair housing database system. FHO reports that these changes now allow the office to capture an unprecedented amount of detailed information about every complaint filed.

The study called for FHO to significantly increase awareness of, and compliance with, the Virginia Fair Housing Law. In response, the agency has developed a management plan and awareness strategy. Per the JLARC recommendation, this strategy includes collection and utilization of data concerning training session participants, evaluation of the impact of these training sessions, identification of best practices used by fair housing agencies in other states, and the targeting of housing providers and property managers not required to be licensed by the Real Estate Board. FHO reports this multifaceted approach is having excellent results. For example, in regard to unlicensed housing providers alone, more than 500 people received fair housing training during a recent three-month period.

In response to other recommendations, the agency has plans to initiate a significant testing campaign this fiscal year. This campaign will use testers for investigative and audit purposes. Better collection and verification of testing evidence, including interviewing testers under oath, is being implemented.

In addition to agency activities, the General Assembly amended *the Code of Virginia*, as recommended, to allow investigations of fair housing complaints to extend beyond one year when necessary.

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## Review of the ADAPT System at the Department of Social Services

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### **Summary**

House Bill 29 (1996) directed JLARC to conduct an investigation of the initial procurement and subsequent implementation of the Application Benefit Delivery Automation Project (ADAPT) in the Department of Social Services (DSS). ADAPT is a computer system which automates the eligibility determination process for three major social service benefit programs — Temporary Assistance to Needy Families (TANF), Food Stamps, and Medicaid.

Only the Food Stamps component of the system was operational, in ten local social service agencies, at the time of the study. Further, the Secretary of Health and Human Resources had directed the DSS Commissioner to suspend the project in December 1995 due to perceived problems with the system design, life cycle costs, proposed budget reductions, and the need to re-deploy staff to support welfare reform.

The study found that while the decision to suspend the project may have been understandable given the information available at the time, DSS did not build the necessary support for the suspension by communicating perceived per-

formance problems to local social service agencies, the General Assembly, and the federal government. Thus, the suspension appeared to be a sudden, unexplained shift in direction for a long-standing project.

The study also found that DSS had failed to fully assess the viability of the ADAPT system. In addition, DSS had not involved its local partners in the decision-making process to determine the future of the system. Furthermore, the study raised the concern that proposed alternatives to the system might not prove prudent, considering the probable time delays, complexity, and potentially higher costs associated with these alternatives. On the other hand, successful completion of the ADAPT system would require a significant effort and a high degree of support from both the executive branch and the General Assembly.

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### *Update*

In response to Appropriation Act language and the JLARC study, the department convened an ADAPT Task Force, which met throughout the summer of 1996, during which time all work on the ADAPT system was halted. The Task Force corroborated JLARC's concerns about the potential alternatives to ADAPT that the Department was exploring. The group recommended a limited re-engineering of the system, staying with the mainframe environment and utilizing a UNIX server to share the processing. The Task Force ended with the filing of House Document 10 in August 1996. The Local Information Technology Planning Committee, established in October 1996 as a successor to the Task Force, continues to meet monthly.

Per a study recommendation, the Department of Information Technology produced a capacity analysis for the Task Force in 1996. More recently, the ADAPT Resource Management and Design Analysis Task Force (ARMADA) has committed to produce an updated capacity analysis for use in the final phases of the ADAPT project.

Per other study recommendations, DSS has submitted required planning documents to the three federal agencies involved in funding the ADAPT project. These submissions included proposed changes to the scope of the project, an implementation schedule, necessary procurements, and estimated costs. The submission was successful in obtaining federal approval.

Per a specific report recommendation, the Department of Social Services has appointed a primary contact through whom local social service agencies can obtain up-to-date information on the ADAPT project.

The Virginia League of Social Services Executives (VLSEE) has expressed satisfaction with progress on the system since the JLARC study, despite a number of obstacles that had to be overcome. These included a system overload problem in August 1998 that nearly brought processing to a standstill. The solution required the procurement of a larger mainframe and temporary access restrictions on local social services staff.

Both VLSEE and ARMADA have concluded that upgrading to a larger mainframe will be required by the early 2000, especially when Medicaid is fully de-

ployed. VLSEE notes that Medicaid in ADAPT represents the single largest gain in productivity required of the entire project. The Department of Social Services has met with staff of Newport News Social Services, as the first step in piloting the Families and Children components of Medicaid in ADAPT.

Although the timeliness of ADAPT's implementation has suffered, VLSSE reports that the project "appears to be on track at the present." VLSEE notes that localities and State staff deserve commendation for managing to convert the statewide TANF and Food Stamp caseloads into ADAPT this spring despite the access problems.

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## JLARC Study Series on Local Jails

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### ***Summary***

Over the years, JLARC has been asked by the General Assembly to examine a number of concerns regarding local jails. Most recently, three JLARC studies examined issues related to

- ☐ health and safety conditions in local jails,
- ☐ alternatives to incarceration and funding incentives that could be used to reduce the number of sentenced misdemeanants and inmates awaiting trial in local jails, and
- ☐ local and regional jail oversight and reporting activities of the Department of Corrections (DOC), and the most appropriate organizational placement for these activities.

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### ***Health and Safety***

The health and safety conditions study made 23 recommendations to strengthen the jail oversight process relative to: overcrowding, revisions of jail medical and health standards, inspections, certification audits, Health Department involvement, Department of Juvenile Justice oversight, and issues related to regional jails. Many of these recommendations have been implemented through amendments to the *Code of Virginia* or through revision of Board of Corrections standards, among them:

- ☐ clarification of access rights to local jails by DOC and Health Department staff,
- ☐ comprehensive medical screenings of inmates,
- ☐ better management and administration of pharmaceuticals,
- ☐ development of minimum standards for communicable disease control,
- ☐ more training for jail staff, including a module on suicide prevention,
- ☐ implementation of unannounced annual jail inspections, with revised inspection policies, procedures, and standards,

- ❑ better utilization of audit and inspection findings,
- ❑ improved timeliness of food service and fire safety inspections,
- ❑ shortening of jail audit cycles to address compliance problems,
- ❑ improved coordination of jail sanitation and health-related efforts between DOC and the Department of Health, and
- ❑ transfer of the authority to certify jails for holding juveniles from the Board of Juvenile Justice to the Board of Corrections.

Further, the 1997 General Assembly enacted recommended changes to the *Code of Virginia* which reward those jails that consistently comply with inspection and audit standards, by allowing the suspension of subsequent annual inspections.

In a recent status-of-action update, DOC notes that, due in great part to increased jail and prison system capacity, overcrowding in local jails has steadily decreased. In 1994, about 1,700 prisoners in local jails were not in compliance with statutory intake requirements; the May 1999 count was 238

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### ***Oversight***

The jail oversight study followed-up on the study summarized above, and found a number of improvements to the jail standards and oversight process. The study recommended, however, additional attention by the Board of Corrections to the development of jail sanitation standards. The Department of Corrections recently reported that compliance with jail standards has improved, as measured through inspections and certification audits.

"Jail oversight has been strengthened since JLARC study recommendations were made to the 1995 General Assembly. The Majority of study recommendations were implemented quickly by the Board and Department with subsequently positive oversight results."

---DOC's Director's comment in a recent status-of-action report.

The study concluded that primary responsibility for local jail oversight should remain with the DOC, but that the jail per diem funding program should be transferred entirely from the department to the Compensation Board. Transferring this function to the Compensation Board would reduce the program's fragmentation and strengthen its administration and oversight.

These two significant study recommendations were enacted by the 1996 General Assembly. House Bill 751 transferred complete responsibility for the jail inmate per diem program from DOC to the Compensation Board. An amendment to the budget bill transferred three staff from DOC to the Compensation Board to administer the program.

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### ***Funding Incentives***

The funding incentives study found that some jail funding methodologies acted as disincentives to reducing local jail populations. For example, the block grant funding methodology used to reimburse local jails for holding sentenced misdemeanants and inmates awaiting trial was so complex that incentives in the formula were not well understood. Moreover, State funding for jail staff was based in part on the jails' inmate populations, which created an obstacle to the

more widespread use of alternative programs. Finally, the State subsidized some of the staffing and operating costs associated with local and regional jails housing federal inmates.

The study noted that discontinuing the use of the complex block grant formula while continuing to use a modified basic per diem for State and local prisoner days would enable the State to create more effective incentives to reduce selected classifications of jail inmates. In addition, per diem funding reductions could be used to limit State-supported subsidies realized by local and regional jails housing federal inmates. Finally, the study concluded that some of the savings resulting from reductions in jail populations associated with these incentives should accrue to localities for use by sheriffs and regional jail boards operating alternative programs.

Actions taken in response to the funding incentives study have continuing financial implication for local jails. The General Assembly amended the 1996-98 budget bill to discontinue the use of the complex and ineffective block grant funding formula for sentenced misdemeanants and unsentenced individuals awaiting trial. Another amendment required the Compensation Board, effective July 1, 1997, to recover an overhead charge for each federal prisoner held in a local or regional jail at a daily rate calculated by the Auditor of Public Accounts. The cost recovery for the State resulting from this recommendation amounted to nearly \$4 million for FY 1997-98 alone. Finally, another amendment required that, as jail overcrowding was reduced, the Compensation Board should reallocate staff positions previously provided because of jail overcrowding to a number of different programs, including alternatives to incarceration programs.

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## Services for Mentally Disabled Residents of Adult Care Residences

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### *Summary*

SJR 96 and HJR 86 of the 1996 General Assembly directed JLARC to complete a follow-up review of a 1990 report by assessing the adequacy of mental health services for residents of adult care residences, formerly called homes for adults, and by identifying the best methods for providing such services. JLARC was also directed to examine funding for mental health services in adult care residences.

In the 1990 report, JLARC found that the basic health and safety of residents had improved over time, but that the needs of residents with mental health needs were not adequately served. The follow-up review found that the State had improved its ability to promote appropriate care in adult care residences. The implementation of the earlier recommendations to recognize and fund different levels of care was providing for enhanced funding for those residents requiring more care at greater expense. In addition, implementation of the Uniform Assessment Instrument to assess residents' needs was providing for the first time an important source of information about public pay residents.

While such progress was commendable, the follow-up study found that additional action would be needed to ensure that adult care residences are a cost effective, appropriate placement for residents with mental disabilities. Among the most important of the improvements needed were better administration of medications, enhanced supervision of residents, stronger links between adult care residences and community services boards, and stronger enforcement of licensing requirements by the Department of Social Services.

It was also clear from this review that adult care residences could provide high quality services to mentally disabled residents. JLARC identified a number of model programs that were making available to residents a broad array of treatment and other services. Typically these adult care residences had links to services in the community and used sources of funding to supplement the auxiliary grant. While costs were higher in these model programs, they remained well below the costs of other residential treatment programs such as the State mental health facilities. The study noted that the Commonwealth should look to these model programs for proven, effective approaches, and that additional funding should be provided for such services.

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### *Update*

The study concluded that although the Uniform Assessment Instrument (UAI) was a significant step in the right direction, the instrument had limitations and needed further refinement. It was recommended that the Secretary of Health and Human Resources establish an interagency task force to reconsider the instrument, and particularly the levels of care for residents with mental disabilities. In response, the Secretary established an interagency committee to improve coordination and collaboration in the provision of services for long-term care. Agencies participating include Social Services, Aging, Health, Medical Assistance Services, Rehabilitative Services, and Mental Health, Mental Retardation and Substance Abuse Services. To date, the committee's focus has been on UAI training, as no formal training had been offered to assessors since the UAI's implementation. The Secretary has also requested that the group examine UAI limitations and recommend needed improvements.

In support of a JLARC recommendation, the General Assembly passed legislation, effective July 1, 1998, giving authority to the DSS Commissioner to impose fines for violation of adult care regulations, without having to petition a court to impose the penalty. DSS has issued guidance to field staff in the use of this and other intermediate sanctions.

In line with a report recommendation, DSS is working with the Department of Medical Assistance Services to audit a sample of ACR provider cost reports. The object of this effort is to improve financial data accuracy, especially regarding Auxiliary Grants and Assisted Living Services.

A recent DSS study confirmed the JLARC finding that Auxiliary Grant personal allowances did not adequately meet the needs of recipients in adult care residents. As recommended, DSS requested an increase in this allowance (from \$40 to \$54 per month per resident). This increase was approved by the 1998 Session

of the General Assembly and became effective July 1, 1998. The maximum grant for an individual with no countable income has also been increased.

The study made a number of other specific recommendations regarding appropriate staffing standards for adult care residences, training of residence staff, certification of staff who dispense medications, and clarification of the services that must be provided under the different levels of care. The Department of Social Services reports that the revision process for ACR standards began this past spring, and that these recommendations will be considered.

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## Review of DOC Nonsecurity Staffing and the Inmate Programming Schedule

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### *Summary*

House Joint Resolution 115 of the 1996 Session directed JLARC to conduct: (1) a study of the nonsecurity staffing needs in Virginia's adult correctional institutions with a focus on medical and treatment staff, and (2) an analysis of the hourly programming schedule in §53.1-32.1 of the *Code of Virginia* to determine the appropriate level of inmate programming to be accomplished by 1998.

The study found that, systemwide, nonsecurity staffing levels were generally appropriate to provide a basic level of services to DOC's adult inmate population and operate the various facilities. However, the analysis indicated that additional nurse positions were warranted for four institutions, and contract physician staffing needed to be actively monitored by DOC for both adequacy and cost effectiveness.

The study also found that reductions in inmate treatment staffing had increased the caseloads of counselors systemwide, reducing their ability to provide increased levels of inmate programming. In terms of the amount of inmate programming to be provided, the review indicated that the statutorily-required hourly inmate programming schedule was not feasible due to a number of structural and non-structural factors. However, DOC could increase its programming to reflect the 31 hours of programming per week that wardens and superintendents reported was feasible beginning July 1998.

This report also included a supplementary review, which was requested by the Public Safety Subcommittee of the House Appropriations Committee in April 1997. This analysis made recommendations regarding DOC's Management Information Systems Division. The study found problems with the offender management system contract about to be awarded, and called for the contract to be reconfigured into smaller, more discrete elements.

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### *Update*

The study recommended that the Department determine treatment staff necessary to meet its strategic planning objectives and submit requests for consideration to the General Assembly. DOC reports that this process has resulted in 41 new positions (and federal grant funding) to increase substance abuse program-

ming, six new positions to implement sex offender programming, and four new positions for transition specialists.

As recommended, the General Assembly agreed to General Fund assumption of 25 inmate treatment positions for Indian Creek Correctional Center's Therapeutic Community, which were formerly funded through grants. This action prevented closing of the program.

Per study recommendations, DOC has established clinical social worker supervisor positions at the Virginia Correctional Center for Women and Staunton Correctional Center. The Department notes that these positions have improved operation of the Therapeutic Community programs at these facilities.

DOC reports it is in the process of implementing a study recommendation to add an additional nurse position at Keen Mountain and Nottoway correctional centers. As recommended, a half-time nurse position has been added at Brunswick work center.

Also as recommended, DOC has developed instructions for use by institutional health care staff in completing medical activity reports in order to standardize data for later analysis.

In regard to the goal of increasing programming hours, the department reports that the additional positions it has obtained are allowing an expansion of program services. DOC has also recently instituted a new inmate classification system which will impact programming. DOC's program policy now includes the goal of full-time programming, which the department has begun to implement.

In line with another study recommendation, the department has begun implementing programming in the work centers. Two work centers will be piloting a substance abuse therapeutic community program in 2000.

Per a study recommendation, DOC has revised its procedures to now require collection of necessary data on inmate programming for evaluation purposes.

In regard to the supplementary review of DOC's Management Information Systems Division and the offender management system contract, the department appears to have complied with the intent of the JLARC recommendations. DOC will present a plan to the General Assembly budget committees outlining its procurement strategy to secure a suite of computer applications for finance, human resources, offender management, and prison industries. An RFP was issued in July 1999 requesting formal proposals from software and implementation services firms.

DOC also reports it has realigned its organization structure to give a higher priority to information technology and communications. Further, consistent with the JLARC report, DOC is preparing a budget addenda request for technology support staff for each of the major institutions and the four regional offices.

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# Review of the Department of Corrections’ Inmate Telephone System

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## *Summary*

The 1996 Appropriation Act directed JLARC to examine several issues related to the Department of Corrections’ (DOC) inmate telephone system, including a comparison of policies in other states, the financial impact on inmate families, and the need for oversight by an entity independent of DOC. The study found that the fiscal impact on recipients of long distance calls completed through the inmate phone system could be reduced by making the rates charged comparable to those the public pays for similar calls.

Even with reduced rates, however, the State could continue to receive revenue from the inmate phone system. All of the southeastern states contacted for this review, and many of the states nationwide, receive some form of revenue from their inmate telephone systems. By making the rates charged for the inmate system comparable to those the public pays for similar calls, any revenue the State received would not be from charges in excess of standard collect call rates.

To address shortcomings regarding administration and oversight of the system by DOC, the study recommended that responsibility for the system should be transferred to the Department of Information Technology (DIT), which has the necessary infrastructure to best support more proactive and consistent administration of the inmate telephone system. The study also outlined additional options designed to improve aspects of the inmate phone system, such as requiring an independent audit and advance notification of rate changes.

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## *Update*

Many of the recommendations from the JLARC study were implemented through the Appropriation Act. DOC was required to consult with DIT in the development of a request for proposal for procuring the inmate telephone services which commenced in January 1999. DIT also assisted in evaluating responses to the RFP, and negotiations and development of the contract.

In line with study recommendations, the Appropriation Act specified that one goal of the contract should be to keep rates charged recipients of inmate calls “at a level that does not exceed collect call rates and surcharges charged public customers.”

As recommended, DOC reports that the contractor was required to provide the following:

- ☐ specific inmate calling data in an automated format,
- ☐ an annual audit report verifying the accuracy of the contractor’s billings,
- ☐ at least 30 days written notice of any pending rate changes, and
- ☐ a means of limiting inmate calls to only those persons on a pre-approved list.

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# The Feasibility of Converting Camp Pendleton to a State Park

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## Summary

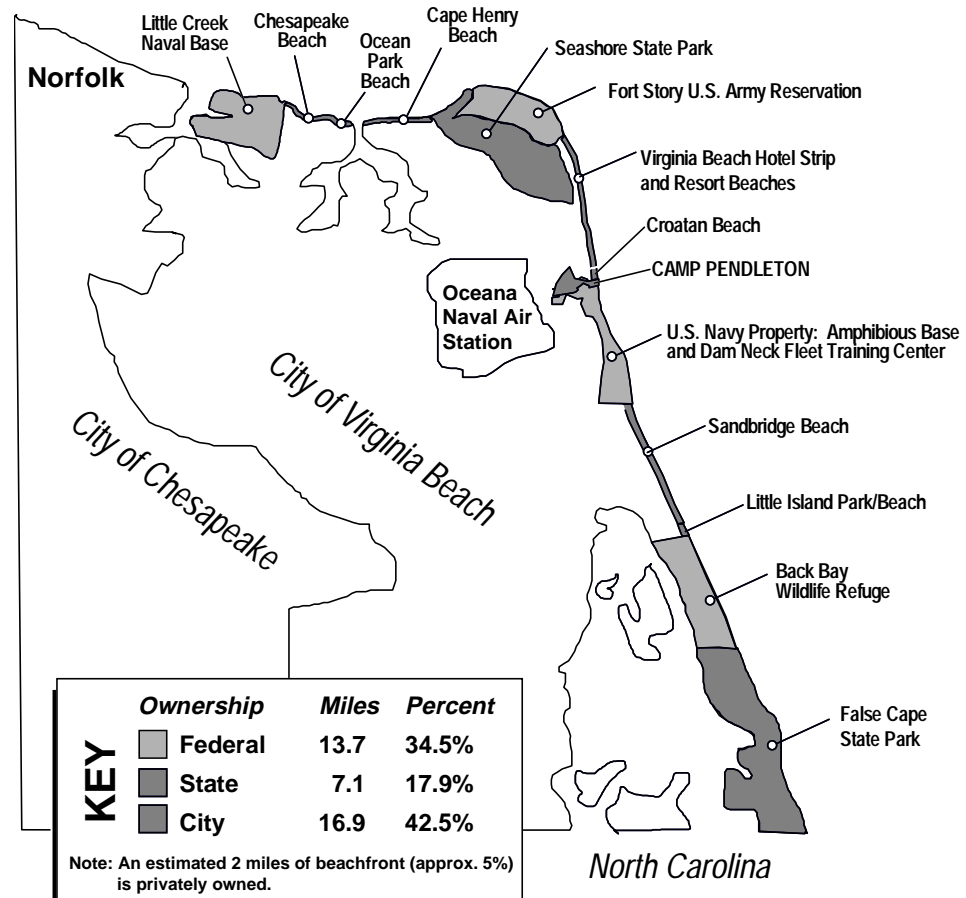
The 1998 Appropriation Act directed JLARC to study the feasibility of converting the State Military Reservation (Camp Pendleton) to a State park. Specifically, JLARC was required to address: (1) the need for additional oceanfront access and State park recreation areas in southeastern Virginia, (2) the impact on tenants of Camp Pendleton, (3) the costs and benefits of relocating all remaining Virginia National Guard training functions to Fort Pickett, and (4) environmental remediation issues.

