2013 SESSION

VIRGINIA ACTS OF ASSEMBLY - CHAPTER

ENROLLED

An Act to amend and reenact Chapter 3 of the 2012 Acts of Assembly, Special Session I, which appropriated funds for the 2012-14 Biennium, and to provide a portion of revenues for the two years ending, respectively, on the thirtieth day of June, 2013, and the thirtieth day of June, 2014, and to amend and reenact §§ 2.2-1508, 2.2-1509, 30-310, 62.1-132.3:2 of the Code of Virginia, and add a new section, § 30-339, Code of Virginia.

Be it enacted by the General Assembly of Virginia:

[H 1500]

Approved

1. That Items 1, 2, 4, 7, 10, 11, 16, 17, 18, 30, 31, 33, 38, 41, 42, 43, 44, 45, 49, 51, 52, 53, 59, 60, 61, 67, 68, 69, 71, 72, 74, 75, 76, 77, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 92, 93, 94, 96, 97, 98, 100, 101, 102, 104, 105, 106, 107, 108, 109, 110, 112, 113, 115, 116, 118, 119, 120, 121, 123, 124, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 146, 147, 149, 150, 152, 153, 154, 156, 157, 158, 161, 164, 165, 166, 167, 168, 169, 172, 173, 175, 176, 177, 179, 180, 181, 183, 184, 185, 186, 187, 188, 189, 191, 195, 196, 197, 198, 202, 203, 206, 207, 208, 209, 210, 212, 213, 214, 215, 218, 219, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 250, 251, 252, 254, 255, 257, 260, 261, 265, 266, 268, 271, 273, 275, 276, 277, 280, 283, 284, 285, 286, 290, 293, 295, 296, 297, 301, 303, 304, 305, 306, 307, 309, 310, 312, 313, 314, 315, 318, 319, 321, 327, 330, 332, 335, 336, 337, 338, 340, 341, 343, 344, 345, 348, 351, 352, 355, 358, 359, 360, 361, 362, 363, 364, 366, 367, 370, 371, 372, 374, 375, 377, 378, 383, 384, 388, 389, 392, 393, 394, 396, 400, 404, 405, 408, 409, 410, 412, 415, 416, 417, 418, 423, 425, 426, 427, 428, 429, 430, 432, 433, 434, 435, 436, 437, 439, 441, 442, 444, 445, 446, 447, 448, 449, 450, 451, 453, 454, 456, 457, 459, 461, 462, 463, 464, 465, 468, 469, 471, 472, 474, 477, 479, 481, 482, 483, 484, 489, C-0, C-2, C-33.20, C-33.60, C-34, C-34.10, C-37, C-38, C-38.10, C-39.05, C-39.10, C-40, C-41, § 3-1.01, § 3-2.03, § 3-3.03, § 3-5.03, § 3-5.07, § 3-6.04, § 3-6.05, § 4-1.04, § 4-3.02, § 4-4.01, § 4-5.01, § 4-5.04, § 4-6.01, § 4-6.04,§ 4-7.01, § 4-8.01, § 4-9.02, and § 4-14.00 of Chapter 3 of the Acts of Assembly of 2012, Special Session I be hereby amended and reenacted and that the cited chapter be further amended by adding Items 62.10, 64.05, 326.05, 327.05, 330.05, 330.10, 330.15, 384.05, 405.05, 459.05, 476.10, C-1.60, C-3.20, C-3.30, C-8.10, C-8.15, C-13.20, C-13.40, C-19.20, C-31.50, C-31.60, C-33.30, C-33.40, C-34.15, C-35.10, C-35.15, C-35.20, C-35.25, C-35.30, C-39.40, § 3-5.09, and § 4-5.12.

