

July 12, 2004

**MEMORANDUM**

TO: The Governor's Cabinet  
Heads of Executive Branch Agencies

FROM: William H. Leighty

SUBJECT: Agency Legislation for the 2005 Session

This memorandum sets forth procedures and deadlines for development and approval of agency legislation for submission to the 2005 Session of the General Assembly.

As we prepare for the final full session of Governor Warner's term, I want to once again thank you and the members of your legislative teams for your professionalism, tireless efforts, and extraordinary dedication to putting Virginia first. We have accomplished a great deal during the course of this administration, and look forward to continuing that positive momentum through the 2005 Session and the remainder of the Governor's term.

**General Considerations**

Governor Warner encourages you to submit legislative proposals that meet one or more of the following criteria:

1. Implements a Secretary's initiative consistent with the Governor's policy initiatives;
2. Addresses critical issues identified in the agency's strategic plan;
3. Recommends the elimination or reduction of programs or responsibilities no longer deemed essential;
4. Enables agency to meet the requirements of a budget addenda; or
5. Deals with a new situation requiring new agency authority.

I ask each agency head to work with his or her Secretary to make sure any legislative proposals meet these criteria. The Governor's Policy Office will confer with the Cabinet to monitor progress.

I also ask each state agency director to work with the appropriate Cabinet Secretary if "housekeeping" changes are needed. The Virginia Code Commission is able to deal with typographical and similar errors, and it proposes corrections to certain unintended, technical aspects of legislation. Having the Code Commission deal with these types of problems is the best course of action. The Cabinet Secretary's legislative liaison or other appropriate member of the Secretary's office will work with the Commission staff on this issue. If they determine the

issue is beyond the scope of the Commission, then you may consider a legislative proposal but I strongly urge you to only move forward with “housekeeping” legislation that is deemed absolutely necessary.

### **Procedures and Deadlines**

Formal proposals for legislation must be submitted to your respective Cabinet Secretary by August 23, 2004. Two hard copies of your proposals should be submitted to the Cabinet Secretary, along with an electronic version (preferably by e-mail). If your Cabinet Secretary makes the preliminary decision to proceed with a legislative proposal, it will be sent to DPB and the Governor’s Policy Office.

After DPB has analyzed a proposal, it is returned to the Secretary for final review and recommendation. The Secretary submits these recommendations to the Governor’s Policy Office for any additional comments. The completed proposal will be reviewed by the Governor for his final decision.

This process should mirror the ongoing strategic planning process for each agency and complement the deadlines required for budget submissions. Late submissions will not be accepted without the written approval of the appropriate Cabinet Secretary. The attached document outlines the suggested format for legislative proposals. Please address each of the listed items in your proposal. Incomplete submissions will not be reviewed.

The full schedule for agency legislative proposals is as follows:

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|-------------|--|
| August 9    | Last day for agencies to submit their proposals to the Office of the Attorney General for review   |
| August 23   | Last day for agencies to submit legislative proposals to their Cabinet Secretary   |
| August 31   | Last day for Cabinet Secretaries to screen proposals and send approved proposals to DPB and the Governor’s Policy Office   |
| October 25  | Last day for DPB to complete full review of legislative proposals and forward comments to the Governor’s Policy Office via Secretaries   |
| November 1  | Last day for Secretaries to submit final recommendations to the Governor’s Policy Office regarding approval or disapproval of proposals  |
| November 29 | Target date for the Governor to complete review of agency legislative proposals<br><i>[Policy Office will notify Secretaries of the Governor’s decisions as soon as decisions are made.]</i> |

Attachment

c: Legislative Liaisons of Executive Branch Agencies  
Christopher Nolen, Office of the Attorney General