JLARC's review concluded that it was not feasible to convert Camp Pendleton, in its entirety, to a State Park. While it might be possible to convert portions of the base, such an action would require long-term planning, agreements with the federal government, and environmental remediation of selected areas of the camp.

Camp Pendleton's location and beachfront property makes it highly valuable and raises questions whether a military facility is the highest and best use of the property. However, the camp lacks enough acreage to meaningfully address the demand for beachfront access in the Virginia Beach area.

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*Graphic from the Camp Pendleton study, showing beachfront ownership in Virginia Beach*



The role of Camp Pendleton as the State's primary military training facility is declining, primarily due to the availability of the much larger Virginia National Guard facility at Fort Pickett. As a result, Camp Pendleton is being utilized as a multi-service training facility with a growing federal orientation. The National Guard has adopted a policy of establishing revenue-generating leases with non-Guard organizations to achieve a goal of having Camp Pendleton financially self-sufficient by the year 2002. However, continued implementation of this policy may encumber the base's property to the extent that alternative uses in the future may not be feasible. Therefore the study recommended that the General Assembly consider a long-term policy decision regarding the future use of Camp Pendleton.

The study also found that population growth and residential development adjacent to Camp Pendleton had affected the ability of the National Guard to ensure the safe operation of the facility's rifle range. The report recommended that consideration should be given to closing the camp's range and utilizing the ranges at Fort Pickett or nearby federal military installations.

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### ***Update***

The 1998 General Assembly passed legislation, effective July 1, 1999, that requires all real estate leases entered into by the State military reservation at Camp Pendleton to be approved by the General Assembly.

Regarding concerns raised by the JLARC report about safe use of the firing range, the 1999 General Assembly required the Secretary of Public Safety to conduct an independent safety study. This study report is scheduled for release in October 1999. Also, subsequent to the JLARC review, the Department of Military Affairs voluntarily took measures to reduce the safety hazards identified in the report. These measures included the installation of culvert pipe to restrict the possible firing "fans" of range shooters, and other modifications to the firing points. Since the release of JLARC's report in 1998, use of the Camp Pendleton firing range has been suspended while the National Guard addresses safety concerns raised in the report.

Per another report recommendation, the Department of Military Affairs has contacted Dam Neck Fleet Training Center to begin the process of developing agreements for use of the Navy firing range.

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## **Review of the Department of Environmental Quality**

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### ***Summary***

House Joint Resolution 531, approved by the 1995 General Assembly, directed JLARC to examine the "organization, operation, and performance" of the Department of Environmental Quality (DEQ) as well as "the Commonwealth's water quality and air quality programs." In January 1996, an interim report focusing on the agency's reorganization was completed. The final report presented staff findings and recommendations on the organization, operation, and performance of DEQ, focusing on air and water quality programs.

At the beginning of the JLARC review, DEQ had existed for less than four years. During that period, the agency had undergone a merger of four agencies to create the new department in 1993, a significant change in organization to accommodate regionalization of the agency's operations in 1994, and a significant downsizing of the agency's staff in 1995. DEQ had also had three directors during the first three years of its existence.

Both the *Constitution of Virginia* and the *Code of Virginia* direct the department to protect the Commonwealth's "atmosphere, lands, and waters from pollution or impairment." However, the review found that due to weaknesses in inspections, monitoring, enforcement, and planning, DEQ was not meeting its constitutional and statutory mandates to protect State waters. While some concerns were identified regarding the department's air program, the department appeared to be meeting its mandate to protect the State's atmosphere from impairment.

The study found that internal management problems had diminished DEQ's organizational capability. These problems included low employee morale and trust in agency management, problematic internal communication, and poor resource planning. The poor resource planning had resulted in inappropriate expenditures and excessive top management staff at the same time that the agency was experiencing critical shortages of front-line staff such as inspectors and enforcement specialists.

The report made more than 50 recommendations to help improve DEQ's operation and performance as well as the Commonwealth's ability to protect its atmosphere and waters from pollution or impairment.

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### ***Update***

The JLARC study recommended additional staff for the air and water permit support sections in DEQ's central office. Subsequent to the study, the agency took steps to document its staffing needs, and the General Assembly responded through 1999 appropriations that will provide increased support for air and water permitting.

In response to several report recommendations, DEQ reports it has created some new auditing programs to improve its auditing capabilities and procedures for both water and air protection permits. The first audits of regional permit programs were conducted this past spring.

DEQ reports that it has addressed study concerns regarding training needs associated with the regionalization of permitting and especially the issuance of Title V permits. The agency states that it has made staff development a priority, and a major initiative has been development of a comprehensive training curriculum for all technical areas. DEQ also reports that it has initiated annual training workshops addressing aspects of program implementation for the regionalized permitting program. In addition, central office staff appear to have made a concerted effort to provide Title V training to regional staff, beginning in late 1996. It should be noted that DEQ has established and filled 32 positions related to Title V permitting, based on an implementation plan submitted to the General Assembly in 1996.

Several of the study concerns related to DEQ's maintenance of its 303(d) list of impaired waterways in Virginia. DEQ added two new sections to the list, one for "threatened waters," and another for "naturally impaired" waters. Together, these additions to the database amount to more than 250 waters and 2,000 stream miles. However, the need for additional improvements may still exist. As recommended, DEQ also reports that it has adjusted staffing to provide for better assessments of the Commonwealth's water resources, creating and filling eight new positions in the water quality program.

The study called for an intensified regional coordination function within DEQ to strengthen water quality monitoring strategies and statewide sampling techniques. In response, DEQ established a water quality monitoring strategy task force in July 1997. The agency reports that the task force has recently finalized its draft strategy document. The goal of these efforts is to "provide representative data that will permit the evaluation, restoration and maintenance of the quality of the Commonwealth's waters at a level consistent with such multiple uses as prescribed by Federal and State laws."

With regard to biological monitoring, DEQ reports that it has taken steps to improve the siting of biological monitoring stations and the utilization of biological data in water quality assessments. Biomonitoring staff are now participating in a regional/central office water monitoring task force study to identify further changes in station siting and the basis (probabilistic, judgmental, or targeted) for site selections. However, it is unclear whether DEQ has responded to the JLARC recommendation, which was to increase the use of biological monitoring stations to provide a more accurate assessment of water quality across the river basins of Virginia.

In response to another JLARC recommendation, the 1997 General Assembly established a laboratory certification program in the Division of Consolidated Laboratories for laboratories conducting tests required of environmental permit holders. DEQ is participating in a technical advisory committee which is assisting DCLS in this effort.

The study found that a shortage of inspectors was hampering DEQ's efforts to assess facility compliance with environmental permits. With the 1999 Appropriations Act, the agency will add 22 additional inspectors for the solid waste, underground petroleum storage tank, air permits and water permits programs. It appears that this facet of the agency's operations will need further attention in the future due to emerging issues, such as impending regulations requiring the inspection of 1,300 previously unregulated poultry facilities. DEQ also reports that it has strengthened enforcement, as recommended, by establishing six new regional office enforcement positions. The department also indicates that it is working on a revision to its enforcement manual. Since the enforcement manual released in March 1996 was found to be of limited practical use and the source of considerable frustration among regional enforcement staff, this action appears to be overdue and hopefully will result in necessary improvements.

Per a report recommendation, the General Assembly amended the *Code of Virginia* (HB 2178 of the 1999 Session) to require DEQ to enforce its laws, policies

and regulations consistently, whether a facility is owned or operated by a public or private entity.

The JLARC report recommended that eight superfluous management positions within top management be eliminated. These changes have been implemented in accordance with the 1997 Appropriations Act. The JLARC report also recommended the establishment of an internal audit function within DEQ. This position was filled effective September 10, 1997. Other management recommendations implemented include moving the human resources division under the Director of Administration.

The study found that an unclear working relationship existed between DEQ and the Office of the Attorney General (OAG), resulting in less than optimal cooperation in pollution cases where legal action was indicated. The review recommended that the OAG and DEQ should work together to develop a memorandum of understanding for the referral of cases to ensure that water enforcement is timely, consistent, and certain. This year, as well as in late 1996, the agency response to this recommendation pointed to a memo that was developed in April 1996. This memo, however, is limited to a discussion of the procedural details involved with the referral of cases. It does not address the broader question of the role of each agency in the enforcement process, nor does it establish criteria for what types of cases should be referred to the OAG for legal action.

As recommended, DEQ has discontinued its satellite television service, which was found to be expensive and unnecessary.

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## Review of the Virginia Department for the Aging

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### *Summary*

The Virginia Department for the Aging (VDA) is the State component of a federal, state, and local structure that provides services to the aging under the federal Older Americans Act. VDA distributes funds and provides support to 25 local area agencies on aging (AAAs), which provide services to the elderly. House Joint Resolution 209 from the 1998 Session required JLARC to conduct a study of VDA's mission and the effectiveness of its organization, operation, and performance.

The review found that a greater priority was needed for VDA and aging issues by the executive branch. Although both the number and proportion of elderly persons in Virginia's population had increased since 1980 and were projected to continue rising, during recent years VDA's staffing had been substantially reduced. Partly as a result, VDA's ability to support its primary clients or customers – the AAAs – had been diminished.

VDA had had difficulty in meeting its statutory responsibilities, and had done little on-site monitoring of the programs and services provided by AAAs. The agency had operated for over 11 months without a full-time director. Also,

executive branch appointments to a statutorily-created Commonwealth Council on Aging had not been expeditious.

VDA's activities needed to be refocused in order to provide statewide leadership on aging issues and assist policy-makers in preparing for further increases in the aging population. During the course of the review, VDA management indicated an intent to make substantial changes at the agency. However, the level of management commitment and willingness to follow through on needed improvements remained unclear. Therefore, in addition to some specific program recommendations, the report recommended that the Joint Commission on Health Care request periodic progress reports from VDA on the department's rebuilding and refocusing efforts.

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***Update***

The Commissioner for VDA assumed full-time responsibility for managing the department in November 1998. In addition, the department reports several accomplishments relative to the JLARC report over the past year:

The Commonwealth Council on Aging held its first series of meetings shortly after the 1999 General Assembly Session. VDA management has provided the Council with an overview of the agency, and has provided support to the in developing the Council's bylaws.

VDA has initiated an agency-wide restructuring, which it believes may address a number of JLARC study concerns, including position descriptions, grade levels, and job duties; training and technical assistance functions; and monitoring of the AAAs. The Department of Personnel and Training is working with VDA in this effort.

VDA reports that it is placing a priority on monitoring the AAAs, as recommended. The agency has initiated a new team approach, wherein program and fiscal staff will work together to conduct a coordinated review of the program and fiscal operations of each AAA. Program staff have recently reviewed and revised all monitoring instruments and are currently field testing them.

In line with other study findings, VDA is utilizing wage staff and entering into contracts with other State entities, such as the Extension Service at Virginia Tech, to provide specialized services, training, and technical assistance to the AAAs. The possibility of using grant-funded positions is also being explored, as recommended.

The agency reports that its communications activities, a concern in the review, have also been given a priority. A communications consultant was engaged to facilitate improvements. The 25 AAAs have been surveyed for feedback about VDA communications. The Commissioner and members of the management team have recently completed visits to all AAAs to discuss key issues and concerns. Based on AAA feedback, a new training plan has been developed and is currently being implemented.

Implementing a study recommendation, the 1999 General Assembly clarified and expanded VDA's mission to include the provision of research, policy analysis, long-range planning, education on aging issues, and grantsmanship. In response, VDA reports it has taken the opportunity to redesign two recently vacated positions to allow the agency to place renewed emphasis on research, demographic analysis, and education.

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## Review of the Comprehensive Services Act

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### *Summary*

Through Virginia's Comprehensive Services Act (CSA), the 1992 General Assembly established one of the nation's first comprehensive systems of care for at-risk children. The system was put in place to provide treatment services for children who exhibit serious emotional and behavioral problems.

Senate Joint Resolutions 123 (1996) and 371 (1997), as well as language in the 1997 Appropriation Act, required JLARC to assess CSA's implementation. As a part of the study, JLARC staff reviewed more than 1,100 files of youths participating in CSA, in order to obtain the data necessary for a detailed analysis of how the program is operating.

The study found that localities have experienced some success with CSA, which has provided a mechanism, although not fully utilized, for involving agencies at the local level in a collaborative process for making service decisions. Consistent with the intent of CSA, localities are serving CSA children in least restrictive and less expensive environments. Further, once children leave the program, their behavioral problems appear to be stabilizing.

However, the study concluded that to ensure a more efficient delivery of services, both the State and localities would need to address a number of problems with program implementation. These included inconsistent use of collaborative planning at the local level, inadequate client assessments, insufficient attention to provider fees, and limited program oversight and monitoring. If not properly addressed, these problems could undermine CSA in the long term.

The report noted that one approach to both increasing CSA program accountability and achieving State and local cost savings would be to use Medicaid as an alternative funding source for CSA where feasible. JLARC staff identified areas where CSA could be appropriately paid for by Medicaid. Approximately 63 percent of the savings achieved by such a policy would accrue to the State, and approximately 37 percent were estimated local savings (based on the average CSA State-local match rate).

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### *Update*

The General Assembly was responsive to the JLARC study concerns in both the 1998 and 1999 Sessions. The General Assembly streamlined the State oversight and management of the Comprehensive Services Program, and improved the program's efficiency and accountability at the local level to ensure that CSA chil-

dren are served in the most appropriate, least restrictive, and most cost effective manner. Through statutory changes and budget bill language, the General Assembly:

- ☐ established the powers and duties of the Office of Comprehensive Services for At-Risk Youth and Families,
- ☐ eliminated a layer of management, known as the State management team, and replaced it with State-level work groups as needed,
- ☐ increased the membership of the State Executive Council to include the Director of the Department of Medical Assistance Services (DMAS) and more local representatives,
- ☐ designated the Commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse as the permanent chair of the Council,
- ☐ implemented a uniform assessment instrument and process to be used by all localities to identify levels of risk of CSA youth;
- ☐ implemented uniform standards for case management, documentation, and data collection for CSA-funded services,
- ☐ implemented utilization review for all providers of CSA-funded services,
- ☐ specified that all CSA youth and families requiring treatment services must be assessed by the local family assessment and planning teams in order to be eligible for CSA funds, and
- ☐ allowed the State Executive Council to deny CSA funds to localities that fail to comply with federal and State requirements pertaining to the provision of special education services

The study's findings regarding Medicaid hold significant potential for saving the State money while still providing appropriate services to CSA children. In response to the report, the General Assembly placed language in the 1998 Appropriation Act (later codified by 1999 legislation) allowing localities to utilize Medicaid funding to pay for therapeutic foster care and residential treatment. Although the Medicaid payment for therapeutic foster care was initially rejected by the federal Health Care Financing Administration, DMAS is continuing to work on securing this funding. Residential care continues to be scheduled for Medicaid payment by January 2000.

If the Medicaid program changes are fully implemented, the savings to the State and localities should exceed \$44 million annually. Of this, the State would save approximately \$28 million, and the localities would save approximately \$16 million. The Medicaid phase-in will also mean better utilization of Medicaid for inpatient and outpatient mental health services that were already covered under the Medicaid program.

The Office of Comprehensive Services, the State Executive Council, and the DMAS also report taking other significant actions on the JLARC recommendations:

- ❑ Informational meetings and CSA training sessions have been conducted throughout the State to support uniform assessment approach.
- ❑ Per a study recommendation, the State Executive Council has been examining data needs and reporting requirements for a system of performance standards for CSA. Such a system would be used statewide to evaluate local decisions regarding levels of care and participant outcomes. The Office of Comprehensive Services has made some revisions to fiscal reporting forms to help facilitate such a system. The Office has also contracted with VCU's survey lab to assist localities in gathering data for a recommended client-specific database.
- ❑ A study concern was the varying level of compliance with statutory CSA requirements by localities receiving supplemental funding. The office of Comprehensive Services reports that it has placed a priority on this issue by assigning a full-time compliance officer and a full-time statistician to monitoring activities and to data analysis.
- ❑ To develop the necessary criteria for the CSA-Medicaid link, DMAS organized workgroups to provide input to the agency. OCS and DMAS have kept localities aware of developments through newsletters and training.

JLARC's study of Comprehensive Services continues to have far-reaching and future ramifications, as evidenced by two additional pieces of legislation from the 1999 Session. SJR 478 directs the Joint Subcommittee to Evaluate the Future Delivery of Publicly Funded Mental Health, Mental Retardation and Substance Abuse Services, in consultation with the Hammond Commission on Community Services and Inpatient Care, to review the JLARC recommendations regarding the Comprehensive Services Act and to identify potential uses of existing mental health facilities for children and families in need of CSA services. In addition, the 1999 Budget contains language requiring the Secretary of Health and Human Resources, in conjunction with the State Executive Council, to examine the JLARC recommendations regarding State-level organization of Comprehensive Services.

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## Virginia's Progress Toward Chesapeake Bay Nutrient Reduction Goals

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### *Summary*

Through Chesapeake Bay agreements, Virginia has committed to achieve by the year 2000 a 40 percent reduction of two nutrients (nitrogen and phosphorus) that enter the Chesapeake Bay, and to maintain at least this level of reduction thereafter. The focus of Virginia's efforts to achieve this reduction has been on the Potomac River Basin.

The 1996 Appropriation Act directed JLARC to review Virginia's progress toward meeting its nutrient reduction commitments. The study focused on the Commonwealth's strategy to reduce nutrients from Virginia's portion of the Potomac River Basin, although nutrient reductions in Virginia's other tributary rivers to the Bay were also examined.

The study found there were reasons to expect that Virginia will make some short-term progress in the Potomac Basin towards its nutrient reduction commitments: the Commonwealth's strategy document called for an increase in activity to achieve reductions, compared to the existing level of effort, and the Governor had proposed an initial \$11 million to be dedicated to Potomac nutrient reductions.

However, it appeared unlikely that Virginia could produce a 40 percent nutrient reduction in its portion of the Potomac by the year 2000. In part, this was because aside from a phosphate detergent ban, Virginia took limited action from the time the commitment was made (the baseline year was 1985) to the end of 1996.

In the face of rising nutrient levels due to potential population growth after the year 2000, the commitment to maintain a 40 percent reduction could be particularly challenging. This is because by or shortly after the year 2000, the easiest and most cost-effective of the known approaches to reducing nutrients will likely have been pursued in the effort to reach the 40 percent reduction. The JLARC report noted that because imminent decisions on long-term capital investments (such as sewage treatment plant upgrades) could have an impact on longer-term progress, the issue of maintaining reduction progress needed to be considered sooner rather than later.

The study also raised some concerns about the Commonwealth's Potomac strategy document for reaching the 40 percent reduction goal. This document, which was under development during 1996, appeared to utilize some questionable assumptions, leading to the calculation of greater nutrient reductions than could likely be achieved.

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### *Update*

The status-of-action report on the nutrient reduction study recently received by JLARC staff was jointly prepared by the Department of Conservation and Recreation (DCR) and the Department of Environmental Quality (DEQ).

Per a study recommendation to examine the costs and reductions for a limit of technology (LOT) point source option as a supplement to its existing strategy, DEQ compared the costs and reductions of using a LOT approach to reducing nitrogen at wastewater treatment plants in the Potomac River basin to the standard approach of using biological nutrient removal technology. DEQ found that operating LOT would almost double the amount of nitrogen removed as compared to the standard approach. However, the cost for that greater level of removal was estimated to be higher on a per pound basis. Specifically, the unit cost of dollars spent per pound of nitrogen removed for LOT was estimated to be 3.5 times that of the standard approach (\$12.25 per pound, compared to \$3.50 per pound). DEQ's assessment did not comment on the likelihood of meeting and

then maintaining a 40 percent nitrogen reduction into the future without levels of reductions from point sources approaching LOT. However, DEQ staff indicate that the installation of LOT at any or a group of point sources should be retained as a future option for maintaining the overall basin-wide loading cap on nutrient loads.

In line with another report recommendation, in October 1997 the Chesapeake Bay Program considered the issue of maintaining reduction progress. The Council reaffirmed its commitment to maintain lower nutrient levels achieved in the Bay. The Council stated its belief that “we must begin planning now to assure we have the structure and capacity in place to take our efforts to restore the Bay and its tributaries into the next century, and meet the challenges that population and economic growth will bring to this commitment.” To this end, the Chesapeake Bay Program has established several new workgroups to address the issue of maintaining reduction progress. These workgroups will make recommendations to be considered in updating the Bay Agreement next year.