~~1.~~*2.* §1. The following are hereby appropriated, for the current biennium, as set forth in succeeding parts, sections and items, for the purposes stated and for the years indicated:

A. The balances of appropriations made by previous acts of the General Assembly which are recorded as unexpended, as of the close of business on the last day of the previous biennium, on the final records of the State Comptroller; and

B. The public taxes and arrears of taxes, as well as moneys derived from all other sources, which shall come into the state treasury prior to the close of business on the last day of the current biennium. The term "moneys" means nontax revenues of all kinds, including but not limited to fees, licenses, services and contract charges, gifts, grants, and donations, and projected revenues derived from proposed legislation contingent upon General Assembly passage.

§ 2. Such balances, public taxes, arrears of taxes, and monies derived from all other sources as are not segregated by law to other funds, which funds are defined by the State Comptroller, pursuant to § 2.2-803, Code of Virginia, shall establish and constitute the general fund of the state treasury.

§ 3. The appropriations made in this act from the general fund are based upon the following:

	First Year	**Second Year**	**Total**
~~Unreserved~~ *Unrestricted* Balance, June 30, 2012	~~$675,516,651~~	$0	~~$675,516,651~~
	$976,011,000	$0	*$976,011,000*
Additions to Balance	~~$2,805,080~~	~~$4,179,328~~	~~$6,984,408~~
	($177,007,666)	*$5,380,764*	*($171,626,902)*
Official Revenue Estimates	~~$16,313,139,429~~	~~$17,041,740,657~~	~~$33,354,880,086~~
	$16,416,624,248	*$17,056,958,606*	*$33,473,582,854*
Transfers	~~$397,837,581~~	~~$414,034,675~~	~~$811,872,256~~
	$423,932,936	*$431,645,366*	*$855,578,302*

Total General Fund Resources Available for Appropriation	~~$17,389,298,741~~	~~$17,459,954,660~~	~~$34,849,253,401~~
	$17,639,560,518	*$17,493,984,736*	*$35,133,545,254*

The appropriations made in this act from nongeneral fund revenues are based upon the following:

	First Year	**Second Year**	**Total**
Balance, June 30, 2012	~~$4,539,872,660~~	$0	~~$4,539,872,660~~
	$4,307,352,991		*$4,307,352,991*
Official Revenue Estimates	~~$23,669,716,061~~	~~$25,106,646,860~~	~~$48,776,362,921~~
	$24,634,182,779	*$24,677,967,248*	*$49,312,150,027*
Lottery Proceeds Fund	~~$457,300,000~~	~~$462,000,000~~	~~$919,300,000~~
	$487,300,000	*$462,000,000*	*$949,300,000*
Bond Proceeds	~~$1,057,027,948~~	~~$56,936,092~~	~~$1,113,964,040~~
	$1,112,939,948	*$1,185,975,092*	*$2,298,915,040*
Total Nongeneral Fund Revenues Available for Appropriation	~~$29,723,916,669~~	~~$25,625,582,952~~	~~$55,349,499,621~~
	$30,541,775,718	*$26,325,942,340*	*$56,867,718,058*
TOTAL PROJECTED REVENUES	~~$47,113,215,410~~	~~$43,085,537,612~~	~~$90,198,753,022~~
	48,181,336,236	*$43,819,927,076*	*$92,001,263,312*

§ 4. Nongeneral fund revenues which are not otherwise segregated pursuant to this act shall be segregated in accordance with the acts respectively establishing them.

§ 5. The sums herein appropriated are appropriated from the fund sources designated in the respective items of this act.

§ 6. When used in this act the term:

A. "Current biennium" means the period from the first day of July two thousand twelve, through the thirtieth day of June two thousand fourteen, inclusive.

B. "Previous biennium" means the period from the first day of July two thousand ten, through the thirtieth day of June two thousand twelve, inclusive.

C. "Next biennium" means the period from the first day of July two thousand fourteen, through the thirtieth day of June two thousand sixteen, inclusive.

D. "State agency" means a court, department, institution, office, board, council or other unit of state government located in the legislative, judicial, or executive departments or group of independent agencies, or central appropriations, as shown in this act, and which is designated in this act by title and a three-digit agency code.