It appears that the recommendations from the JLARC study for DCR staff to revisit certain assumptions in the estimation of future nutrient reductions from nonpoint sources have had a limited impact. The study indicated that a number of assumptions that are part of the State’s tributary strategy, such as 100 percent implementation of the nutrient management plans that are developed, are questionable. For the most part, DCR staff do not address the substance of these concerns, and more conservative assumptions have not been made. (DCR staff rather indicate that the approach used to estimate future reductions is consistent with the Chesapeake Bay Program, and that model simulations of the very strategy that is in question confirm the reduction levels they expect). One exception, however, is that an adjustment was made to the final Potomac/Shenandoah Tributary Strategy document with regard to best management practices for shoreline erosion protection, to make the projected reductions in nutrients more realistic. The result was substantially lower reductions in the amount of nutrient reductions reported for the implementation of the shoreline erosion best management practice.

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## Review of the Department of Conservation and Recreation

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### *Summary*

The 1997 Appropriation Act directed JLARC to review the organization, operation, and performance of the Department of Conservation and Recreation (DCR) and the department’s compliance with legislative intent. The review found that DCR had some organizational strengths which could be built upon in the future. For example, its operational divisions, such as parks, soil and water conservation, and natural heritage, had a record of positive accomplishments over the years. The State parks offered safe, clean places for people to enjoy a variety of recreational activities. Further, the department’s Soil and Water Conservation Division had a long history of assisting farmers and others in reducing erosion and

managing nonpoint source pollution. In addition, DCR's Natural Heritage Division was generally effective in identifying and protecting Virginia's rare, threatened, and endangered natural heritage resources.

The study also found, however, that substantial internal problems were preventing DCR from reaching a higher level of effectiveness. Some of these problems — lack of leadership continuity, lack of a clear vision for the agency, lack of cooperation between divisions, and resource limitations — were historical problems which had been cited by the Department of Planning and Budget and the Auditor of Public Accounts in previous reviews. The JLARC staff's review indicated that these persistent problems needed to be addressed if the agency was to successfully cope with the increasing demands and expectations being placed upon it.

A particular concern was the pace of DCR's progress on the 1992 Park and Recreational Facilities Bond projects. As of July 1997, or nearly five years after passage of the Bond, 54 percent of the funds still had not been spent. A number of the factors that led to delays appeared to be within DCR's control. These included a lack of adequate planning prior to the Bond Act's passage, a lack of dependable staffing and poor organization within DCR's Design and Construction Section, and a change in focus by DCR management regarding the scope of the Bond projects.

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### *Update*

The Department reports that it has made considerable progress on completion of the Bond projects. As of May 15, 1999, all but approximately 50 of more than 250 construction projects have been closed out, and 94% of the design and construction budget has been spent or obligated. Acquisition also appears to be proceeding in a more timely manner for both natural area preserves and parks. Three new natural area preserves have been acquired in the past year. Included among the State park acquisitions are about 500 acres to be added to the Shenandoah River State Park. DCR is keeping the House and Senate money committees and the House Conservation and Natural Resources Committee informed of the bond status through a monthly report.

The 1998 General Assembly Session required that master plans be completed for all State parks, and that these plans be reviewed on a 5-year cycle. DCR reports that it is well on its way to this goal, with about a quarter of the plans already submitted to the agency director and the remainder to be completed by the end of 2000.

A study concern was that State park staffing levels might not be sufficient for the services required to be provided, especially with future demands likely to increase. It was recommended that staffing levels be assessed and appropriate budget requests be made. The General Assembly was, in the words of the DCR Director, "very supportive" in providing additional positions in fiscal year 1999. For example, House Bill 30 provided for 27 additional State park positions. So far, three parks have created positions dedicated to interpretive and environmental education programming. An allocation plan for the other positions (a majority of them ranger classifications) is in place. The Department also reports that there was a 20% increase in the number of programs offered and a 38% increase

in the total number of people visiting State parks in fiscal year 1998 compared to the previous fiscal year.

The overall department staffing levels were also a concern, and the department was poised to restrict agency MEL, which appeared to be in conflict with a General Assembly staffing directive. DCR received a total of 54 new positions due to fiscal year 1998 legislative action, and the agency reports that it is working aggressively to fill vacant positions, especially in the administrative support functions.

Per a report recommendation, the Department has begun the process of reassessing all maintenance reserve and capital project needs for the State parks. This process will direct future budget requests and will ensure that spending is linked to project priorities. A replacement schedule for all department equipment is also being developed, as recommended.

The report called for the development of an updated policy and procedures manual for State park operations. DCR reports that a comprehensive operations manual for all divisions is in process.

The study noted that DCR needed to conduct a detailed examination for staffing needs and priorities relevant to water quality improvement and Chesapeake Bay non-point source pollution reduction. DCR conducted such an analysis and submitted staffing requests to the General Assembly, which approved eight additional FTEs. These positions have been filled as Watershed Mangers in the eight regional offices. Their purpose is to target DCR's programs and improve coordination with other state and federal agencies involved in nonpoint source pollution control, forge new relationships with local governments and conservation organizations, and work toward achieving measurable defined water quality improvements in each of the Commonwealth's river basins. DCR management states that this water shed based approach, which includes shifting staff resources and providing additional technical assistance, is the best approach for the State's commitment to achieving a 40% reduction in nonpoint source pollution from nitrogen and phosphorus. DCR has the lead responsibility in the State's Chesapeake Bay Program for achieving this goal.

As recommended, DCR is expanding its geographically-based database to provide more comprehensive information on water quality, including the impacts of land use and the effectiveness of the department's programs in controlling nonpoint source pollution.

The agency's Natural Heritage Division has taken steps to better coordinate its wildlife management activities with those of the Department of Game and Inland Fisheries and the Department of Agriculture and Consumer Services. Examples include joint survey efforts, DCR's delivery of digital animal data to DGIF, sharing of project review correspondence, and inter-agency coordination of funding proposals submitted to the U.S. Fish and Wildlife Service.

One specific recommendation from the study was for the agency's automated data processing section to make improvement to remote sites communications. In response, the department hired a new information system manager in February 1998. Computer software and communications hardware has recently been significantly upgraded. Per another specific recommendation, all computer-related purchases are being approved by the information system section in order to standardize hardware and software configurations.

Per another study recommendation, DCR reports that staff training within the agency has been given a higher priority, as reflected through increased training budgets, implementation of several new training programs, and the establishment of a training library of videos and reference materials.

DCR's financial policies and procedures were criticized both by the JLARC study and an Auditor of Public Accounts audit. The agency reports that a priority has been given to improvements in this area. For example, DCR has changed its process for paying invoices and is now exceeding the State's performance standard of 95% prompt payment. In contrast to a negative audit comment received from the APA for FY 1996, the agency reports that the last two audits have rated the agency substantially better than those of the previous 5 years.

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## Assessment of the Department of Planning and Budget's Methodology to Review the Impact of Regulations

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### *Summary*

The 1995 Appropriation Act required the Department of Planning and Budget (DPB) to submit its methodology for analyzing the economic impact of environmental regulations to JLARC for review. Based on a review of the very limited number of actual impact analyses which DPB had completed at that date, JLARC staff concluded that the department had developed a reasonable approach. However, it was too early to conclude with certainty that DPB could successfully apply this approach in assessing the fiscal impact of environmental regulations in a timely manner. JLARC staff prepared a memo report expressing concerns in several areas: issues of judgement and formal analysis, the availability of data and information in the required time frame, and DPB's ability to apply skepticism, aggressiveness, and independence as required.

### *Update*

The Department recently provided JLARC staff with a substantive status-of-action report on its fiscal impact work. DPB provided numerous sample impact statements on a variety of regulatory subjects to suggest that its review process is successful, and is performed within the expected time frames. While DPB had problems complying with the 45-day statutory time-frame for the economic impact analysis in prior years, the department reports that of the 90 proposed regulations received since the beginning of March 1998, all 90 were completed within the required time frame.

DPB has submitted all of its economic analyses for publication in the *Virginia Register*. In the fall of 1998, the Administrative Law Advisory Committee invited public comment on the strengths and weakness of the regulatory process in Virginia. Several correspondents wrote in praise of DPB's efforts, including a representative of the Environmental Defense Fund, an economist with the Department of Agricultural and Applied Economics, and a representative of the Conservation Council of Virginia.

A notebook containing about 50 of DPB's recent impact analyses is available for review in the JLARC offices.

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## Review of Regional Criminal Justice Training Academies

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### *Summary*

House Joint Resolution 285, approved by the 1998 General Assembly, directed JLARC to study the regional criminal justice training academies. The review was to examine methods of:

- ☐ developing and measuring the quality, consistency, and standardization of regional criminal justice academy training, and
- ☐ developing quantitative methods for measuring the knowledge, skills, and abilities of criminal justice officers completing entry-level training.

The study focused on local law enforcement officers, since they constitute the largest group of criminal justice officers. The review found that Virginia had extensive entry-level training requirements for law enforcement officers. Further, these requirements were increasing, reflecting a recognition that more time needed to be spent on the fundamentals of the profession. State funding for regional criminal justice training doubled in the most recent fiscal year, due to a special fee attached to court convictions.

As the State agency responsible for overseeing criminal justice training, the Department of Criminal Justice Services (DCJS) had established a reasonable framework by requiring entry-level officers to demonstrate their mastery of the fundamentals of their profession. However, the review found several aspects of training which needed improvement. Criminal justice instructors needed to demonstrate their knowledge and skill level prior to being certified to teach. A standard test for certification could provide a quantitative method for measuring competency and ensure that all law enforcement officers statewide mastered the essentials of the curriculum.

The study raised concerns about the growing number regional training academies, and whether extensive switching between the regional academies by local agencies should be curbed. A study of the feasibility of developing a driver training facility at Ft. Pickett or other suitable location was also recommended.

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**Update**

This review resulted in several significant legislative actions:

- ❑ Senate Bill 1107 (1999) implemented a requirement that all new law enforcement officers seeking certification on or after July 2001 must pass a uniform test to be developed by the DCJS. This will help ensure that officers are receiving consistent training statewide.
- ❑ Senate Bill 1106 gave DCJS the responsibility to develop minimum training standards and qualifications for field training officers, as recommended in the JLARC study. This will help to ensure that new officers receive their field training from experienced officers who have met certain minimum requirements.
- ❑ Senate Joint Resolution 412 directs DCJS and the State Police to study the feasibility of constructing a statewide driver training facility for law enforcement officers at Fort Pickett. The Appropriation Act allocates \$100,000 to DCJS for initial planning.

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## **Special Inquiry: DEQ and VDH Activities to Identify Water Toxic Problems and Inform the Public**

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**Summary**

At the May 1999 meeting of JLARC, the Commission approved a preliminary inquiry by JLARC staff into concerns regarding the State's performance in making water toxics information available to the public. The request for a JLARC assessment of these issues came from Delegate W. W. Bennett of Halifax, Virginia. Delegate Bennett had expressed concerns that toxic data might have been withheld from the general public that would have been helpful in assessing toxic issues regarding the Staunton River. A subcommittee of JLARC was appointed to consider the findings from a special staff inquiry.

The two State agencies having the primary responsibilities in this area were the Virginia Department of Environmental Quality (DEQ), which monitors Virginia's waters, and the Virginia Department of Health (VDH), which receives data from DEQ and makes decisions about the need for public health warnings or restrictions on certain public uses of Virginia waters.

The preliminary inquiry focused on several topics related to the handling of toxic issues by DEQ and VDH. Three major themes that emerge from this evaluation:

- ❑ There were several positive aspects to recent DEQ and VDH actions on the topics that were reviewed. After years of delay, DEQ had released the Virginia Toxics Database to EPA and other interested parties. In addition, DEQ's director had initiated policies to provide the public with rapid access to new fish and sediment data, and had shown responsiveness to citizen concerns regarding PCBs

in the Roanoke (Staunton) River. Also, while questions were raised about whether VDH's approach to health advisories should have been more aggressive in order to provide more cautious public health protection, the particular guidance and decisions reviewed for this inquiry appeared to have been made within the bounds of a nationally-recognized range for risk assessments.

- ❑ There were, however, some serious questions about the timeliness with which the State's environmental quality and health agencies responded to data that raised possible concerns about environmental quality. It appeared that unsystematic management and delays in the use of data on water quality might be hindering State efforts to thoroughly assess water toxic problems and protect the public.
- ❑ There was also a concern about the apparent reactive rather than proactive nature of State agency actions on the Roanoke River. The evidence indicated that without pressure from the United States Environmental Protection Agency (EPA) which began over a decade ago, it was unlikely that a public warning on the river would have been issued. In addition, DEQ's recent change in strategy to focus more on identifying the source or sources of PCBs, as had been envisioned by State Water Control Board (SWCB) management in 1992, was in response to substantial pressure from citizens in that river basin. DEQ's director, however, deserved credit for taking a personal interest in addressing this issue and for making recent data on DEQ sampling results for the river publicly available on a timely basis.

DEQ was strongly encouraged in the JLARC staff memorandum to address what appears to be a long-standing need to do a better job of maintaining, linking, accessing, and using the results from past and present water quality analyses or studies. DEQ appears to be moving in the direction of integrating its data and making it easier to access with the development of its new computer network. Unlike many types of records held by organizations that might reasonably be destroyed after a few years, a long trail of historical records documenting river problems over decades might provide useful information for finding and addressing subsequent environmental problems today. Therefore, DEQ needs to ensure that its new computer system adequately managed this historical data. Also, as part of its effort to increase its responsiveness on toxics issues in Virginia rivers, DEQ needs to examine the adequacy of its current capacity for special water quality studies and biological monitoring.

Because DEQ management appeared to be generally on course in responding to concerns raised about public access to toxics data and the Roanoke River issue, and given that VDH's decision-making appeared to occur within nationally-recognized parameters, the study did not recommend a continued inquiry by JLARC staff. However, JLARC subcommittee members expressed an interest in JLARC and DEQ staff development of any draft statutory language changes that might be necessary and appropriate to address toxics monitoring and reporting issues.

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## Review of the Health Regulatory Boards

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### *Summary*

House Joint Resolution 139 and the Appropriation Act, approved by the 1998 General Assembly, directed JLARC to study the effectiveness of Virginia's health regulatory boards and the Department of Health Professions (DHP). DHP, and the 12 health regulatory boards for which the department provides staff support, have the responsibility for ensuring the safe and competent delivery of health care services through the regulation of health professions.

This review was conducted in two phases. The first phase included a review of licensing and rule-making functions of the boards, composition and structure of the boards, financial responsibilities of the boards and DHP, and the role of the Board of Health Professions. The second phase review focused on the disciplinary system used by the boards and the department. The findings from the first phase were presented in an interim report.

The second phase of the study found that aspects of the disciplinary process work well. The quality of the work by DHP and board staff is generally good, and the system developed to process and adjudicate cases is effective. However, there are some areas in which policy and statutory changes are needed to improve the process. In addition, the inspection program does not meet stated goals and may not provide for adequate drug control. The report contains recommendations to address these concerns.

The report identifies several concerns regarding the time required to process disciplinary cases. Most boards take in excess of one year on average to resolve disciplinary cases, and the Boards of Medicine and Psychology take in excess of two years on average. The report also found that many of the cases that took too long to resolve involved serious misconduct by a practitioner, and the delay in resolving these cases created unreasonable and unacceptable risks to public protection and public safety. Recommendations to improve case processing time are provided.

The study also found that the Board of Medicine does not adequately protect the public from substandard care by physicians. With the current gross negligence standard for taking action, the Board of Medicine rarely sanctions physicians for standard of care violations. In addition, the Board of Medicine does not adequately handle medical malpractice payment reports. The report recommends that the General Assembly consider amending the *Code of Virginia* to define negligent practice (rather than the current standard of "gross negligence") as a violation of law. Recommendations are also provided to improve the process for handling medical malpractice complaints.

This recently-published study has been distributed to the General Assembly for its consideration during the 2000 Session.

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## Review of Air Medevac Services in Virginia

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### *Summary*

The 1998 Appropriations Act directed JLARC to study the air medevac system in Virginia. The study was prompted by concerns about the adequacy of funding for air medevac providers and about continued availability of the service state-wide.

This study found that air medevac coverage is adequate in most areas of the State. However, the study found some inconsistencies in service that should be addressed. The location of the helipad for MCV Hospitals should be moved to a more appropriate site closer to the emergency room. Additionally, the Department of State Police should arrange for two medical crew members, the industry standard, upon acquiring a larger helicopter for its MedFlight I service.

In terms of the adequacy of funding, the review found that while commercial providers reported operating at a loss, it appeared unnecessary for the State to subsidize the commercial providers. Because there was a concern as to whether all programs could remain in operation over the long term, the study recommended that the Health Department and the State Police should develop a contingency plan for the continuation of air medevac services in any part of the State which lost service. Further, the Department of Health needed to strengthen planning and coordination activities for the air medevac system. Necessary steps would include reviewing the regulations governing air medevac and updating the statutorily required statewide Emergency Medical Services plan.

This recently-completed study will be available for consideration by the 2000 Session of the General Assembly.

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## Competitive Procurement of State Printing Contracts

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### *Summary*

HJR 810 of the 1999 Session directed JLARC to examine the competitive sealed bidding procedures used by the Department of General Services' Division of Purchases and Supply (DPS) in procuring printing goods for State agencies. A primary concern was whether Virginia firms receive an adequate share of State printing contracts.

In calendar year 1998, State agencies spent in excess of \$36.1 million for printing-related work by the private sector. Review of DPS procurement files and agency payments to printing vendors revealed that most State agency printing is being performed by printers located in Virginia. JLARC staff found that 64 percent of all printing contracts procured through competitive sealed bidding were awarded to firms located in Virginia. Correspondingly, 66 percent of the dollar value of all competitive sealed bidding contracts was awarded to Virginia printers.

Overall, JLARC staff found that the procurement process for printing works well, and DPS' practices appear sound. However, some procedural improvements could be made to better reflect the intent of the Virginia Public Procurement Act. For example, DPS needs to work with the printing trade association to improve printers' access to State work, including encouraging more firms to register with DPS. The report also contains recommendations to improve the timeliness of job completion by Virginia Correctional Enterprises (VCE), the mandatory source for State agency printing.

The Department of General Services has recently responded that it supports the study recommendations related to DPS. Further, VCE has acknowledged that timeliness should be improved and has begun an assessment to identify remedial measures.

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# OTHER OVERSIGHT ACTIVITIES

*In addition to the legislative studies assigned to the Commission each year by the General Assembly, JLARC staff are involved in a number of additional oversight efforts and related activities on an ongoing basis. This section describes a number of such activities.*

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## New Legislative Fiscal Analysis Section Initiated

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**Background** In 1998, the Joint Commission on the Commonwealth's Planning and Budget Process proposed housing a small fiscal analysis unit within JLARC. As proposed, this unit would review fiscal impact statements prepared by the executive branch during legislative sessions and monitor key expenditure forecasts between sessions.

During the 1999 Session, the General Assembly adopted an amendment to the Appropriation Act creating this new section. Specifically, the Act appropriated funds to JLARC and provided that:

“Out of this appropriation, funds are provided to expand the technical support staff of the Joint Legislative Audit and Review Commission, in order to assist with legislative fiscal impact analysis when an impact statement is referred from the chairman of a standing committee of the House or Senate, and to conduct oversight of the expenditure forecasting process. Pursuant to existing statutory authority, all agencies of the Commonwealth shall provide access to information necessary to accomplish these duties.”

A three-person “JLARC Fiscal Analysis Section” is currently being organized to provide the legislature with this technical fiscal analysis capability. The Section will consist of a section manager and two fiscal analysts. The unit will be under the direction of the JLARC Deputy Director and will receive technical support from JLARC's Chief Methodologist.

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**Purpose** The purpose of the Fiscal Analysis Section is to provide the legislature with technical expertise in the areas of fiscal impact estimation and expenditure forecasting. Previously, the budget environment required the General Assembly to rely on the executive branch for these functions.

The Fiscal Analysis Section has two primary responsibilities:

- ❑ During legislative sessions, at the request of House and Senate committee chairs, the Section will review fiscal impact statements prepared by the executive branch.

Depending on the results of the reviews, the Section may determine the need to prepare alternative fiscal impact statements for the General Assembly.

- ❑ Between legislative sessions, the Section will monitor key executive branch expenditure forecasts. Initially, the Section will conduct a review of the existing expenditure forecasting methodologies used by the executive branch. Based on the results of this review, the Section will determine whether there is a need to develop alternative expenditure forecasts for the General Assembly. The Section will periodically report to JLARC and the legislative committees on these key forecasts, as requested. It will also undertake related fiscal analyses assigned by the legislature.

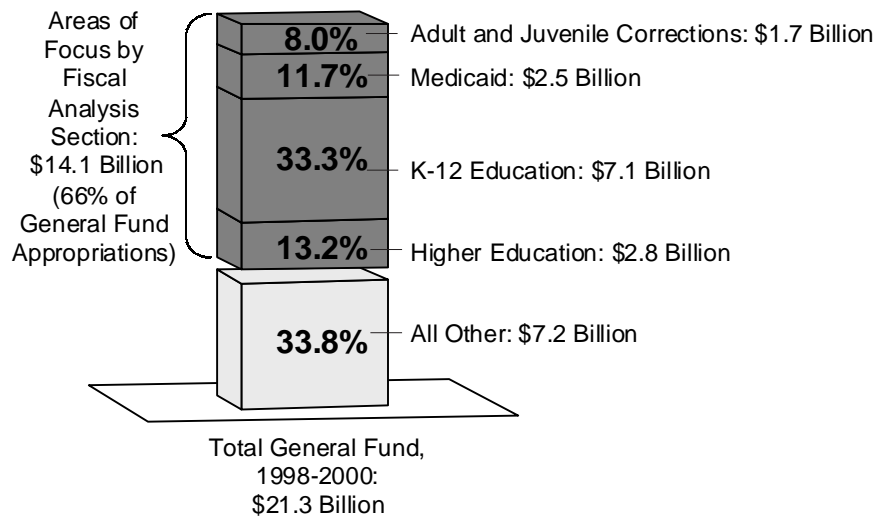
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***Analytical  
Focus***

The Section will respond to requests by committee chairs to review fiscal impact statements on areas related to government expenditures. In terms of forecasting, the Section will focus on the four subject areas which are the principal “drivers” for the general fund portion of the Commonwealth’s budget:

- ❑ ***Inmate population forecasts.*** These forecasts include State-responsible adult, local-responsible adult, and juvenile correctional facility inmate populations. The forecasts are generated by the Secretary of Public Safety through a consensus method using two committees — a Technical Committee and a Policy Committee. The Technical Committee assesses competing quantitative models, which make projections based upon past trends and patterns, and presents projections from the selected model to the Policy Committee. (A JLARC staff member currently serves on the Technical Committee.) The Policy Committee examines these projections in light of policy issues that are likely to affect future inmate populations.
- ❑ ***Medicaid expenditure forecasts.*** Eighty percent of total Medicaid program expenditures are reimbursements for five types of services: hospital services, nursing facility services, mental health and mental retardation services, physician services, and pharmacy services. Both the Department of Medical Assistance Services and the Department of Planning and Budget (DPB) provide independent forecasts of these expenditure categories.
- ❑ ***Primary and secondary student enrollment forecasts.*** The Department of Education provides the student enrollment forecasts for primary and secondary education. These forecasts are part of a larger model which determines the minimum funding level required to meet the Commonwealth’s Standards of Quality. The General Assembly usually provides more than the minimum level required to meet the Standards of Quality criteria.
- ❑ ***Higher education enrollment projections.*** The State Council for Higher Education in Virginia works with the State higher education institutions to develop enrollment projections. Recently, DPB has become involved in the generation of these projections, as well.

The graphic on the next page shows the impacts of these four areas on the State general fund.



***Establishment of the Section***

Since the passage of the 1999 Appropriation Act, JLARC has been working to establish the Fiscal Analysis Section. The Commission, during its April planning meeting, approved a basic plan for the new unit. A Section Manager has been hired and two analyst positions, including an economist, have been filled. In addition, the Section will likely be augmented during the session by both an intern and JLARC research staff, as necessary, to assist in the review and preparation of fiscal impact statements.

During its first year of operation, the Section will concentrate on preparing for the 2000 Session. Section members and other JLARC staff, as assigned, will familiarize themselves with the fiscal impact statement process, key expenditure forecasts, and other issues that may be assigned to the Fiscal Analysis Section. Prior to the 2000 Session, the Section will prepare an analysis of each of the four major expenditure forecasts. These analyses will be primarily descriptive, although they may highlight any potential weaknesses found in the models. During the session, the focus will be on reviewing fiscal impact statements and responding to other related requests. After the session, the Section will continue to evaluate the forecasts and determine whether alternative forecasts in these areas are required for the General Assembly.

With the establishment of the Fiscal Analysis Section, the General Assembly will be in a better position to assess the potential fiscal impacts of specific legislative proposals, as well as the anticipated magnitude of major spending items.

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## Virginia Retirement System Oversight

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**Background** Given that the General Assembly is constitutionally required to maintain a retirement system for public employees, the availability of accurate and timely information about the Virginia Retirement System (VRS) is essential. In 1994, JLARC completed a series of comprehensive studies on VRS, examining the agency's structure and governance, as well as its investment and benefit programs. A number of improvements to the system were achieved through implementation of study recommendations, as has been chronicled in previous editions of this *Report to the General Assembly*.

Perhaps the most significant recommendation implemented — with the approval of the 1995 and 1996 Sessions and the public at large in November 1996 — was a constitutional amendment which defined VRS funds as independent trusts. This change provided greater protection to VRS assets by creating stronger legal safeguards.

To help ensure accountability of VRS activities to the Legislature, the 1994 General Assembly passed the *Virginia Retirement System Oversight Act*. This act requires JLARC to oversee and evaluate VRS on a continuing basis.

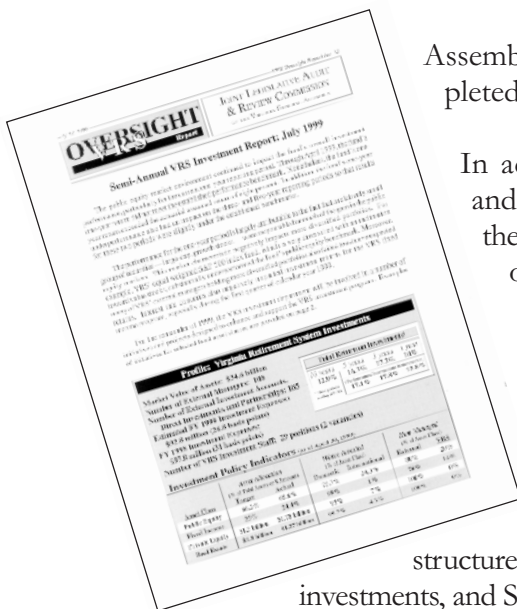
The objectives of retirement system oversight are:

- ☐ provide timely, accurate information about the retirement system to the General Assembly,
- ☐ assess the appropriateness of the structure of governance for the retirement system and recommend modifications to the structure as necessary,
- ☐ evaluate on a periodic basis the soundness of the retirement system trust funds,
- ☐ evaluate the performance of the VRS investment program and report to the General Assembly on any significant changes in the investment program, and
- ☐ evaluate the efficiency and effectiveness of VRS administration and operations.

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**Update** JLARC and VRS staff work cooperatively under the Oversight Act to keep the General Assembly informed on all emerging and ongoing issues. JLARC staff attend the monthly meetings of the VRS Board of Trustees and the Investment Advisory Committee. Staff also periodically attend meetings of the administration and personnel, benefits and actuarial, and audit committees of the VRS Board of Trustees.

An important tool developed as part of JLARC's oversight responsibilities is a special periodical called *VRS Oversight Report*, which is researched and produced semiannually by JLARC staff and distributed to all members of the General



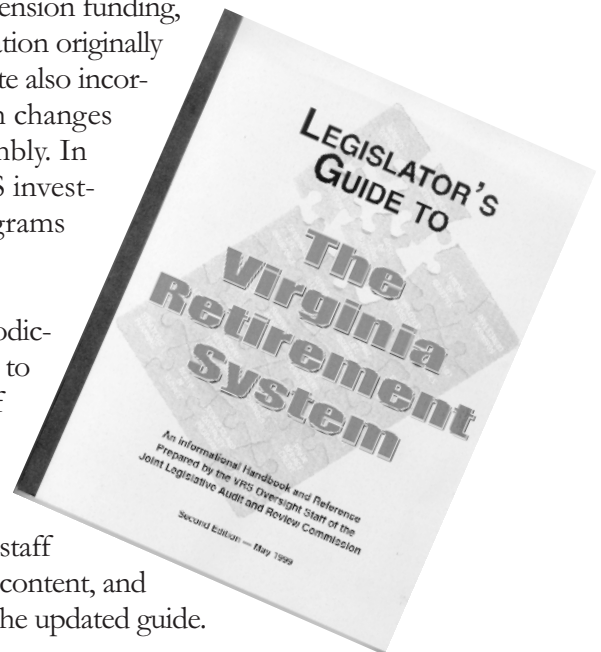
Assembly. To date, 12 issues of the oversight report have been completed, typically focusing on the VRS investment program.

In addition, the *Code of Virginia* requires that JLARC prepare and maintain an informational guide to VRS for the members of the General Assembly. JLARC staff have produced a compendium of useful information especially designed for legislators, titled *A Legislator's Guide to the Virginia Retirement System*. The first edition of this well-received reference was distributed in May 1996.

In May 1999, JLARC staff completed and distributed the second edition of the *Legislator's Guide*. The new edition updates the information related to the VRS administrative

structure, benefit programs, pension funding, investments, and State retirement legislation originally presented in the 1996 edition. The update also incorporates the numerous benefit program changes authorized by the 1999 General Assembly. In addition, new information on the VRS investment and deferred compensation programs has been included.

The *Legislator's Guide* will be revised periodically to continue enhancing its usefulness to the General Assembly. In furtherance of this, the version of the guide maintained on the JLARC Internet website (<http://jlarc.state.va.us>) will be updated as new information becomes available. JLARC staff welcome any comments on the format, content, and usefulness of the material contained in the updated guide.



## Monitoring of Internal Service Funds

JLARC monitors internal service funds on a continuing basis. The Commission reviews the status of fund accounts, and evaluates requests to change the nature and scope of the services provided or the customers served. The Commission also approves in advance the rates employed by fund managers for billing customer agencies. Eleven internal service funds are now monitored by JLARC:

1. The **Virginia Distribution Center** (Department of General Services) stores and distributes various goods such as canned foods, paints, paper products, and cleaning supplies to State agencies, local governments, and school divisions.

2. The **Office of Graphic Communications** (Department of General Services) provides graphic design, layout, photography, and typesetting services to State agencies.
3. The **Maintenance and Repair Program** (Department of General Services) implements the rental plan or special maintenance agreements between DGS and entities whose office space is located at the seat of government.
4. The **State Surplus Property Operation** (Department of General Services) manages and disposes of surplus property for State agencies and institutions.
5. The **Federal Surplus Property Operation** (Department of General Services) acquires and distributes federal surplus property.
6. The **Consolidated Laboratory Services** account for laboratory analyses provided for the Department of Environmental Quality and the Department of Agriculture and Consumer Services and for the testing of motor fuels for the Virginia Department of Transportation and of drinking water samples for public water works.
7. The **Real Property Program** manages transactions involving the sale of State-owned real property.
8. The **Computer Services Division** (Department of Information Technology) provides data processing services to State agencies.
9. The **Systems Development Division** (Department of Information Technology) provides automated systems design, development, and maintenance services to State agencies.
10. The **Telecommunications Division** (Department of Information Technology) provides telephone and data transmission services to State agencies.
11. The **Division of Fleet Management** (Department of Transportation) operates the State's car pool and manages the fleet of passenger vehicles.

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## Inmate Forecast Technical Committee

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Legislation passed during the 1995 Session requires the development of a prison population forecast based on a consensus forecasting process. The Act provides for the establishment of a technical forecast group comprised of representatives from the Department of Corrections, the Department of Criminal Justice Services, the Virginia Criminal Sentencing Commission, the Joint Legislative Audit and Review Commission, and such experts as shall be appointed by the Secretary of Public Safety from the fields of criminal justice, population forecasting or other appropriate field of study as may be deemed necessary. The Secretary of

Public Safety acts as chairman of the technical advisory group. The staff methodologist represents JLARC in reviewing the development of forecast methodologies and alternative forecasts of the State's prison and jail populations.

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## **Debt Capacity Advisory Committee**

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The JLARC Director is a member of the Debt Capacity Advisory Committee created by the 1994 General Assembly. The Committee is required to review the size and condition of the Commonwealth's tax supported debt and submit to the Governor and General Assembly an estimate of the maximum amount of new tax-supported debt that prudently may be authorized for the next biennium. If necessary, the Director submits an informational memorandum to the chairs of the money committees.

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## **Review of DPB Performance Measures Project**

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Since 1990, the Department of Planning and Budget (DPB) has been developing performance measures for use by Virginia State agencies. Legislative encouragement of this project has been expressed since the 1992 Appropriation Act mandated a pilot performance measures program. DPB has submitted draft measures to JLARC staff for review and comment. The 1998 Appropriation Act directs JLARC to review and comment on DPB's development of performance measures.

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## **DSS Local Information Technology Planning Committee**

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The 1998 Appropriation Act continues the Local Information Technology Planning Committee to provide oversight of automated systems at the Department of Social Services. JLARC is designated as one of five State agencies with membership on the committee, along with five local social service agencies. The chief of one of JLARC's research divisions serves as the JLARC member of the committee. The committee meets monthly.

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## **Competition Council Evaluation Team**

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At the invitation of the Commonwealth Competition Council, JLARC staff participate in the Competition Council evaluation team, which reviews proposals for privatization of State agency programs and functions.

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## Juvenile Sentencing Study Advisory Committee

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The Virginia Criminal Sentencing Commission in 1997 established an advisory committee on the issue of juvenile sentencing. The role of the advisory committee is to design and create a database of sentenced juveniles that can be used in analyzing issues such as recidivism and sentencing practices. The team leader of JLARC's study series on juvenile justice issues was appointed to serve on the Juvenile Sentencing Study Advisory Committee.

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## Welfare Reform Follow-Up

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The 1999 Appropriation Act directed JLARC to conduct an annual follow-up of the labor market experiences of welfare recipients using the sample from the 1998 JLARC study. Study issues include a review of the labor market experiences and welfare participation rates of VIEW-mandatory recipients over the two-year period since they were assessed for participation in VIEW.

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## JLARC's Internet Site: <http://jlarc.state.va.us>

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Since 1996, the Commission has maintained a World Wide Web internet site to distribute publications and to make other information available to the public. In 1999, the JLARC site was redesigned to improve ease of navigation and to reduce the time necessary to download and display pages. The Web site allows visitors to:

- read summaries of JLARC studies on-line
- perform complete downloads of all reports published since 1994 in the popular PDF format for printing at home
- easily order printed reports for quick receipt through the mail,
- check the schedule of Commission meetings for the year,
- view short bios of Commission members, complete with photos,
- check staff employment opportunities,
- print a map of the JLARC office location,
- read about the legislative and fiscal impacts of JLARC reports, as well as national honors and awards won by the Commission and its staff,

- use a periodically-updated guide to Virginia Retirement System benefits and programs as an on-line reference, and
- link from the JLARC home page to the Virginia General Assembly, VRS, other State agencies and Virginia sites, oversight agencies of other states, U.S. government agencies, and search engines.

JLARC's extensive list of publications is organized chronologically and by subject area to aid users in finding materials of interest. The site also includes JLARC's



Sample  
pages from  
the JLARC  
web site

## Virginia Evaluation Information Online

A Service of the Virginia General Assembly  
Joint Legislative Audit and Review Commission

### Announcements



#### New Report Available

The memo "Preliminary Inquiry: Identify Water Toxic Problems available. Click [here](#) to download response by DEQ is available [here](#)



#### 1999 JLARC Workplan

The 1999 Workplan summarizes JLARC prior to the 2000 Session. Click [here](#) to download the Workplan



#### Employment Opportunities

JLARC is seeking a qualified individual for a position with fiscal impact and expenditure for information about employment



#### CD-ROM Now Available

The second edition of JLARC published between October 1994 and October 1995 is now available. The reports are in PDF format. Click [here](#) to order your copy



### Index of JLARC Report Summaries (Online)

The following Report Summaries are available online:

- [Review of the Virginia Retirement System](#), January 1994
- [The Virginia Retirement System's Investment in the RF&P Corporation](#), December 1993
- [Review of the State's Group Life Insurance Program for Public Employees](#), January 1994
- [Review of State-Owned Real Property](#), October 1994
- [Review of Regional Planning District Commissions in Virginia](#), November 1994
- [Review of the Involuntary Commitment Process](#), December 1994
- [Oversight of Health and Safety Conditions in Local Jails](#), December 1994
- [Solid Waste Facility Management in Virginia: Impact on Minority Communities](#), January 1995
- [Review of the State Council of Higher Education for Virginia](#), January 1995
- [Costs of Expanding Coastal Zone Management in Virginia](#), February 1995
- [Review of Capital Outlay in Higher Education](#), June 1995
- [The Concept of Benchmarking for Future Government Actions](#), July 1995
- [Follow-Up Review of Community Action in Virginia](#), September 1995
- [The Cost of Competing in Standards of Quality Funding](#), October 1995
- [Review of Jail Oversight and Reporting Activities](#), October 1995
- [Funding Incentives for Reducing Jail Populations](#), October 1995
- [Juvenile Delinquents and Status Offenders: Court Processing and Outcomes](#), December 1995
- [Review of the Virginia State Bar](#), December 1995

### On-Line Order Form

This form can be used to order any JLARC report currently in print. Reports listed as *Out of Stock* or *In Short Supply* cannot be ordered with this electronic order form. You may order up to **three** reports on this form. Please allow two weeks for receipt of your order. Confirmations of orders are not provided.

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Telephone:

statutory authority and a discussion of the research process. New informational features are planned for the year 2000.

To say that the site has been a success would be an understatement. In its first year, it garnered a four-star rating from Magellan. More importantly, the site is receiving an impressive number of visitors -- more than 2,000 a month. Further, each month more than 300 reports are downloaded, and about 1,000 summaries are read on-line. In addition to disseminating the Commission's work to interested citizens, an added benefit is the potential for reducing publication costs as fewer "hard" copies of JLARC reports are needed.

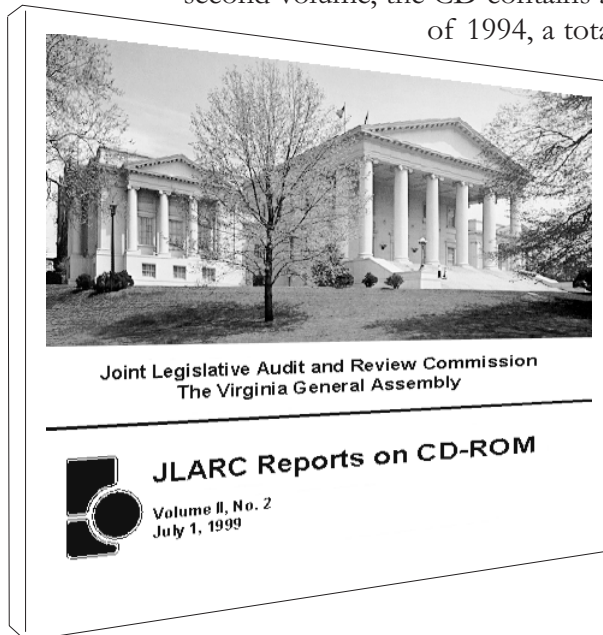
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## JLARC Reports Available on CD-ROM

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In October 1998, JLARC began to publish reports on CD-ROM. Now in its second volume, the CD contains all studies produced by JLARC since October of 1994, a total of 68 reports. The reports are in PDF format, and can be selected from an index with

any Internet Web browser. As with the Web site downloads, the cost-effective CD-ROM is helping to reduce JLARC publication and report mailing costs.



# BIBLIOGRAPHY:

## Cumulative Index & Capsule Summaries of Published Reports & Work in Progress

This section of the *Report to the General Assembly* complies with JLARC's enabling statutes, which require the Commission to periodically list all published reports in an annotated bibliography. More than 230 studies are listed herein, **grouped by the major subject areas** of Virginia State government. Within each area, the reports are listed by date of publication, **beginning with the most recent** and including any studies in progress. The nine subject areas and their order are:

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### Administration of Justice

#### Work in Progress

**Review of Regional Criminal Justice Training Academy Boundaries** (*Planning date for briefing: October 1999*) Senate Joint Resolution 411 of the 1999 Session directs JLARC, with the assistance of the Department of Criminal Justice Services, to study methods to standardize the membership of the regional criminal justice training academies. This is a follow-up review, based on a recommendation from the 1998 JLARC review of the training academies. The study will examine the feasibility of establishing permanent service regions for the academies and a standard process for police agencies to join and withdraw from academy membership.

**Review of Regional Criminal Justice Training Academies**, January 1999 (*House Document 28 of the 1999 Session, authorized by House Joint Resolution 285 of the 1998 Session*), 56 pp. A review of entry-level law enforcement training provided by the ten regional academies. Also assesses the efforts of the Department of Criminal Justice Services to upgrade and standardize the curriculum, training, and testing of entry level law enforcement officers.

**Review of DOC Nonsecurity Staffing and the Inmate Programming Schedule**, December 1997 (*House Document 39 of the 1998 Session,*

*authorized by HJR 115 of the 1996 Session*), 150 pp. A review of the non-security staffing needs of the Department of Corrections. Includes a review of administrative, health services, and treatment services staff. The report also examines the number of hours of work or other programming provided for inmates. A special review of selected issues related to information systems in DOC is also included.

**Review of the Department of Corrections' Inmate Telephone System**, January 1997 (*House Document No. 70 of the 1997 Session, authorized by Item 14I of the 1996 Appropriation Act*), 60 pp. This report examines the telephone system used by inmates in Virginia's correctional institutions, with a focus on the costs and rates charged for use, the financial impact on recipients of calls from inmates, and the need for independent oversight of the system. The report includes comparisons with policies in other states. Recommendations relate to rates charged and administration of the telephone service contract.