E. "Nonstate agency" means an organization or entity as defined in § 2.2-1505 C, Code of Virginia.

F. "Authority" sets forth the general enabling statute, either state or federal, for the operation of the program for which appropriations are shown.

G. "Discretionary" means there is no continuing statutory authority which infers or requires state funding for programs for which the appropriations are shown.

H. "Appropriation" shall include both the funds authorized for expenditure and the corresponding level of full-time equivalent employment.

I. "Sum sufficient" identifies an appropriation for which the Governor is authorized to exceed the amount shown in the Appropriation Act if required to carry out the purpose for which the appropriation is made.

J. "Item Details" indicates that, except as provided in § 6 H above, the numbers shown under the columns labeled Item Details are for information reference only.

K. Unless otherwise defined, terms used in this act dealing with budgeting, planning and related management actions are defined in the instructions for preparation of the Executive Budget.

§ 7. The total appropriations from all sources in this act have been allocated as follows:

BIENNIUM 2012-14

	General Fund	Nongeneral Fund	Total
OPERATING EXPENSES	~~$34,822,623,869~~	~~$50,462,937,778~~	~~$85,285,561,647~~
	$35,103,452,390	*$50,859,498,273*	*$85,962,950,663*
LEGISLATIVE DEPARTMENT	~~$138,977,622~~	$7,012,870	~~$145,990,492~~
	$141,535,665		*$148,548,535*
JUDICIAL DEPARTMENT	~~$843,510,431~~	~~$65,210,386~~	~~$908,720,817~~
	$846,995,559	*$65,810,386*	*$912,805,945*
EXECUTIVE DEPARTMENT	~~$33,840,135,816~~	~~$49,142,902,005~~	~~$82,983,037,821~~
	$34,113,521,166	*$49,525,921,691*	*$83,639,442,857*
INDEPENDENT AGENCIES	~~$0~~	~~$1,247,812,517~~	~~$1,247,812,517~~
	$1,400,000	*$1,260,753,326*	*$1,262,153,326*
STATE GRANTS TO NONSTATE AGENCIES	$0	$0	$0
CAPITAL OUTLAY EXPENSES	~~$20,300,000~~	~~$1,219,840,508~~	~~$1,240,140,508~~
	$20,050,000	*$2,502,646,508*	*$2,522,696,508*
TOTAL	~~$34,842,923,869~~	~~$51,682,778,286~~	~~$86,525,702,155~~
	$35,123,502,390	*$53,362,144,781*	*$88,485,647,171*

§ 8. This chapter shall be known and may be cited as the "2013 Appropriation Act."

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PART 1: OPERATING EXPENSES				
LEGISLATIVE DEPARTMENT				
§ 1-1. GENERAL ASSEMBLY OF VIRGINIA (101)				
1. Enactment of Laws (78200)				
a sum sufficient, estimated at			$34,175,023	~~$34,175,617~~ *$36,555,381*
Legislative Sessions (78204)	$34,175,023	~~$34,175,617~~ *$36,555,381*		
Fund Sources: General	$34,175,023	~~$34,175,617~~ *$36,555,381*		

Authority: Article IV, Constitution of Virginia.

A. Out of this appropriation, the House of Delegates is funded $21,651,364 the first year and ~~$21,651,739~~*$23,351,570* the second year from the general fund. The Senate is funded $12,523,659 the first year and ~~$12,523,878~~*$13,203,811* the second year from the general fund.

B. Out of this appropriation shall be paid:

1. The salaries of the Speaker of the House of Delegates and other members, and personnel employed by each House; the mileage of members, officers and employees, including salaries and mileage of members of legislative committees sitting during recess; public printing and related expenses required by or for the General Assembly; and the incidental expenses of the General Assembly (§§ 30-19.11 through 30-19.20, inclusive, and § 30-19.4, Code of Virginia). The salary of the Speaker of the House of Delegates shall be $36,321 per year. The salaries of other members of the House of Delegates shall be $17,640 per year. The salaries of the members of the Senate shall be $18,000 per year.