**The Operation and Impact of Juvenile Corrections Services in Virginia**, January 1997 (*Senate Document No. 19 of the 1997 Session, authorized by Senate Joint Resolution 263 of the 1995 Session*), 102 pp. Second report on juvenile corrections in Virginia, which focuses on the performance of juvenile corrections facilities managed by the Department of Juvenile Justice. The

report includes recommendations related to population management practices, rehabilitation programs, long-range planning, and program oversight.

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**Review of the Magistrate System in Virginia, August 1996** (*House Document No. 11 of the 1997 Session, authorized by House Joint Resolutions 403 and 532 and Senate Joint Resolution 374 of the 1995 Session*), 92 pp. Presents findings and recommendations related to the establishment of a full-time magistrate system, the adequacy of compensation for magistrates, and the potential for increased use of videoconferencing by magistrates. The report also addresses issues related to oversight of the system by the Supreme Court.

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**Review of the Virginia State Bar, December 1995** (*Senate Document No. 15 of the 1996 Session, authorized by Senate Joint Resolution 263 of the 1995 Session*), 128 pp. A comprehensive review of the Virginia State Bar, focusing on funding of the Bar from member fees, structure and implementation of the disciplinary system for attorneys, and the future mission and role of the Bar. The report examines the need for balance between the Bar's regulatory mission to protect the public and its association-like activities which serve attorneys.

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**Juvenile Delinquents and Status Offenders: Court Processing and Outcomes, December 1995** (*Senate Document No. 14 of the 1996 Session, authorized by Senate Joint Resolution 263 of the 1995 Session*), 136 pp. First report from a review of juvenile justice in Virginia, conducted in two phases. This report focuses on court processing and outcomes for juvenile delinquents and status offenders. Includes an analysis of 3,000 court files examined in court service units across the State.

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**Funding Incentives for Reducing Jail Populations, October 1995** (*House Document No. 9 of the 1996 Session, authorized by Item 15 G of the 1995 Appropriation Act*), 36 pp. Examines the use of funding incentives to reduce the number of misdemeanants and inmates awaiting trial held in local and regional jails. Includes examples of revised funding methods and estimates of State savings.

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**Review of Jail Oversight and Reporting Activities, October 1995** (*House Document No. 8 of the 1996 Session, authorized by Item 15F of the 1995 Appropriation Act*), 68 pp. An evaluation of the jail oversight and reporting activities

of the Department of Corrections, including an assessment of the most appropriate organizational placement of these activities. Also includes a follow-up of selected recommendations from the 1994 JLARC review of health and safety conditions in local and regional jails.

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**Oversight of Health and Safety Conditions in Local Jails, December 1994** (*Senate Document 17 of the 1995 Session, authorized by Senate Joint Resolution 91 of the 1994 Session*), 82 pp. Assesses the effectiveness of the Department of Corrections in ensuring appropriate health and safety conditions in jails. Considers current DOC standards, the effects of overcrowding, and the roles of the Department of Health and the Department of Youth and Family Services.

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**Review of Inmate Medical Care and DOC Management of Health Services, October 1993** (*House Document 10 of the 1994 Session, authorized by Item 15 of the 1992 Appropriation Act*), 154 pp. A report in a series inmate health care. Focuses on the Department of Corrections' management and delivery of inmate medical care, including inmate access to care, cost-saving opportunities, and DOC attempts at privatization.

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**Evaluation of Inmate Mental Health Care, October 1993** (*House Document 5 of the 1994 Session, authorized by Item 15 of the 1992 Appropriation Act*), 56 pp. A report in a series inmate health care. Assesses cost effectiveness and adequacy of mental health services provided to inmates, and identifies options for restraining growth of costs and improving treatment delivery.

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**Interim Report: Review of Inmate Dental Care, January 1993** (*House Document 52 of the 1993 Session, authorized by the 1992 Appropriation Act*), 54 pp. A report in a series on inmate health care. Focuses on the dental care provided inmates by the Department of Corrections, including internal resources, service and cost monitoring, use of outside providers, and central office oversight.

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**Substance Abuse and Sex Offender Treatment Services for Parole Eligible Inmates, September 1991** (*Senate Document 8 of the 1992 Session, authorized by the Commission as an extension of the July 1991 Parole Study*), 60 pp. Assesses the delivery and adequacy of treatment programs for sex offenders and substance abusers incarcerated in Virginia's prisons, including the assessment process, counselor training, policy concerns, and linkages to parole.

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**Review of Virginia's Parole Process, July 1991** (*Senate Document 4 of the 1992 Session, authorized by Senate Joint Resolution 26 of the 1990 Session*), 98 pp. Examines Virginia's parole rates and the activities of the Parole Board and the Department of Corrections in administering the parole review process.

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**Review of the Division of Crime Victims' Compensation, December 1988** (*House Document No. 17 of the 1989 Session, authorized by House Joint Resolution 184 of the 1988 Session*) 106 pp. Reviewed the Crime Victims' Compensation program within the Department of Workers' Compensation, focusing on improving the administration of the CVC Act, particularly the processing of crime victims' claims.

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**Funds Held in Trust by Circuit Courts, December 1987** (*Senate Document 19 of the 1988 Session, authorized by Senate Joint Resolution 147 of the 1987 Session*) 96 pp. Examined funds held in trust by general receivers and clerks of the court, determined the total amount of moneys held in trust, assessed current practices of administering the funds, and made recommendations to modify and improve the system.

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**Correctional Issues in Virginia: Final Summary Report, December 1986** (*House Document No. 18, authorized by the 1983-86 Appropriations Acts*) 48 pp. Ninth and final report in the series, focused on the "big picture" in corrections, and synthesized the findings from previous studies.

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**Local Jail Capacity and Population Forecast, December 1986** (*House Document No. 16 of the 1987 Session, authorized by the 1983-86 Appropriations Acts*) 96 pp. A report in a series on correctional issues. Examines local and State inmate population forecasts, and alternatives for dealing with growing prison and jail populations. Assessed the capacity of local jails.

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**The Capital Outlay Planning Process and Prison Design in the Department of Corrections, December 1986** (*House Document No. 12 of the 1987 Session, authorized by the 1983-86 Appropriations Act*) 78 pp. A report in a series of corrections issues, evaluated the effectiveness of DOC's capital outlay planning process, prison designs, and maintenance programs.

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**Staffing in Virginia's Adult Prisons and Field Units, August 1986** (*House Document No. 2 of*

*the 1987 Session, authorized by the 1983-85 Appropriations Acts*) 166 pp. A report in a series on corrections issues, assessed nonsecurity staffing in the 15 major institutions, and both nonsecurity and security staffing in the 26 field units.

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**Staff and Facility Utilization by the Department of Correctional Education, February 1986** (*House Document No. 32 of the 1986 Session, authorized by Item 618 of the 1985 Appropriations Act*) 134 pp. Evaluated the effectiveness of DCE's programs and the adequacy of staff and facilities to carry out these programs.

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**Security Staffing and Procedures in Virginia's Prisons, July 1985** (*House Document No. 3 of the 1986 Session, authorized by the 1983 Appropriations Act and amended by the 1984 Session*) 300 pp. Examined staffing practices and security procedures both at the system level and in each of Virginia's 15 major correctional facilities.

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**Virginia's Correctional System: Population Forecasting and Capacity, April 1985** (*House Document 35 of the 1985 Session, authorized by the 1984 Appropriations Act*) 174 pp. Calculated the capacity of State prisons and field units. Reviewed DOC's population forecasting model and procedures.

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**The Community Diversion Incentive Program of the Virginia Department of Corrections, April 1985** (*House Document 35 of the 1985 Session, authorized by the 1984 Appropriations Act*) 174 pp. Reviewed the effectiveness of the CDI programs designed to divert offenders from State prisons and local jails.

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**Interim Report: Central and Regional Staffing in the Department of Corrections, May 1984** (*House Document No. 41, authorized by Item 545.1 of the 1983 Appropriations Act and amended by the 1984 session*) 275 pp. Examined the utilization and need within the department for existing and anticipated central office and regional staff. This was the first in a series of related reports examining corrections.

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**Program Evaluation: Virginia Drug Abuse Control Programs, October 1975** (*authorized by Section 30-58.1, Code of Virginia*) 201 pp. Evaluated education, law enforcement, adjudication, treatment, and other control functions of the State's drug abuse programs.

## Commerce and Economic Development

### Work in Progress

**Review of the Virginia Housing Development Authority** (*Planning date for briefing: summer 2000*) House Joint Resolution 731 of the 1999 Session directs JLARC to study the various programs of the Virginia Housing Development Authority. The study mandate specifically directs that the review include an evaluation of the Section 8 program and a determination if the programs administered by VHDA address the housing needs of low and moderate income Virginians. The review will also examine the performance, operation, management, and organization of VHDA. The Virginia Housing Study Commission is to assist JLARC in this study

**Review of the Virginia Fair Housing Office, February 1998** (*House Document No. 76 of the 1998 Session, authorized by Item 14N of the 1997 Appropriation Act*), 101 pp. Presents findings and recommendations concerning the Virginia Fair Housing Office, including reviews of complaint processing, conciliation, and investigation. Recommendations for an administrative hearing process are also included.

**Review Committee Report on the Performance and Potential of the Center for Innovative Technology, December 1992** (*Senate Document 16 of the 1993 Session, authorized by the 1992 Appropriation Act*), 32 pp. Review of CIT's mission, programs, governance, and accountability by an independent review committee, which was provided support jointly by staff from JLARC and the Department of Planning and Budget.

**Catalog of Virginia's Economic Development Organizations and Programs, February 1991** (*Authorized by House Joint Resolution 262 of the 1989 Session*) 121 pp. Companion document to *Review of Economic Development in Virginia*. Compilation of information on the hundreds of State and non-State entities involved in economic development.

**Review of Economic Development in Virginia, January 1991** (*House Document 39 of the 1991 Session, authorized by House Joint Resolution 262 of the 1989 Session*) 139 pp. Reviews Virginia's economic development policies and the

organization, operations, management, and performance of the Department of Economic Development.

**Interim Report: Economic Development in Virginia, January 1990** (*authorized by House Joint Resolution 262 of the 1989 Session*) 62 pp. One of three interrelated reports, this special publication consists of invited papers by national authorities on economic development who made presentations to a JLARC workshop, plus an overview of the study activities leading to the other reports in the series.

**Special Report: Cousteau Ocean Center, January 1986** (*Senate Document 13 of the 1986 Session, authorized by the Commission under Section 4-5.07 of the Appropriations Act*) 22 pp. A special audit of the Cousteau Ocean Center project. Examined the reasonableness of the project's planning and design, and the applicability of the Public Procurement Act.

**The Virginia Housing Development Authority, October 1985** (*Senate Document No. 6 of the 1986 Session, authorized by Senate Joint Resolution 7 of the 1984 Session*) 110 pp. Evaluated programs, operations, and management of VHDA. Assessed the extent to which the Authority's programs have benefited persons of low and moderate income.

**The Occupational and Professional Regulatory System in Virginia, December 1982** (*Senate Document No. 3 of the 1983 Session, authorized by Senate Joint Resolution 50 of the 1980 Session*) 136 pp. Evaluated Virginia's system for occupational regulation, including 29 regulatory boards, the Board and Department of Commerce, and the Commission and Department of Health Regulatory Boards. Reviewed administrative rulemaking, enforcement of laws and regulations, and selected aspects of agency management.

**Occupational and Professional Regulatory Boards in Virginia, January 1982** (*Senate Document No. 29 of the 1982 Session, authorized by Senate Joint Resolution 50 of the 1980 Session*) 163 pp. Examined occupational and professional regulatory boards in Virginia. Provided baseline data on each board and areas of special legislative interest.

## Education

### Work in Progress

**Review of Student Financial Aid** (*Planning date for briefing: September 1999*) Item 16J of the 1999 Appropriation Act directed JLARC to review the policies and administration of two types of student financial aid programs: (1) need-based financial aid, and (2) merit scholarships and incentive scholarships. The study mandate states that the objective of the study is "the development of a financial aid system that is both fair to students, and complementary to the Commonwealth's tuition policy." This study uses a policy analysis framework, which consists of four steps. First, the available alternatives for these types of programs are identified. Second, the goals and objectives for these types of programs are identified. Third, the criteria for assessing the alternatives are selected and prioritized. And fourth, the most desirable alternatives are evaluated in more detail.

**Technical Report: The Cost of Competing in Standards of Quality Funding**, *October 1995* (Senate Document No. 8 of the 1996 Session, authorized by Item 15 of the 1995 Appropriation Act), 70 pp. Examines the cost of competing adjustment for personnel in Northern Virginia school divisions. Examines evidence indicating that a cost of competing adjustment is still needed, and alternative options available for refining the adjustment.

**Review of Capital Outlay in Higher Education**, *June 1995* (Senate Document 3 of the 1996 Session, authorized by Senate Joint Resolution 135 of the 1989 Session), 84 pp. A report in a series on higher education. Examines the capital outlay process as it applies to higher education, including master planning, the roles played by the various involved agencies, and maintenance needs.

**Review of the State Council of Higher Education for Virginia**, *January 1995* (Senate Document 36 of the 1995 Session, authorized by Senate Joint Resolution 18 of the 1988 Session and SJR 135 of the 1989 Session), 86 pp. Focuses on SCHEV's coordinative roles in higher education, including system oversight, enrollment projections, evaluation of program productivity, assessment of student achievement, and student transfer issues.

**The Reorganization of the Department of Education**, *September 1991* (Senate Document 6 of the 1992 Session, authorized by Senate Joint Resolution 57 of the 1990 Session), 90 pp. Assesses the reorganization of the department, including goals, planning, hiring effort, effect on morale, and proposed service delivery mechanisms.

**State Funding of the Regional Vocational Education Centers in Virginia**, *January 1991* (House Document 45 of the 1991 Session, authorized by House Joint Resolution 100 of the 1990 Session) 41 pp. Analyzes the funding of the regional vocational centers, including disbursement methods, expenditure levels, and the proportion of the State commitment.

**Review of the Virginia Community College System**, *September 1990* (Senate Document 4 of the 1991 Session, authorized by Senate Joint Resolution 135 of the 1989 Session) 133 pp. Followed up on JLARC's 1975 review of the VCCS, focusing on operational concerns and setting priorities for the future.

**Special Report: The Lonesome Pine Regional Library System**, *September 1990* (Study approved by the Commission after a request from the State Librarian) 110 pp. Addressed performance and management issues in the system, including communication problems, expenditure priorities, and personnel management.

**Funding the Standards of Quality - Part II: SOQ Costs and Distribution**, *January 1988* (Senate Document 25 of the 1988 Session, authorized by Senate Joint Resolution 35 of the 1982 Session) 104 pp. Second report in a series on elementary and secondary education in Virginia. Whereas the first study (February 1986) reviewed methods for calculating the costs of the SOQ, this study broadened the review to include distribution issues. Methods for calculating SOQ costs were revised, and distribution options were explored.

**Special Report: Collection of Southeastern Americana at the University of Virginia's Alderman Library**, *May 1987* (Performed under the general powers and duties of the Commission as laid out in Section 30-58.1 of the Code of Virginia)

41 pp. Reviewed the procurement and management of a special collection of books at the library, in response to allegations that funds had been inappropriately spent.

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**Funding the Standards of Quality - Part 1: Assessing SOQ Costs, February 1986** (*Senate Document No. 20 of the 1986 Session, authorized by Senate Joint Resolution 35 of the 1982 Session*) 112 pp. First report in a series in response to the findings of the House Joint Resolution 105 Subcommittee. Assessed the costs of implementing existing standards. A comparison report will address concerns related to the equity of distribution of State assistance to the school divisions.

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**Special Report: The Virginia Tech Library System, November 1984** (*House Document No. 6 of the 1985 Session, requested by the Speaker of the House and authorized by the Commission*) 34 pp. Examined the ownership of proprietary rights in the software of a computerized library system, the sharing of royalties with a university employee, and the transfer of the system to the Virginia Tech Foundation for marketing and distribution.

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**Special Report: The Virginia State Library's Contract with The Computer Company, November 1984** (*House Document No. 5 of the 1985 Session, requested by the Speaker of the House and authorized by the Commission*) 34 pp. Examined whether the State Library followed State procedures in awarding the contract to TCC, and whether public libraries were satisfied with the services provided.

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**Special Education in Virginia's Mental Health Facilities, November 1984** (*Senate Document No. 4 of the 1985 Session, authorized by Senate Joint Resolution 13 of the 1983 Session*) 148 pp. Examined eight issues concerned with the operation, funding, and quality of educational programs for children and youths in mental health

facilities operated by the Department of Mental Health and Mental Retardation. (Second of two reports.)

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**Special Education in Virginia's Training Centers for the Mentally Retarded, November 1984** (*Senate Document No. 3 of the 1985 Session, authorized by Senate Joint Resolution 13 of the 1983 Session*) 130 pp. Examined eight issues concerned with the operation, funding, and quality of the educational programs for children and youths in mental retardation facilities operated by the Department of Mental Health and Mental Retardation. (First of two reports).

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**Virginia Polytechnic Institute and State University Extension Division, September 1979** (*authorized by Section 30-58.1, Code of Virginia*) 118 pp. Reviewed the operation and administration of the VPI&SU Extension Division, focusing on program expansion, duplication of effort, and organization and staffing.

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**Program Evaluation: Vocational Rehabilitation, November 1976** (*authorized by Section 30-58.1, Code of Virginia*) 130 pp. Evaluated the vocational rehabilitation programs managed by the Department of Vocational Rehabilitation and the Commission for the Visually Handicapped.

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**Special Report: Certain Financial and General Management Concerns, Virginia Institute of Marine Science, July 1976** (*authorized by Section 30-58.1, Code of Virginia*) 15 pp. A review of VIMS, focusing on financial and management problems.

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**Program Evaluation: The Virginia Community College System, March 1975** (*authorized by Section 30-58.1, Code of Virginia*) 151 pp. Evaluated Virginia's Community College System, and identified administrative and educational issues requiring attention by VCCS, the Council on Higher Education, and the Legislature.

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## Natural Resources and Environment

### Work in Progress

**Revolutionary War Veterans Sites** (*Planning date for briefing of the interim report: December 1999*) Senate Joint Resolution 345 and House Joint Resolution 530 require a JLARC review regarding sites where Revolutionary War veterans are buried. This study is to be conducted with the assistance of the Department of Historic Resources, and in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and other interested associations. For an interim report to the 2000 session of the General Assembly, the study needs to compile a list of sites where veterans are buried. By the conclusion of the review (for the 2001 session), the study also needs to address matters such as: a recommended procedure for adding discovered grave sites to the list; the amount of annual funding that is currently provided; and a recommended "program to restore and preserve all such sites, including the role of public and private entities in such site restoration and preservation."

**Preliminary Inquiry: DEQ and VDH Activities to Identify Water Toxic Problems and Inform the Public**, July 1999 (*Special inquiry, authorized by JLARC at the May 1999 Commission meeting*), memorandum report, 54 pp. An inquiry into the timeliness with which the Department of Environmental Quality and the Department of Health responded to data that raised possible concerns about environmental quality, and the State's performance in making water toxics information available to the public

**Review of the Department of Conservation and Recreation**, February 1998 (*House Document No. 80 of the 1998 Session, authorized by Item 14M of the 1997 Appropriation Act*), 187 pp. This report is a comprehensive review of the Virginia Department of Conservation and Recreation, with a focus on operation of State parks and soil and water conservation programs. An analysis of progress in completing bond projects for State parks is included. The report also addresses the agency's management and support functions.

**Structure of Virginia's Natural Resources Secretariat**, January 1998 (*House Document No. 74 of the 1998 Session, authorized by House Joint*

*Resolution 173 of the 1996 Session and Item 14C of the 1996 Appropriation Act*), 80 pp. Presents findings and recommendations concerning the structure of the State's natural resources functions and the fees used by the natural resource agencies. The report also includes a comparison of Virginia's structure to structures in other states.

**Virginia's Progress Toward Chesapeake Bay Nutrient Reduction Goals**, February 1997 (*House Document No. 73 of the 1997 Session, authorized by Item 14C of the 1996 Appropriation Act*), 98 pp. This report focuses on Virginia's strategy to reduce nutrients from Virginia's portion of the Potomac River Basin and other tributaries to the Chesapeake Bay. The report addresses the appropriateness of the strategy's point and nonpoint source reductions and key issues impacting future nutrient reduction progress.

**Review of the Department of Environmental Quality**, January 1997 (*House Document No. 67 of the 1997 Session, authorized by House Joint Resolution 531 of the 1995 Session*), 213 pp. Final report in a series of three reports on DEQ. This report presents findings and recommendations on the organization, operation, and performance of DEQ, focusing on air and water quality programs. The report includes 56 recommendations to improve DEQ performance and the State's ability to protect its air and water resources.