2. The annual salary of the Clerk of the House of Delegates, $151,375 from July 1, 2012 to June 24, 2013 and $151,375 from June 25, 2013 to June 30, 2014.

3. The annual salary of the Clerk of the Senate, $148,184 from July 1, 2012 to June 24, 2013 and $148,184 from June 25, 2013 to June 30, 2014.

4. Expenses of the Speaker of the House of Delegates not otherwise reimbursed, $16,200 each year, to be paid in equal monthly installments during the year.

5. In accordance with § 30-19.4, Code of Virginia, and subject to all other conditions of that section except as otherwise provided in the following paragraphs:

a. $96,856 per calendar year for the compensation of one or more secretaries of the Speaker of the House of Delegates. *After June 30, 2014,* ~~S~~salary increases shall be governed by the provisions of Item 468 of this act.

b. $145,283 per calendar year for the compensation of one or more legislative assistants of the Speaker of the House of Delegates. *After June 30, 2014,* ~~S~~salary increases shall be governed by the provisions of Item 468 of this act.

c.*1.* ~~$39,765 per calendar year for the compensation of legislative assistants of each member of the General Assembly. Salary increases granted shall be governed by the provisions of Item 468 of this act~~. *$40,000 per calendar year for the compensation of legislative assistants for each member of the House of Delegates and $45,000 for the compensation of legislative assistants for each member of the Senate. After June 30, 2014, salary increases granted shall be governed by the provisions of Item 468 of this act.*

2. In addition, $15,000 per calendar year for each member of the House of Delegates and $10,000 per calendar year for each member of the Senate to provide compensation for additional legislative assistant support costs incurred during the legislative session and in the operation of legislative offices within members' districts. After June 30, 2014, salary increases

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granted shall be governed by the provisions of Item 468 of this act.

d. The per diem for each legislative assistant of each member of the General Assembly, including the Speaker of the House of Delegates. Such per diem shall equal the amount authorized per session day for General Assembly members in paragraph B 7, if such legislative assistant maintains a temporary residence during the legislative session or an extension thereof and if the establishment of such temporary residence results from the person's employment by the member. The per diem for a legislative assistant who is domiciled in the City of Richmond or whose domicile is within twenty miles of the Capitol shall equal thirty-five percent of the amount paid to a legislative assistant who maintains a temporary residence during such session. For purposes of this paragraph, (i) a session day shall include such days as shall be established by the Rules Committee of each respective House and (ii) a temporary residence is defined as a residence certified by the member served by the legislative assistant as occupied only by reason of employment during the legislative session or extension thereof. Notwithstanding the provisions of (i) of the preceding sentence, if the House from which the legislative assistant is paid is in adjournment during a regular or special session, he must show to the satisfaction of the Clerk that he worked each day during such adjournment for which such per diem is claimed.

e. A mileage allowance as provided in § 2.2-2823 A, Code of Virginia, and as certified by the member. Such mileage allowance shall be paid to a legislative assistant for one round trip between the City of Richmond and such person's home each week during the legislative session or an extension thereof when such person is maintaining a temporary residence.

f. Per diem and mileage shall be paid only to a person who is paid compensation pursuant to § 30-19.4, Code of Virginia.

g. Not more than one person shall be paid per diem or mileage during a single weekly pay period for serving a member as legislative assistant during a legislative session or extension thereof.

h. No person, by virtue of concurrently serving more than one member, shall be paid mileage or per diem in excess of the daily rates specified in this Item.

i. $19,879 per calendar year additional allowance for secretaries or legislative assistants to the Majority and Minority Leaders of the House of Delegates and the Senate and for secretaries or legislative assistants to the President Pro Tempore of the Senate and the Chairman Emeritus of the Senate Finance Committee. *After June 30, 2014,* ~~S~~salary increases shall be governed by the provisions of Item 468 of this act.