**Feasibility of Consolidating Virginia's Wildlife Resource Functions**, December 1996 (*House Document No. 44 of the 1997 Session, authorized by Item 15E of the 1995 Appropriation Act and House Joint Resolution No. 173 of the 1996 Session*), 137 pp. This report addresses issues related to the consolidation of functions in wildlife management. The specific focus is on wildlife management responsibilities of the Department of Game and Inland Fisheries, the Virginia Marine Resources Commission, the Department of Conservation and Recreation, and the Virginia Department of Agriculture and Consumer Services. The report includes recommendations to consolidate some functions of these agencies.

**Interim Report: Review of the Department of Environmental Quality**, January 1996 (*House Document 44 of the 1996 Session, authorized by House Joint Resolution 531 of the 1995 Session*),

176 pp. An interim report focusing on the reorganization of the Department of Environmental Quality. The report makes eight recommendations to improve the department's management of the reorganization as well as overall State policy regarding personnel management.

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**Interim Report: Consolidating Virginia's Wildlife and Marine Resource Agencies, December 1995** (*House Document No. 17 of the 1996 Session, authorized by Item 15E of the 1995 Appropriation Act*), 36 pp. This interim report provides an overview of the history of the Department of Game and Inland Fisheries and the Virginia Marine Resources Commission. It includes a discussion of the agencies' missions, organizational structures, funding, and staffing resources. In addition, the report identifies how other coastal states have organized their wildlife and marine resource activities.

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**Costs of Expanding Coastal Zone Management in Virginia, February 1995** (*Senate Document 50 of the 1995 Session, authorized by Senate Joint Resolution 43 of the 1994 Session*), 37 pp. Examines the potential cost impacts in Virginia of increasing the scope of nonpoint pollution management measures, as promoted by the federal Coastal Zone Management Act. Considers alternative geographic zones for implementation, the considerable impact of retrofitting existing onsite disposal systems, and funding at risk from nonimplementation.

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**Solid Waste Facility Management in Virginia: Impact on Minority Communities, January**

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**1995** (*House Document 33 of the 1995 Session, authorized by House Joint Resolution 529 of the 1993 Session*), 122 pp. Studies the practices related to siting, monitoring, and cleanup of solid waste facilities in Virginia, focusing on the impact of these activities on minority communities. Assesses oversight by the Department of Environmental Quality, and examines statewide landfill capacity.

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**The Economic Potential and Management of Virginia's Seafood Industry, January 1983** (*House Document No. 2 of the 1982 Session, authorized by House Joint Resolution 59 of the 1982 Session*) 213 pp. Analyzed the regulation of the commercial fishing and seafood industries in Virginia, assessed their economic potential, and suggested policy alternatives.

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**Program Evaluation: Marine Resource Management Programs in Virginia, June 1977** (*authorized by Section 30-58.1, Code of Virginia*), 80 pp. Evaluated State programs for managing marine resources and the administrative efficiency of agencies in implementing these programs.

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**Program Evaluation: Water Resource Management in Virginia, September 1976** (*authorized by Section 30-58.1, Code of Virginia*) 178 pp. Evaluated State laws and management programs designed to provide protection against flooding, ensure adequate water supplies, and control pollution of Virginia's water resources.

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## Individual and Family Services

### Work in Progress

**Review of the Functional Area of Health and Human Resources** (*Planning dates for briefings: October, November and December 1999*) House Joint Resolution 137 from the 1998 Session and Item 16 #3c of the 1999 Appropriation Act require a JLARC review in the functional area of health and human resources. Several JLARC reports pertaining to this functional area have been issued since HJR137 was passed, including an interim report about the functional area, a report on welfare reform in Virginia, and an interim report on the regulatory boards for health professionals. During 1999, six reviews are planned to help meet the HJR 137 and Item 16 mandates: a review of Health Department regulation of managed care health plans, a review of information and referral centers in Virginia, a review of the Department of Health, a review of the Medicaid nursing home reimbursement methodology, an interim review of child support enforcement, and a follow-up of the welfare reform study. An overview of each of these studies is provided in the next six synopses.

**Review of Information and Referral Centers** (*Planning date for briefing: October 1999*) House Joint Resolution 502 of the 1999 General Assembly session requires JLARC to "evaluate the effectiveness of the six regional Information and Referral Centers." These six regional centers are part of the Statewide Human Services Information and Referral Program that is administered by the Department of Social Services (DSS). According to DSS officials, the information and referral program "is designed to maintain accurate and complete resource data on a statewide basis and link citizens needing human services with appropriate community resources." There is no eligibility criteria associated with information and referral services and no charge for the services that are provided. HJR 502 specifies that the JLARC study should evaluate the effectiveness of the six regional information and referral centers and determine whether legislative modifications are needed to enable the program to operate more efficiently.

**Review of Health Department Regulation of Managed Care Health Insurance Plan** (*Planning date for briefing: November 1999*) House Joint Resolution 137 of the 1998 Session directs the Commission to study the moni-

toring and oversight responsibilities of the Department of Health's Center for Quality Health Care Services and Consumer Protection. This review will examine how the Department of Health monitors managed care health insurance plans with regard to the quality of care provided. Specifically, the review will examine the process for developing regulations related to the Certificate of Quality Assurance, the Center's efforts to administer the quality assurance program, and the organization and management of the Center in performing its quality assurance mission.

**Review of the Department of Health** (*Planning date for briefing: November 1999*) House Joint Resolution 137 from the 1998 Session and Item 16 #3c of the Appropriation Act both specifically require that JLARC study the Virginia Department of Health. Under the mandates, the study is to include a review of the operations and management of the department. Through a survey at the local level, structured interviews, and file reviews, the study will examine the success of the agency in implementing its basic public health functions and assess the soundness of the agency's overall management structure.

**Review of the Medicaid Reimbursement Methodology** (*Planning date for briefing: December 1999*) Senate Joint Resolution 463, authorized during the 1999 General Assembly session, directs JLARC to examine the Virginia Medicaid program's methodology for determining nursing facility reimbursement. Nationally, Medicaid is the primary source of public financing for long-term care, with almost 70 percent of nursing home residents relying on Medicaid to pay for their care. Virginia Medicaid payments for nursing home services exceeded \$409 million dollars in FY 1998. Approximately half of these funds are state dollars and the other half are federal dollars. SJR 463 specifically directs JLARC's study of Medicaid reimbursement of nursing facilities to include: a comparison between Virginia's approach with that of other states; an evaluation of "the adequacy of reimbursement levels for providing quality care"; an examination of ways to simplify the reimbursement process; and a determination of "the extent to which patient acuity levels are factored into current and proposed reimbursement approaches."

**Work in Progress** (continued)

**Review of Child Support Enforcement (Interim)** (*Planning date for briefing of the interim report: December 1999*) HJR 553 directs JLARC to evaluate the activities of the Division of Child Support Enforcement (DCSE), including the "local offices." The study will address the operation and management of the child support enforcement function at the State central office and regional office level, as well as the caseload, management, employment levels, workload, efficiency, and effectiveness of the district DCSE offices. If needed, recommendations will be made to improve the efficiency and effectiveness of the program and to better meet the needs of Virginia's children. This study will be conducted in two phases, with an interim report due in 1999 and a final report due in 2000.

**Follow-Up Review of Welfare Reform** (*Annual Briefing*) The 1999 General Assembly (Item 16 M of the Appropriation Act) directed JLARC to conduct an annual follow-up of the labor market experiences of welfare recipients using the sample from the 1998 JLARC study. Study issues include a review of the labor market experiences and welfare participation rates of VIEW-mandatory recipients over the two-year period since they were assessed for participation in VIEW.

**Review of Air Medevac Services in Virginia** *September 1999 (Senate Document of the 2000 Session, authorized by Item 16 I of the 1998 Appropriation Act)* Assesses the coverage, consistency, and coordination of services provided by the State Air Medevac System, the Virginia Department of Health's role concerning medevac, and funding issues.

**Final Report: Review of the Health Regulatory Boards, August 1999 (House Document 5 of the 2000 Session, authorized by House Joint Resolution 139 of the 1998 Session and Item 16 of the 1998 Appropriation Act)** 150 pp. Reviews the effectiveness of the 12 citizen boards that regulate health professionals in the State. Examines whether the disciplinary system adequately protects the public, as well as the rights of health care practitioners. See also the interim report for other areas assessed.

**Interim Report: Review of the Functional Area of Health and Human Resources, January 1999 (House Document 38 of the 1999 Session, authorized by House Joint Resolution 137 from the**

**1998 Session), 30 pp.** The authorizing resolution requires a review of certain issues pertaining to the functional area of health and human resources. The interim report provides an overview of the health and human resources secretariat, describes trends in secretariat staffing and funding, and contains a brief discussion of potential issues for the full JLARC review to meet the study mandate.

**Interim Report: Review of the Health Regulatory Boards, January 1999 (House Document 31 of the 1999 Session, ) 77 pp.** Presented interim findings and recommendations from a review of the Virginia Health Regulatory Boards. The report focuses on composition and structure of the boards, licensure and rule-making, financial issues, and the role of the Board of Health Professions. See also the final report, which focuses on the disciplinary system used by the boards.

**Review of the Department for the Aging, January 1999 (House Document 25 of the 1999 Session, authorized by House Joint Resolution 209 of the 1998 Session), 51 pp.** Addresses the mission, activities, and effectiveness of the Virginia Department for the Aging, and the priority that has been given to the agency and aging issues in Virginia.

**Virginia's Welfare Reform Initiative: Implementation and Participant Outcomes, January 1999 (Senate Document 21 of the 1999 Session, authorized by Item 14 L and Item 14 O of the 1997 Appropriation Act), 120 pp.** A status report, based on research conducted during 1998, on the early implementation and outcomes of welfare reform in Virginia. The report also addresses State-level job development strategies for welfare reform and the use of employment incentives.

**Review of the Comprehensive Services Act, January 1998 (Senate Document 26 of the 1998 Session, authorized by Senate Resolutions 123 and 371 of the 1997 Session), 199 pp.** A review of the administration of the Comprehensive Services Act (CSA). The report examines the participants served by the CSA, local implementation and monitoring of CSA, costs of the programs, participant outcomes, and State-level management of CSA. Includes summary data for 1,144 CSA cases examined in the review.

**Special Report: Status of Automation Initiatives of the Department of Social Services, January 1998 (review requested by the Senate Finance Committee and the House Appropriations Committee), 46 pp.** A review of the current status of automated systems in development at the Department

of Social Services. The report examines staffing, funding, development, and other issues for new systems such as ADAPT, SACWIS, and APECS.

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**Follow-Up Review of Child Care in Virginia, August 1997** (*House Document 5 of the 1998 Session, authorized by Item 14 J the 1997 Appropriation Act*), 68 pp. Follow-up of a 1990 JLARC study. Report focuses on the Department of Social Services in carrying out its three principal roles in child day care: regulation of child care to ensure the health and safety of children, enforcement of child care regulations, and funding of child care for low-income families.

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**Services for Mentally Disabled Residents of Adult Care Residences, August 1997** (*House Document 4 of the 1998 Session, authorized by House Joint Resolution 86 and Senate Joint Resolution 96 of the 1996 Session*), 75 pp. Follow-up of a 1990 report reviewing the adequacy of services for residents of ACRs, formerly called homes for adults. Study assesses best methods for providing mental health services and also examines the funding for these services in relation to the levels of care implemented after the previous study.

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**Technical Report: Review of the Medicaid Forecasting Methodology, July 1996** (*House Document No. 5 of the 1997 Session, authorized by House Joint Resolution 143 of the 1996 Session*), 54 pp. This report assesses the Medicaid forecasting methods used by the Department of Medical Assistance Services and the Department of Planning and Budget. The report includes recommendations on the forecast models and the use of forecasts in the budget process.

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**Special Report: Review of the ADAPT System in the Department of Social Services, June 1996** (*House Document 3 of the 1997 Session, authorized by Item 15 of House Bill 29, 1996 Session*), 98 pp. A special report on the development and initial implementation of the Application Benefit Delivery Automation Project, designed to automate the eligibility process in local social service offices for the Food Stamp, Aid to Families with Dependent Children, and Medicaid programs. The report identifies significant problems with the management of the project and recommends a process for evaluating alternatives to the system.

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**Follow-up Review of Community Action in Virginia, September 1995** (*House Document 4 of the 1996 Session, authorized by Item 15C of the 1994 Appropriation Act*), 80 pp. Follows up on

the 1989 JLARC review of community action in Virginia. Makes recommendations to improve oversight by the Department of Social Services and accountability in individual community action agencies.

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**Review of the Involuntary Commitment Process, December 1994** (*House Document 8 of the 1995 Session, authorized by Item 15 of the 1993 and 1994 Appropriation Acts*), 87 pp. Examines operational and policy issues involving the involuntary mental commitment process, including fund oversight, transportation concerns, detention criteria, and pre-screening and hearing procedures.

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**Interim Report: Review of the Involuntary Civil Commitment Process, February 1994** (*House Document 77 of the 1994 Session, authorized by Item 15 of the 1993 Appropriation Act*), 28 pp. Examines the fiscal issues related to the involuntary civil commitment fund, a fund established by the General Assembly to pay for the medical and legal costs associated with the temporary detention period and the commitment hearing.

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**Review of the Virginia Medicaid Program: Final Summary Report, February 1993** (*Senate Document 32 of the 1993 Session, authorized by the Senate Joint Resolution 180 of the 1991 Session*), 22 pp. Final report in a series on the Virginia Medicaid program. Summarizes findings from the Medicaid reports and examines cross-cutting issues that emerged from the study series.

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**Funding of Indigent Hospital Care in Virginia, March 1993** (*Senate Document 36 of the 1993 Session, authorized by the Senate Joint Resolution 180 of the 1991 Session*), 118 pp. A report in a series on the Virginia Medicaid program. Examines indigent care appropriations to the State teaching hospitals and the Medical College of Hampton Roads, including scope of services, eligibility, reimbursements rates, and general fund and Medicaid allocation methodologies. Assesses options for optimizing the use of State funds for indigent hospital care.

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**Medicaid-Financed Physician and Pharmacy Services in Virginia, January 1993** (*Senate Document 29 of the 1993 Session, authorized by the Senate Joint Resolution 180 of the 1991 Session*), 118 pp. A report in a series on the Virginia Medicaid program. Presents an analysis of Medicaid physician and pharmacy services, overviews other ambulatory care services provided through Medicaid, and assesses efforts to contain program costs through the post-payment review of program expenditures and the pursuit of third-party liability for services.

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**Medicaid-Financed Long-Term Care Services in Virginia, December 1992** (*Senate Document 10 of the 1993 Session, authorized by the Senate Joint Resolution 180 of the 1991 Session*), 188 pp. A report in a series on the Virginia Medicaid program. Examines those Medicaid services which are primarily targeted to elderly and disabled persons, including nursing home care, institutional care for the mentally retarded, and a diverse array of community-based services.

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**Medicaid-Financed Hospital Services in Virginia, November 1992** (*Senate Document 11 of the 1993 Session, authorized by the Senate Joint Resolution 180 of the 1991 Session*), 104 pp. A report in a series on the Virginia Medicaid program. Examines issues related to inpatient and outpatient hospital care financed through Medicaid, including program funding and administration.

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**Medicaid Asset Transfers and Estate Recovery, November 1992** (*Senate Document 10 of the 1993 Session, authorized by the Senate Joint Resolution 91 of the 1991 Session*), 60 pp. A report in a series on the Virginia Medicaid program. Examines the extent to which Medicaid applicants use asset transfers to qualify for nursing home benefits, and the need for establishing an estate recovery program.

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**Interim Report: Review of the Virginia Medicaid Program, February 1992** (*Senate Document 27 of the 1992 Session, authorized by Senate Joint Resolution 180 of the 1991 Session*), 118 pp. A report in a series on the Virginia Medicaid program. Provides an overview of the program, including expenditures, eligibility, services reimbursed, service providers, the structure for funding services, and recent changes in the program.

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**Special Report: Evaluation of a Health Insuring Organization for the Administration of Medicaid in Virginia, January 1992** (*House Document 33 of the 1992 Session, authorized by the 1991 Appropriation Act*), 30 pp. A report in a series on the Virginia Medicaid program. Evaluates the potential benefits of converting the Virginia program to an insured arrangement, administered by a private insurance company.

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**Follow-Up Review of Homes for Adults in Virginia, November 1990** (*Senate Document 8 of the 1991 Session, authorized by Item 545 of the 1990 Appropriations Act*) 89 pp. Follows up on the 1979 JLARC study of the regulation of homes for adults and funding provided residents through the Auxiliary Grants Program. Recommends system-level improvements.

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**Review of the Funding Formula for the Older Americans Act, November 1990** (*House Document 9 of the 1991 Session, authorized by House Joint Resolution 130 of the 1990 Session*) 65 pp. Assessed the appropriateness of the current funding formula and examined alternative factors for use in the formula.

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**Regulation and Provision of Child Day Care in Virginia, September 1989** (*House Document 3 of the 1990 Session, authorized by Senate Joint Resolution 41 and House Joint Resolution 116 of the 1988 Session*) 172 pp. Reviews State regulation of child day care as well as methods for improving the availability and quality of child care in Virginia.

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**Progress Report: Regulation of Child Day Care in Virginia, January 1989** (*House Document No. 46 of the 1989 Session, required by Senate Joint Resolution 41 and House Joint Resolution 116 of the 1988 Session*) 9 pp. Provided background information on the nature of child day care in Virginia. Summarized the main issues and research activities that would be reported on in the full study, to be completed before the 1990 Session.

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**Review of Community Action in Virginia, January 1989** (*House Document No. 43 of the 1989 Session, authorized by Item 469 of the 1987 Appropriations Act*) 134 pp. A performance audit and review of the programs and activities of Community Action Agencies. Made recommendations to improve oversight by the Department of Social Services and accountability in individual community action agencies.

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**Funding the State and Local Hospitalization Program, December 1987** (*Senate Document No. 17 of the 1988 Session, authorized by Senate Joint Resolution 87 of the 1986 Session*) 74 pp. Reviewed the formulas used to distribute funds for the State and local hospitalization program. Identified program costs, methods for calculating local shares of the costs, and methods for distributing State and local responsibility for program funding.

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**Funding the State and Local Cooperative Health Department Program, December 1987** (*Senate Document 16 of the 1988 Session, authorized by Senate Joint Resolution 87 of the 1986 Session*) Reviewed the CHD funding formula, examined methods for calculating local shares of program costs, and identified methods for distributing State and local responsibility for program funding.

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**Deinstitutionalization and Community Services, October 1986** (Report produced under the mandate of Senate Joint Resolution 42 of the 1984 Session, which created the Commission on Deinstitutionalization and directed JLARC staff to provide technical assistance) 92 pp. Examined client management, community services, housing services, accountability, and the continuum of care in general. Followed up on JLARC's 1979 study of this area.

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**The Virginia Division of Volunteerism, December 1983** (Senate Document No. 6 of the 1984 Session, authorized by Senate Joint Resolution 36 of the 1983 Session) 60 pp. A "sunset" study reviewing the operations of the Division and focusing on its administration, effectiveness, and possible overlap with other agencies.

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**The Virginia Division for Children, December 1983** (House Document No. 14 of the 1984 Session, authorized by House Joint Resolution 10 of the 1983 Session) 98 pp. A "sunset" study reviewing the operations of the Division and focusing on its administration, effectiveness, and possible overlap with other agencies.

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**The CETA Program Administered by Virginia's Balance-Of-State Prime Sponsor, May 1982** (House Document No. 3 of the 1983 Session, authorized by House Joint Resolution 268 of the 1981 Session) 128 pp. Assessed the effectiveness of CETA programs through a review of adult training contracts and client follow-up.

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**Organization and Administration of Social Services in Virginia, April 1981** (authorized by Senate Joint Resolution 133 of the 1979 Session) 126 pp. Assessed the effectiveness of the Department of Welfare in providing support and oversight of welfare programs. Evaluated child care centers and family day care homes to determine the adequacy of the licensing process.

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**Title XX in Virginia, January 1981** (authorized by Senate Joint Resolution 133 of the 1979 Session) 103 pp. Reviewed the use and administration of Title XX funds in Virginia, including the types of clients and services provided, the adequacy of financial controls for the funds, the impact of funding limitations on local welfare agencies, and the adequacy of social service policy.

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**The General Relief Program in Virginia, September 1980** (authorized by Senate Joint Reso-

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lution 133 of the 1979 Session) 66 pp. Examined the accuracy of the eligibility determination process and assessed key aspects of case management in the Virginia General Relief Program.

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**Homes for Adults in Virginia, December 1979** (authorized by Senate Joint Resolution 133 of the 1979 Session) 73 pp. Evaluated the State's homes for the aged, infirm, and disabled. Examined the licensure and inspection process of the State Department of Welfare and the administration of the auxiliary grant program.

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**Deinstitutionalization and Community Services - Special Report, September 1979** (authorized by Section 30-58.1, Code of Virginia) 84 pp. Assessed release procedures at State institutions for the mentally ill and mentally retarded and the linking of discharged clients with appropriate services. One part of a comprehensive review of the State's mental health care programs.

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**Certificate-of-Need in Virginia, August 1979** (authorized by Section 32-211.17, Code of Virginia) 105 pp. Examined the operation of the Medical Care Facilities, Certificate of Public Need Law to determine if it has served the public interest.

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**Outpatient Care in Virginia, March 1979** (authorized by Section 30-58.1, Code of Virginia) 73 pp. Reviewed outpatient health care programs provided to the poor by local health departments. Fourth in a series of reports on medical assistance programs.

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**Inpatient Care in Virginia, January 1979** (authorized by Section 30-58.1, Code of Virginia) 118 pp. Reviewed State programs that provide hospital care to the indigent. Third in a series of reports on medical assistance programs.

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**Medical Assistance Programs in Virginia: An Overview, June 1978** (authorized by the 1978 Legislative Program Review and Evaluation Act) 95 pp. A descriptive report which focused on the individual programs that make up the medical assistance system in Virginia. Second in a series of reports on medical assistance programs.

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**Long Term Care in Virginia, March 1978** (authorized by Section 30-58.1, Code of Virginia) 110 pp. Assessed the cost and quality of nursing home care and Medicaid funding. First in a series of reports on medical assistance programs.

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## Transportation

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### Work in Progress

**The Impact of State-Owned Ports on Local Governments** (*Planning date for briefing: October 1999*) Item 16 of the 1999 Appropriation Act directs JLARC to conduct a comprehensive study of the fiscal impact of State-owned ports on the local governments in which the ports are located. Moreover, JLARC is required to evaluate whether the State funding for services provided by the local governments is sufficient to compensate affected local governments for the loss of local tax and other revenues. This study will focus on the port facilities operated by the Virginia Port Authority.

**Review of VDOT Interstate Maintenance Contract** (*Planning date for briefing: October 1999*) In 1998 the Commission directed a preliminary review of the contract for maintenance of portions of Interstates 95, 81, and 77. That review was reported in June 1998. At that time, the Commission directed staff to complete a follow-up review of the interstate maintenance contract in 1999. The follow-up review will focus on the contractor's performance in snow and ice removal, and on general maintenance activities for interstate routes in Southwest Virginia. The review will also examine procedures developed by the Virginia Department of Transportation for evaluating contractor performance.

**Review of the Use of Consultants by the Virginia Department of Transportation**, November 1998, (*House Document 12 of the 1999 Session, authorized by House Joint Resolution 263 of the 1998 Session*), 74 pp. Examines the Department of Transportation's increased use of consultants to perform engineering-related work. The study addressed: the level of consultant use, the necessity of consultant studies, and the quality of project oversight and coordination.

**State Oversight of Commercial Driver-Training Schools in Virginia**, September 1998 (*House Document 5 of the 1999 Session, authorized by House Joint Resolution 470 of the 1997 Session*), 73 pp. A review of the effectiveness of the State oversight of commercial driver-training schools, including the licensing and monitoring of these schools. The report includes an assessment of the role of commercial driver-training schools in licensing young drivers in Virginia, the adequacy of the standards governing the operation of com-

mercial driver-training schools, and the appropriateness of the Department of Motor Vehicles' monitoring process.

**Interim Report: Review of Commercial Driver-Training Schools in Virginia**, February 1998 (*House Document No. 79 of the 1998 Session, authorized by House Joint Resolution 470 of the 1997 Session*), 16 pp. This interim report provides background information on commercial driver-training schools and the administrative structure for monitoring of schools by the Virginia Department of Motor Vehicles.

**Review of the Highway Location Process in Virginia**, January 1998 (*House Document 60 of the 1998 Session, authorized by House Joint Resolution 222 of the 1996 Session*), 94 pp. A review of the highway siting process in Virginia. Examines the process used by the Virginia Department of Transportation and includes a detailed case study of the U.S. Route 29 Bypass in Charlottesville. Includes recommendations to improve the location selection process.

**Improvement of Hazardous Roadway Sites in Virginia**, October 1997 (*House Document 13 of the 1998 Session, authorized by House Joint Resolution 579 of the 1997 Session*), 121 pp. A review of the procedures for identifying and funding the improvement of hazardous roadway sites. The study focuses on identifying the roadway sites within each VDOT district that have the highest vehicle accident rate, and reviews the methodology that VDOT uses to make that determination. The report also examines the highway improvements that VDOT has made at each site in order to address safety concerns.

**Follow-up Review of the Virginia Department of Transportation**, January 1988 (*Senate Document No. 23 of the 1988 Session, conducted in response to Senate Joint Resolution 7 of the 1986 Special Session*) 36 pp. Assessed the Department's response to previous JLARC study recommendations. An appendix to the study contains the Department's own status report.

**Final Status Report: Recommendations Related to the Equity of the Current Provisions for Allocating Highway and Transportation Funds in Virginia**, December 1984 (*Report to the SJR 20 Joint Subcommittee from the staffs of JLARC and the Department of Highways and Transportation*) 55 pp. Summarized results of

meetings between JLARC and DHT staff regarding the highway funding equity report (see above, June 1984) and proposed legislation.

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**Equity of Current Provisions for Allocating Highway and Transportation Funds in Virginia, June 1984** (*House Document No. 11 of the 1984 Session, authorized by the 1982 Appropriations Act and expanded by the 1983 Session*) 217 pp. Updated the January 1983 interim analysis of construction allocations, and reviewed county maintenance spending, urban street payments, and public transportation assistance.

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**1983 Follow-Up Report on the Virginia Department of Highways and Transportation, January 1984** (*letter report, authorized by House Bill of the 1982 Session*) 25 pp. Documented the department's progress in implementing previous Commission recommendations, especially in the areas of manpower planning and maintenance operations.

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**Follow-Up Report on the Virginia Department of Highways and Transportation, January 1983** (*House Document No. 34 of the 1983 Session, authorized by House Bill 532 of the 1982 Session*) 26 pp. Evaluated the progress of the department in implementing recommendations made during the 1982 Session to ensure the efficient use of funds for highway construction and maintenance.

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**Staffing and Manpower Planning in the Department of Highways and Transportation, January 1983** (*House Document No. 18 of the 1983 Session, authorized by Items 649.2 and 649.3 of the Appropriations Act of the 1982 Session*) 120 pp. Reviewed the Department of Highways and Transportation's manpower plan, the planning process, and the resulting staffing actions. Identified staffing economies possible through increased productivity and administrative improvements.

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**Interim Report: Equity of Current Provisions for Allocating Highway Construction Funds in Virginia, December 1982** (*House Document No. 17 of the 1983 Session, authorized by the 1982 Appropriations Act*) 183 pp. Assessed the reasonableness, appropriateness, and equity of statutory provisions for allocating highway construction funds among the various highway systems and localities. (See final report of June 1984, which enlarged this study).

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**Highway Financing in Virginia, November 1981** (*Senate Document No. 14 of the 1982 Session, authorized by Senate Joint Resolution 50 of the 1980 Session*) 103 pp. Analyzed methods of financing highway needs in Virginia by an examination of the State's highway financing structure and tax structure. Presented estimates of future revenues to be generated by taxes and offered financing alternatives.

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**Vehicle Cost Responsibility in Virginia, November 1981** (*Senate Document No. 13 of the 1982 Session, authorized by Senate Joint Resolution 50 of the 1980 Session*) 85 pp. Presented findings and conclusions of an analysis of highway tax equity. An empirical investigation of the relationship between costs for construction and maintenance and revenues generated by various vehicle classes.

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**Highway Construction, Maintenance, and Transit Needs in Virginia, November 1981** (*Senate Document No. 8 of the 1982 Session, authorized by Senate Joint Resolution 50 of the 1980 Session*) 78 pp. Assessed highway construction needs, including construction of new highways, maintenance of existing roads, and public transportation. Provided funding options for consideration by the Legislature.

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**Organization and Administration of the Department of Highways and Transportation, November 1981** (*Senate Document No. 7 of the 1982 Session, authorized by Senate Joint Resolution 50 of the 1980 Session*) 132 pp. Evaluated the efficiency and effectiveness of DHT's management and administrative processes, the adequacy of the department's organizational structure, and selected operational issues.

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**Highway and Transportation Programs in Virginia: A Summary Report, November 1981** (*Senate Document No. 6 of the 1982 Session, authorized by Senate Joint Resolution 50 of the 1980 Session*) 57 pp. Summarized the studies conducted under SJR 50, which focused on the administration of the DHT, highway and transit need, revenues and methods of financing, and the fair apportionment of costs among different vehicle classes. Highlighted the principal findings and recommendations of each study.

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**Organization and Administration of the Department of Highways and Transportation: Interim Report, January 1981** (*Senate Document No. 14 of the 1981 Session, authorized by Sen-*

ate Joint Resolution 50 of the 1980 Session) 85 pp. Examined staffing, equipment management, contract administration, construction planning, and fund allocation.

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**Methodology for a Vehicle Cost Responsibility Study: Interim Report, January 1981** (Senate Document No. 12 of the 1981 Session, authorized by Senate Joint Resolution 50 of the 1980 Session) 65 pp. Discussed the methodology to be used in carrying out JLARC's vehicle cost re-

sponsibility study. Methodology was based on Virginia's highway programs, construction and maintenance standards, and revenue sources.

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**Special Report: Use of State-Owned Aircraft, October 1977** (authorized by Section 30-58.1, Code of Virginia), 23 pp. Assessed the cost, utilization, and management of State-owned aircraft. Recommended a needs assessment and the implementation of appropriate policies and guidelines.

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## Enterprises

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**Overview: Review of Information Technology in Virginia State Government**, December 1997 (House Document 42 of the 1998 Session, authorized by Item 14F of the 1996 Appropriation Act), 52 pp. A summary of the findings and recommendations of a report completed by the Gartner Group for the Commission. Is a comprehensive review of data processing services for State agencies. The report includes an assessment of the structure and organization for information technology in State government, an evaluation of the effectiveness of statewide information technology planning, including the mission and operations of the Council on Information Management, and the feasibility of privatizing services provided by the State data centers.

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**Overview: Year 2000 Compliance of State Agency Systems**, January 1998 (House Document 62 of the 1998 Session, authorized by Item 14F of the 1997 Appropriation Act), 16 pp. A summary of the findings and recommendations of a report completed by the Gartner Group for the Commission. The report is a review of the potential risks and costs associated with the year 2000 problems of State agency computer systems.

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**Management and Use of State-Owned Passenger Vehicles**, August 1988 (House Document No. 2 of the 1989 Session, conducted under authority of Section 2.1-196.1 of the Code of Virginia, which directs JLARC to monitor internal service funds) 104 pp. Reviewed progress made in implementing the recommendations of JLARC's 1979 study of the Central Garage, and examined new issues related to the Garage's 1984 designation as an internal service fund.

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**Internal Service Funds Within the Department of General Services**, December 1987 (Senate Document No. 18 of the 1988 Session, conducted as part of JLARC's oversight responsibilities for internal service funds as defined in Section 2.1-196.1 of the Code of Virginia) 110 pp. Reviewed

both financial and operational aspects of the five funds within DGS: Central Warehouse, Office of Graphic Communications, State Surplus Property, Federal Surplus Property, and Maintenance and Repair Projects. Assessed rates and charges, fund balances, billing procedures, operational efficiency, and user satisfaction.

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**Review of Information Technology in Virginia State Government**, August 1987 (Performed under JLARC's authority to monitor internal service funds, as specified in Section 2.1-196 of the Code of Virginia, and authorized by the Commission) 400 pp. A joint executive and legislative initiative. Assessed the success of the consolidation of formerly fragmented services into the Department of Information Technology and reviewed management of the department. Proposed improvements within both DIT and the user agencies.

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**Working Capital Funds in Virginia**, June 1982 (House Document No. 4 of the 1983 Session, authorized by Section 2.1-196.1, Code of Virginia) 89 pp. Reviewed Virginia's working capital funds and evaluated selected areas of management of each of the five funds in existence at that time: Computer Services, Systems Development, Telecommunications, Central Warehouse, and Graphic Communications.

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**Management and Use of State-Owned Motor Vehicles**, July 1979 (authorized by Section 30-58.1, Code of Virginia) 68 pp. Evaluated the utilization of State-owned passenger vehicles and appropriateness of management procedures.

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**Operational Review: Working Capital Funds in Virginia**, February 1976 (authorized by Section 2.1-196.1, Code of Virginia) 70 pp. Assessed the use and management of working capital funds by State agencies and institutions.

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## Virginia Retirement System Oversight

**Legislator's Guide to the Virginia Retirement System, Second Edition, May 1999** (authorized by Section 30-78E of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 145 pp. This 1999 update of the 1996 first edition is a comprehensive reference document on the Virginia Retirement System for use by legislators and others who need accurate information related to VRS governance and administration, benefit structure, investment policy, benefit funding policy, and retirement legislation. This edition incorporates benefit program changes authorized by the 1999 General Assembly and adds new information on the VRS investment and deferred compensation programs.

**VRS Investment Report No. 12, July 1999** (Authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 2 p. Twelfth in a series of continuing reports on VRS investment returns issued semiannually.

**VRS Investment Report No. 11, December 1998** (Authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 1 p. Eleventh in a series of continuing reports on VRS investment returns issued semiannually.

**VRS Investment Report No. 10, July 1998** (Authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 1 p. Tenth in a series of continuing reports on VRS investment returns issued semiannually.

**VRS Investment Report No. 9, December 1997** (Authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 1 p. Ninth in a series of continuing reports on VRS investment returns issued semiannually.

**VRS Oversight Report No. 8, May 1997** (authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 4 pp.

Through selected graphics, compares VRS investment performance and asset allocation to established benchmarks. Discusses structural changes in several investment programs over the past year. Illustrates VRS investments by type, industry, sector, and country.

**VRS Oversight Report No. 7: Review of VRS Fiduciary Responsibility and Liability, January 1997** (authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 20 pp. Provides an analysis of the current risk of liability for VRS trustees and staff, examines sources of protection from liability, and makes recommendations on the prudence standard and legal protections.

**VRS Oversight Report No. 6: Biennial Status Report on the Virginia Retirement System, May 1996** (authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 24 pp. Reviews VRS' implementation of reform legislation enacted by the 1994 General Assembly. Assesses changes related to governance, performance, operations, and oversight.

**Legislator's Guide to the Virginia Retirement System, First Edition, May 1996** (authorized by Section 30-78E of the **Code of Virginia**, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 145 pp. A comprehensive reference document on the Virginia Retirement System for use by legislators and others who need accurate information related to VRS governance and administration, benefit structure, investment policy, benefit funding policy, and retirement legislation.

**VRS Oversight Report No. 5: Semi-Annual VRS Investment Report, May 1996** (authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System), 12 pp. Provides an update on the effectiveness of the VRS asset allocation policy, compares investment performance to benchmarks, reports on a benefit liability analysis under way by VRS staff, and makes recommendations regarding investment risk management.

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**VRS Oversight Report No. 4: Semi-Annual VRS Investment Report**, September 1995 (*authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System*), 15 pp. Provides an update on implementation of the VRS asset allocation policy, reviews the monitoring of investment risks posed by the use of derivatives, compares investment returns to established benchmarks, and examines projected benefit expenses and contributions.

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**VRS Oversight Report No. 3: The 1991 Early Retirement Incentive Program**, May 1995 (*authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System*), 15 pp. Examines the design and implementation of the 1991 early retirement program, including the experience of selected State agencies and political subdivisions, and immediate savings versus long-term costs.

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**VRS Oversight Report No. 2: The VRS Disability Retirement Program**, March 1995 (*authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System*), 24 pp. Examines the operation and administration of VRS' disability retirement program, including structure and organization, demographic and financial characteristics, and disability determination. Also examines the extent to which disability retirees receive other income through employment.

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**VRS Oversight Report No. 1: The VRS Investment Program**, March 1995 (*authorized by Section 30-78 et seq. of the Code of Virginia, which requires JLARC to provide the General Assembly with oversight capability concerning the Virginia Retirement System*), 16 pp. Provides a summary update of VRS investment policies, procedures, and performance, including asset allocation, long-term assets and liabilities, and short-term investments and liquidity.

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**Review of the State's Group Life Insurance Program for Public Employees**, January 1994 (*Senate Document 43 of the 1994 Session, authorized by Senate Joint Resolution 251 of the 1993 Session*), 33 pp. A report in a series on the VRS. Reviews the funding and rate structure of the group life insurance program administered by the VRS.

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**The Virginia Retirement System's Investment in the RF&P Corporation**, December 1993 (*House Document 53 of the 1994 Session, authorized by House Joint Resolution 392 of the 1993 Session*), 92 pp. A report in a series on the VRS. Focuses specifically on one of VRS' major investments, the 1991 acquisition of the RF&P Corporation, including the VRS Board's role in the purchase, the soundness of the investment, and the use of a holding company to manage the State's interest in RF&P.

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**Review of the Virginia Retirement System**, January 1994 (*House Document 52 of the 1994 Session, authorized by House Joint Resolution 392 of the 1993 Session*), 100 pp. A report in a series on the VRS. Reviews the structure and governance of the system, investment practices and performance, and the actuarial soundness of the retirement funds. Summarizes assessments by JLARC staff and by investment and actuarial consultants.

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**An Assessment of Eligibility for State Police Officers Retirement System Benefits**, June 1987 (*House Document No. 2 of the 1988 Session, authorized by Item 13 of the 1986 Appropriations Act*) 96 pp. Reviewed SPORS and identified the criteria implicit in its establishment as a separate system. On the basis of these criteria, compared other State-compensated law enforcement groups to the State Police.

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**Virginia Supplemental Retirement System Management Review**, October 1978 (*authorized by Section 30-60, Code of Virginia*) 96 pp. Provided a management review of the VSRS to complement a financial audit of the system conducted by the State Auditor of Public Accounts.

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## General Government Administration

### Work in Progress

**Impact of Digital TV on Public Broadcasting Stations** (*Planning date for briefing: September 1999*) Item 16 F of the 1998 Appropriations Act directs JLARC to study "the implications of the Federal Communication Commission's requirement that Public Broadcasting Stations begin digital transmission of television programs in the year 2003, with special regard for programming implications." It further directs that staff examine the use of existing funding from the Commonwealth by Virginia stations receiving Community Service Grants. To address this mandate, staff will examine: (1) the intended use of the digital technology by the public stations and how these uses may benefit Virginians, (2) the stations' estimated costs of acquiring the capability to broadcast a digital signal, as well as possible additional costs associated with the conversion, (3) the fiscal management of current State funding at the public stations, and (4) possible funding options should the General Assembly decide to provide additional funding to the public stations for the conversion.

**Review of Grievance Hearings** (*Planning date for briefing: November 1999*) Item 16 of the 1999 Appropriation Act requires JLARC to conduct a review of State employee grievance hearings. The review is to include an examination of the use of hearing officers. The grievance hearing process is the responsibility of the Department of Employee Relations Counselors (DERC). The study will include a review of DERC's management of the grievance hearing process and the selection and use of hearing officers.

**Competitive Procurement of State Printing Contracts, September 1999** (*House Document of the 2000 Session, authorized by House Joint Resolution 810 of the 1999 Session*) Examines competitive sealed bidding procedures used by the Department of General Services' Division of Purchases and Supply in procuring printing goods for State agencies.

**Review of the State Board of Elections, December 1998** (*House Document 18 of the 1999 Session, authorized by House Joint Resolution 51 of the 1998 Session*), 116 pp. A review of the organization and operations of the State Board of Elections and the Virginia Voter Registration System (VVRS). The report focuses on voter reg-

istration processes, including implementation of the National Voter Registration Act. The report examines the relationship between the Board of Elections and the local registrars. The report also examines the adequacy of the VVRS in light of currently available technology.

**The Feasibility of Converting Camp Pendleton to a State Park, November 1998** (*House Document No. 11 of the 1999 Session, authorized by Item 16 G - 1998 Appropriation Act*), 73 pages. A review of the feasibility of converting the State Military Reservation (Camp Pendleton in Virginia Beach) to a State park. The report finds that it is not feasible to convert Camp Pendleton, in its entirety, to a State park, because of current military usage, extensive property encumbrances, and environmental concerns. Conversion of several portions of the camp, including 1200 feet of beachfront, could theoretically be effected. Such action is unlikely, however, because access to the beachfront runs through property owned by U.S. military, which opposes the conversion.

**The Secretarial System in Virginia State Government, December 1997** (*House Document 41 of the 1998 Session, authorized by Item 14G of the 1996 Appropriation Act*), 112 pp. A follow-up review of the 1984 JLARC assessment of the Secretarial system in Virginia. The report includes a discussion of the cabinet system by former governors, a review of the current duties and powers of the secretaries, and an examination of the operations of the secretariats.