6.a. All compensation and reimbursement of expenses to members of the General Assembly and non-General Assembly members for attending a meeting described in paragraphs B.6.c., B.6.d., B.7., and B.8. shall be paid solely as provided pursuant to this item.

b. The provisions of paragraphs B.6.c. and B.6.d. of this item shall not apply during any regular session of the General Assembly or extension thereof, or during any special session of the General Assembly; provided, however, that the provisions of such paragraphs shall apply during any recess of the same.

c. Notwithstanding any other provision of law, each General Assembly member shall receive compensation for each day, or portion thereof, of attendance at an official meeting of any joint subcommittee, board, commission, authority, council, compact, or other body that has been created or established by the General Assembly or by resolution of a house of the General Assembly, provided that the member has been appointed to, or designated an official member of, such joint subcommittee, board, commission, authority, council, compact, or other body pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation.

Notwithstanding any other provision of law, each General Assembly member shall also receive compensation for each day, or portion thereof, of attendance at an official meeting of (i) any standing committee or subcommittee thereof of the House of Delegates to which the member has been appointed, (ii) any standing committee or subcommittee thereof or Committee on Rules of the Senate to which the member has been appointed, or (iii) the Joint Rules Committee of the General Assembly. Any official meeting of a subcommittee of any of the

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committees described in clauses (i), (ii), or (iii) shall also be an official meeting for which the member shall receive compensation.

Notwithstanding any other provision of law, any General Assembly member whose attendance, in the written opinion of the chairman of (a) any joint subcommittee, board, commission, authority, council, or other body that has been created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly; (b) any such standing committee of the House of Delegates or of the Senate; (c) the Committee on Rules of the Senate; or (d) the Joint Rules Committee of the General Assembly, is required at an official meeting of the body shall also receive compensation for each day, or portion thereof, of attendance at such official meeting.

Any General Assembly member receiving compensation pursuant to this paragraph for attending an official meeting shall be reimbursed for his or her reasonable and necessary expenses incurred in attending such meeting. Notwithstanding any other provision of law, the reimbursement shall be provided by the respective body holding the meeting or by the entity that supports the work of the body.

d. Compensation to General Assembly members for attendance at any official meeting described under B.6.c.of this item shall be at the rate of $200 for each day, or portion thereof, of attendance. In no case shall a member be paid more than an aggregate of $200 in compensation for each day, or portion thereof, regardless of whether the member attends more than one official meeting during the day. The payment of such compensation shall be subject to the restrictions and limitations set forth in subsections B., C., and G. of § 30-19.12, Code of Virginia. Notwithstanding any other provision of law, compensation to General Assembly members for attendance at such official meetings shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. The body holding the meeting shall as soon as practicable report the member's attendance at any official meeting of such body to the Clerk of the House of Delegates or the Clerk of the Senate, as applicable, in order to facilitate payment of the compensation. Such body shall report the member's attendance in such manner as prescribed by the respective Clerk.

7. Notwithstanding any other provision of law, whenever any General Assembly member is required to travel for official attendance as a representative of the General Assembly at any meeting, conference, seminar, workshop, or conclave, which is not conducted by the Commonwealth of Virginia or any of its agencies or instrumentalities, such member shall be entitled to (i) compensation in an amount not to exceed the per day rate set forth in paragraph B.6.d., and (ii) reimbursement for reasonable and necessary expenses incurred. Such compensation and reimbursement for expenses shall be set by the Speaker of the House of Delegates for members of the House of Delegates and by the Senate Committee on Rules for members of the Senate.

8. The provisions of this paragraph shall apply only to non-General Assembly members (hereinafter, "citizen members") of any (i) board, commission, authority, council, or other body created or established in the legislative branch of state government by the General Assembly or by resolution of a house of the General Assembly, or (ii) joint legislative committee or subcommittee.