**Technical Report: Gender Pay Equity in the Virginia State Workforce, December 1997** (*House Document 40 of the 1998 Session, authorized by House Joint Resolution 491 of the 1997 Session*), 172 pp. Examines salary differences between male and female workers within each State job class, between job classes within each pay grade, between pay grades, and by State agency.

**The Feasibility of Modernizing Land Records in Virginia, January 1997** (*Senate Document No. 20 of the 1997 Session, authorized by Senate Joint Resolution 338 of the 1995 Session*), 92 pp. Addresses the feasibility of automating land records maintained by Virginia's 121 local circuit court clerks. Includes recommendations on standards for land records, development of technology plans for clerks, and funding of technology initiatives to modernize land records.

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**Interim Report: The Secretarial System in Virginia, January 1997** (*House Document No. 68 of the 1997 Session, authorized by Item 14G of the 1996 Appropriation Act*), 14 pp. This interim report presents summary information on the background, creation, and evolution of the secretarial system in Virginia.

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**Review of the Virginia Liaison Office, October 1996** (*House Document No. 13 of the 1997 Session, authorized by Item 14D of the 1996 Appropriation Act*), 55 pp. A review of the mission, operations, organizational structure, and staffing of the Virginia Liaison Office.

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**Minority-Owned Business Participation in State Contracts, February 1996** (*House Document 53 of the 1996 Session, authorized by House Joint Resolution 554 of the 1995 Session*), 117 pp. A report on the participation of minority-owned businesses in State contracts. The report includes reliable information on the number and magnitude of State contracts with minority-owned businesses. Recommendations in the report relate to improving the process used by the State to report participation.

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**Assessment of DPB's Methodology to Review the Impact of Regulations, October 1995** (*authorized by Item 332G of the 1995 Appropriation Act*), 19 pp. This is a staff memorandum which examines the Department of Planning and Budget's progress in establishing regulatory impact analysis. Considers areas in which the methodology appears uncertain or unclear from submitted documentation, and indicates why more information about implementation of the methodology is needed.

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**The Concept of Benchmarking for Future Government Actions, July 1995** (*House Document 2 of the 1996 Session, authorized by House Joint Resolution 107 of the 1994 Session*), 62 pp. Defines and examines best practice benchmarking and performance measurement and their shared goal: organizational improvement with a greater focus on outcomes. Assesses the potential for applying benchmarking in Virginia State government.

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**Review of Regional Planning District Commissions in Virginia, November 1994** (*Senate Document 15 of the 1995 Session, authorized by Senate Joint Resolution 310 of the 1993 Session*), 80 pp. A report in a series on the State/local

relations. Reviews the role of PDCs in relation to State and local governments, including regional priorities and performance, as well as potential future directions.

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**Review of State-Owned Real Property, October 1994** (*Senate Document 7 of the 1995 Session, authorized by Item 15 of the 1993 Appropriation Act and Senate Joint Resolution 239 of the 1993 Session*), 78 pp. Examines the management and disposition of State-owned real property, and inventories and estimates the market value of potentially surplus real property.

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**Special Report: Review of the 900 East Main Street Building Renovation Project, March 1994** (*Senate Document 55 of the 1994 Session, authorized by the Commission at the request of the Senate Finance Compensation and General Government Subcommittee*), 46 pp. Examines the problems that occurred in the renovation of the 900 East Main Street Building, including the procurement of contractor services and the planning and management of the project.

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**Review of the Department of Personnel and Training, December 1993** (*Senate Document 15 of the 1994 Session, authorized by Senate Joint Resolution 279 and House Joint Resolution 677 of the 1993 Session*), 126 pp. Focuses on the organization and management of the department and its roles in the Commonwealth's personnel function, including training, health benefit services, compensation and classification services, and information management.

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**Local Taxation of Public Service Corporation Property, November 1993** (*Senate Document 8 of the 1994 Session, authorized by Senate Joint Resolution 309 of the 1993 Session*), 47 pp. Examines the effect of local property tax rates on the utility rates of public service corporations (PSCs), the relationship between local property tax rates and the value of PSC property, and alternative methods of taxing PSC property.

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**1993 Update: Catalog of State and Federal Mandates on Local Governments, June 1993** (*House Document 2 of the 1994 Session, authorized by the Senate Joint Resolution 45 and House Joint Resolution 156 of the 1990 Session*), 80 pp. A report in a series on State/local relations. Updates the first edition of the mandates catalog, and includes fiscal impact statements for new mandates.

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**State/Local Relations and Service Responsibilities, March 1993** (*Senate Document 37 of the 1993 Session, authorized by Senate Joint Resolution 235 of the 1991 Session*), 176 pp. A report in a series on State/local relations. Examines the assignment of service and funding responsibilities between the State and local governments, and the adequacy of the local tax and debt structure. Outlines options for improving service and funding structures to address future conditions and problems.

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**Review of Virginia's Administrative Process Act, January 1993** (*House Document 51 of the 1993 Session, authorized by House Joint Resolution 397 of the 1991 Session*), 140 pp. Examines the efficiency and effectiveness of the Act, which governs the regulatory proceedings of State agencies, and the meaningfulness of public participation in the regulatory process.

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**Intergovernmental Mandates and Financial Aid to Local Governments, March 1992** (*House Document 56 of the 1992 Session, authorized by Senate Joint Resolution 45 and House Joint Resolution 156 of the 1990 Session, and Senate Joint Resolution 235 of the 1991 Session*), 172 pp. A report in a series on State/local relations. Follows up on JLARC's 1983 mandates report, examining issues related to mandates and local financial resources. Presents short- and long-term policy options.

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**Review of the Department of Taxation, January 1992** (*House Document 49 of the 1992 Session, authorized by the 1991 Appropriation Act*), 154 pp. Fourth report in a series reviewing the Commonwealth's executive system of financial planning, execution, and evaluation, focusing on the Department of Taxation's compliance revenue collection efforts as a means to help close the "tax gap."

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**Interim Report: Review of Virginia's Administrative Process Act, January 1992** (*House Document 32 of the 1992 Session, authorized by House Joint Resolution 397 of the 1991 Session*), 33 pp. Provides an overview of the basic structure, features, and stages of the Act, including its historical development. Preliminary study issues are identified.

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**Review of Virginia's Executive Budget Process, December 1991** (*Senate Document 15 of the 1992 Session, authorized by the 1990 and 1991 Appropriation Acts*), 110 pp. Third report in a series reviewing the Commonwealth's execu-

tive system of financial planning, execution, and evaluation, with a major focus on the Department of Planning and Budget.

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**Compensation of General Registrars, August 1991** (*Senate Document 5 of the 1992 Session, authorized by Senate Joint Resolution 167 of the 1991 Session*) 55 pp. Examines the compensation program for General Registrars, specific factors which should be used to determine compensation, and the appropriate State share of these costs.

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**Proposal for a Revenue Stabilization Fund in Virginia, January 1991** (*Senate Document 24 of the 1991 Session, authorized by the 1990 Appropriations Act*) 53 pp. Second report in a series on the executive budget process. Examines "rainy day" funds as a means of coping with revenue shortfalls. Proposes a revenue stabilization fund with characteristics tailored to the Commonwealth.

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**Revenue Forecasting in the Executive Branch: Process and Models, January 1991** (*Senate Document 25 of the 1991 Session, authorized by the 1990 Appropriations Act*) 53 pp. First report in a series on the executive budget process. Focuses on revenue forecasting issues, including accuracy, the effects of tax policy changes and judgmental inputs, and legislative involvement in the forecasting process.

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**Interim Report: State and Federal Mandates on Local Governments and Their Fiscal Impact, January 1991** (*Senate Document 23 of the 1991 Session, authorized by Senate Joint Resolution 45 and House Joint Resolution 156 of the 1990 Session*) 6 pp. Outlines major research activities to be conducted and summarizes the past JLARC studies related to mandates.

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**Publication Practices of Virginia State Agencies, November 1990** (*Senate Document 9 of the 1991 Session, directed by the Commission under Section 30-58.2 of the Code of Virginia*) 60 pp. Follows up on the publications portion of a 1982 JLARC study of publications and public relations. Recommends ways to reduce publications expenditures.

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**Funding of Constitutional Officers, May 1990** (*House Document 81 of the 1990 Session, authorized by Item 13 of the 1988 and 1989 Appropriations Acts*) 71 pp. Final report in a series, building on the previous studies of workload standards and staffing for constitutional officers in

Virginia. Proposes a more equitable and systematic funding process.

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**Technical Report: Statewide Staffing Standards for the Funding of Commonwealth's Attorneys**, April 1990 (*House Document 75 of the 1990 Session, authorized by Item 13 of the 1988 and 1989 Appropriations Acts*) 71 pp. Fifth report in a series on workload standards and staffing for constitutional officers in Virginia.

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**Technical Report: Statewide Staffing Standards for the Funding of Clerks of Court**, March 1990 (*House Document 71 of the 1990 Session, authorized by Item 13 of the 1988 and 1989 Appropriations Acts*) 71 pp. Fourth report in a series on workload standards and staffing for constitutional officers in Virginia.

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**Technical Report: Statewide Staffing Standards for the Funding of Commonwealth's Attorneys**, March 1990 (*House Document 70 of the 1990 Session, authorized by Item 13 of the 1988 and 1989 Appropriations Acts*) 71 pp. Third report in a series on workload standards and staffing for constitutional officers in Virginia.

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**Technical Report: Statewide Staffing Standards for the Funding of Sheriffs**, February 1990 (*House Document 66 of the 1990 Session, authorized by Item 13 of the 1988 and 1989 Appropriations Acts*) 71 pp. Second report in a series on workload standards and staffing for constitutional officers in Virginia.

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**Review of the Virginia Department of Workers' Compensation**, February 1990 (*House Document 68 of the 1990 Session, authorized by Item 11 of the 1985 Appropriations Act*) 147 pp. Performance audit and review of the agency, including claims management and organizational concerns. Final report in a series on independent agencies of State government.

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**Security Staffing in the Capitol Area**, November 1989 (*House Document 17 of the 1990 Session, requested by the Speaker of the House and approved by the Commission*) 121 pp. Examined alternatives to meet the security needs of agencies in the Capitol area, including a study of the effectiveness of the Capitol Police.

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**Interim Report: Status of Part-Time Commonwealth's Attorneys**, January 1989 (*House Document 49 of the 1989 Session, authorized by Item 13 of the 1988 Appropriations*

*Act and Senate Joint Resolution 55 of the 1988 Session*) 32 pp. First report in a series on workload standards and staffing for constitutional officers in Virginia. Addressed the issue of part-time Commonwealth's attorney status.

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**Technical Report: The State Salary Survey Methodology**, October 1988 (*House Document No. 5 of the 1989 Session, authorized by Item 13 of the 1988 Appropriations Act*) 106 pp. Reviewed methods used to compile and evaluate data reported in the State annual salary survey, examined methods used to determine the annual salary structure adjustment for State employees, and made recommendations for improving these methods.

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**Organization and Management Review of the State Corporation Commission**, December 1986 (*House Document No. 15 of the 1987 Session, authorized by Item 11 of the 1985 Appropriations Act*) 112 pp. Examined the SCC's organization and general management, financial management, personnel and staffing practices, and compliance with legislative intent.

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**Local Fiscal Stress and State Aid**, September 1985 (*House Document No. 4 of the 1986 Session, authorized by the Commission as a follow-up to the 1983 State Mandates report*) 86 pp. Provides updated information on local fiscal stress (through FY 1983) and summarizes 1984 and 1985 legislative actions impacting localities.

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**Towns in Virginia**, July 1985 (*House Document No. 2 of the 1986 Session, authorized by House Joint Resolution 105 of the 1982 Session and HJR 12 of the 1983 Session*) 120 pp. An outgrowth of JLARC's earlier report on State mandates and local fiscal stress, focused on issues of particular concern to towns.

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**Proceedings of the Conference on Legislative Oversight**, June 1986 (*Conference was required under provisions of Chapter 388 of the 1978 Acts of Assembly*) 86 pp. Record of conference examining the accomplishments of the Legislative Program Review and Evaluation Act and oversight issues in general.

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**Special Report: Patent and Copyright Issues in Virginia State Government**, March 1985 (*House Document No. 31 of the 1985 Session, requested by the Speaker of the House and authorized by the Commission*) 54 pp. Examined intellectual property issues related to State agencies and institutions of higher education.

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**Special Report: ADP Contracting at the State Corporation Commission**, November 1984 (House Document No. 4 of the 1985 Session, requested by the Speaker of the House and authorized by the Commission) 40 pp. Examined the SCC's compliance with the Commonwealth's Public Procurement Act and related issues in contracting for automated data systems.

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**Organization of the Executive Branch in Virginia: A Summary Report**, January 1984 (House Document 44 of the 1984 Session, authorized by House Joint Resolution 33 of 1982 Session and House Joint Resolution 33 of the 1982 Session) 36 pp. A synthesis of the preceding three reports. Highlighted each principal finding and associated recommendations, and included a statement of the actions taken on each.

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**An Assessment of the Role of Boards and Commissions in the Executive Branch of Virginia**, January 1984 (House Document No. 22 of the 1984 Session, authorized by House Joint Resolution 33 of the 1982 Session and House Joint Resolution 6 of the 1983 Session) 90 pp. Assessed whether the boards' involvements in agency operations are consistent with statute and the management needs of the Commonwealth. Also addressed the relationships of boards, agency directors, and the Governor's secretaries, and the unique contributions of board members.

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**An Assessment of the Secretarial System in the Commonwealth of Virginia**, January 1984 (House Document No. 21 of the 1984 Session, authorized by House Joint Resolution 33 of the 1982 Session and House Joint Resolution 6 of the 1983 Session) 76 pp. Assessed the extent to which (1) the responsibilities and activities of the Governor's secretaries are consistent with the purposes of the system and (2) the structure is useful in effectively managing the State's resources and administrative processes.

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**An Assessment of Structural Targets in the Executive Branch of Virginia**, January 1984 (House Document No. 20 of the 1984 Session, authorized by House Joint Resolution 33 of the 1982 Session and House Joint Resolution 6 of the 1983 Session) 134 pp. Examined the organization of the executive branch for the purpose of determining the most efficient and effective structure. Included specific recommendations regarding duplication, fragmentation, and inconsistent alignment.

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**State Mandates on Local Governments and Local Financial Resources**, December 1983 (House Document No. 15 of the 1984 Session, authorized by House Joint Resolution 105 of the 1982 Session and House Joint Resolution 12 of the 1983 Session) 218 pp. Reviewed the responsibilities of State and local governments for providing public services, the State's procedures for aiding local governments, the sources of revenue that were or could be allocated to the various types of local governments, and their adequacy. Included fiscal capacity and stress measures for all counties and cities.

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**Interim Report: Organization of the Executive Branch**, January 1983 (House Document No. 37 of the 1983 Session, authorized by House Joint Resolution 33 of the 1982 Session) 15 pp. Provided background information on the executive branch, and summarized research activities for the series of four final reports (see January 1984).

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**Interim Report: Local Mandates and Financial Resources**, January 1983 (House Document No. 40 of the 1983 Session, authorized by House Joint Resolution 105 of the 1982 Session) 38 pp. Provided background information and summarized progress toward the final report (see December 1983).

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**Consolidation of Office Space in Northern Virginia**, January 1983 (Senate Document No. 15 of the 1983 Session, authorized by Senate Joint Resolution 29 of the 1982 Session) 64 pp. Examined the feasibility, desirability, and cost effectiveness of consolidating State agency offices located in Northern Virginia.

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**Consolidation of Office Space in the Roanoke Area**, December 1982 (Senate Document No. 8 of the 1983 Session, authorized by Senate Joint Resolution 29 of the 1982 Session) 66 pp. Examined the feasibility, desirability, and cost effectiveness of consolidating State agency offices located in the Roanoke area. Special attention devoted to a leasing proposal from the City of Roanoke.

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**Publications and Public Relations of State Agencies in Virginia**, January 1982 (Senate Document No. 23 of the 1982 Session, authorized by Senate Joint Resolution 166 of the 1981 Session) 115 pp. Assessed the value of the publications of State agencies, and other public rela-

tions efforts. Recommended changes in reporting requirements to achieve savings.

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**Federal Funds in Virginia, January 1981** (*authorized by House Joint Resolution 237 of the 1979 Session*) 20 pp. Summary study that assessed the impact of federal funds on State agencies and local governments. Provided information on the implementation of recommendations from earlier reports on this subject.

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**Federal Funds in Virginia: Special Report, October 1980** (*House Document No. 6 of the 1981 Session, authorized by House Joint Resolution 237 of the 1979 Session*) 122 pp. Focused on federal influence over State and local programs and evaluated the procedures by which federal funds are sought, utilized, monitored, and controlled.

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**Management and Use of Consultants by State Agencies: Operational Review, May 1980** (*authorized by Section 30-58.1, Code of Virginia*) 73 pp. Assessed the need for and the use of consultants by State agencies. Made recommendations to increase competitive bidding and improve documentation and accountability.

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**Special Study: Federal Funds - Interim Report, December 1979** (*House Document No. 16 of the 1980 Session, authorized by House Joint Resolution 237 of the 1979 Session*) 42 pp. Provided background information on the intergovernmental aid system. Reviewed the growth and distribution of federal funds in Virginia.

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**Special Study: Camp Pendleton, November 1978** (*House Document No. 3 of the 1979 Session, authorized by House Joint Resolution 14 of the 1978 session*), 58 pp. Examined the utilization of Camp Pendleton, the needs of the Virginia National Guard for training facilities, and the needs of adjacent communities for public-purpose land.

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**Operational Review: The Capital Outlay Process in Virginia, October 1978** (*authorized by Section 30-58.1, Code of Virginia*) 94 pp. Re-

viewed the planning, budgeting, and implementing procedures of the capital outlay process in the State. Focused on authorized construction, and also reported on unauthorized construction activity.

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**The Sunset Phenomenon, December 1977** (*authorized by House Joint Resolution 178*), 89 pp. Third and final report of the HJR 178 study. Contains legislation recommended to the General Assembly.

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**Zero-Base Budgeting?, December 1977** (*authorized by House Joint Resolution 178*) 52 pp. Text of prepared remarks and taped testimony from a budget forum held in August 1977 on Zero-Base Budgeting and its potential relevance for use in Virginia.

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**Sunset, Zero-Base Budgeting, Evaluation, September 1977** (*authorized by House Joint Resolution 178*) 84 pp. Transcribed text of a two-day conference sponsored by JLARC on the concepts of Sunset, Zero-Base Budgeting, and Legislative Program Evaluation.

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**Operational Review: Management of State-Owned Land in Virginia, April 1977** (*authorized by Section 30-58.1, Code of Virginia*) 64 pp. Assessed the processes for management and disposition of land owned by State agencies and institutions.

#### Notes on JLARC Reports

In addition to the study reports listed in this bibliography, the Commission has published 11 biennial editions of the *Report to the General Assembly* (including this one), beginning with the 1979 edition.

Most of the reports in this bibliography, as well as the biennial reports, are still in print and are available from the JLARC office upon request. Alternatively, reports published since 1994 are available on CD-ROM or by downloading from JLARC's internet site (see pages 84-86)

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## JLARC Staff

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*DIRECTOR:* PHILIP A. LEONE  
*DEPUTY DIRECTOR:* R. KIRK JONAS

*DIVISION I CHIEF:* GLEN S. TITTERMARY  
*DIVISION II CHIEF:* ROBERT B. ROTZ

---

*SECTION MANAGERS:*

PATRICIA S. BISHOP, FISCAL AND ADMINISTRATIVE SERVICES

- JOHN W. LONG, PUBLICATIONS AND GRAPHICS      GREGORY J. REST, RESEARCH METHODS
- 

*PROJECT TEAM LEADERS:*

CRAIG M. BURNS  
LINDA BACON FORD  
STEVEN E. FORD

HAROLD E. GREER, III  
CYNTHIA B. JONES  
WAYNE M. TURNAGE

---

*PROJECT TEAM STAFF:*

ARIS W. BEARSE  
KELLY D. BOWMAN  
GERALD A. CRAVER  
BETH SILVERMAN CROSS  
LISA V. FRIEL  
APRIL R. KEES  
MELISSA L. KING

ERIC H. MESSICK  
JASON W. POWELL  
SUZANNE R. PRITZKER  
LAWRENCE L. SCHACK  
E. KIM SNEAD  
PAUL VAN LENTEN  
CHRISTINE D. WOLFE

---

*FISCAL ANALYSIS SECTION:*

WALTER L. SMILEY, SECTION MANAGER

KIMBERLY A. MALUSKI

---

*ADMINISTRATIVE AND RESEARCH SUPPORT STAFF:*

KELLY J. GOBBLE  
JOAN M. IRBY

BETSY M. JACKSON  
BECKY C. TORRENCE

---

- Indicates staff with primary assignment to this project



# JOINT LEGISLATIVE AUDIT & REVIEW COMMISSION

11th Floor  
General Assembly Building  
Capitol Square  
Richmond, Virginia 23219

Phone: (804) 786-1258

Fax: (804) 371-0101

World Wide Web: <http://jlarc.state.va.us>