Notwithstanding any other provision of law, any citizen member of any body described in this paragraph who is appointed at the state level, or designated an official member of such body, pursuant to an act of the General Assembly or a resolution of a house of the General Assembly that provides for the appointment or designation, shall receive compensation solely for each day, or portion thereof, of attendance at an official meeting of the same. In no event shall any citizen member be paid compensation for attending a meeting of an advisory committee or other advisory body. Subject to any contrary law that provides for a higher amount of compensation to be paid, compensation shall be paid at the rate of $50 for each day, or portion thereof, of attendance at an official meeting.

Such citizen members shall also be reimbursed for reasonable and necessary expenses incurred in attending (i) an official meeting of any body described in this paragraph, or (ii) a meeting of an advisory committee or advisory body of any body described in this paragraph.

Compensation and reimbursement of expenses to such citizen members shall be paid by the body holding the meeting (or for meetings of advisory committees or advisory bodies, the body

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on whose behalf the meeting is being held) or by the entity that supports the work of the body.

A citizen member, however, who is a full-time employee of the Commonwealth or any of its local political subdivisions, including any full-time faculty member of a public institution of higher education, shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed by his employer.

A citizen member who is also currently a treasurer, sheriff, clerk of court, commissioner of the revenue, or attorney for the Commonwealth by reason of election of the qualified county or city voters shall not be entitled to compensation under this paragraph and shall be limited to reimbursement for his reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of his office are reimbursed. Full-time employees of one of the foregoing constitutional offices shall also not be entitled to compensation under this paragraph and shall be limited to reimbursement for their reasonable and necessary expenses incurred, which shall be reimbursed within the budget already established by the Compensation Board and in the same manner as other reasonable and necessary expenses of the constitutional office are reimbursed.

9. Pursuant to § 30-19.13, Code of Virginia, allowances for expenses of members of the General Assembly during any regular session of the General Assembly or extension thereof or during any special session of the General Assembly shall be paid in an amount not to exceed the maximum daily amount permitted by the Internal Revenue Service under rates established by the U.S. General Services Administration.

10. Allowance for office expenses and supplies of members of the General Assembly, in the amount of $1,250 for each month of each calendar year. An additional $500 for each month of each calendar year shall be paid to the Majority and Minority Leaders of the House of Delegates and the Senate and to the President Pro Tempore of the Senate.

C. A legislative assistant of a member of the General Assembly regularly employed on a twelve (12) consecutive month salary basis receiving 60 percent or more of the salary allotted pursuant to paragraph A.5.*c.1*, may, for the purposes of §§ 51.1-124.3 and 51.1-152, Code of Virginia, be deemed a "state employee" and as such will be eligible for participation in the Virginia Retirement System, the group life insurance plan, the VRS short and long term disability plans, and the state health insurance plan. Upon approval by the Joint Rules Committee, legislative assistants shall be eligible to participate in the short and long-term disability plans sponsored by the Virginia Retirement System pursuant to Chapter 11 of Title 51.1, Code of Virginia. Such legislative assistants shall not receive sick leave and family and personal leave benefits under this plan. Short-term disability benefits shall be payable from the Legislative Reversion Clearing Account.

D. Out of this appropriation the Clerk of the House of Delegates shall pay the routine maintenance and operating expenses of the General Assembly Building as apportioned to the Senate, House of Delegates, Division of Legislative Services, Joint Legislative Audit and Review Commission, or other legislative agencies. The funds appropriated to each agency in the Legislative Department for routine maintenance and operating expenses during the current biennium shall be transferred to the account established for this purpose.

E. An amount of up to $10,000 per year shall be transferred from Item 34 of this act, to reflect equivalent compensation allowances for the Lieutenant Governor as were authorized by the 1994 General Assembly. The Lieutenant Governor shall report such increases to the Speaker of the House and the Chairman of the House Appropriations Committee and the Chairman of the Senate Finance Committee.

F.1. The Chairmen of the House Appropriations and Senate Finance Committees shall each appoint four members from their respective committees to a joint subcommittee to review public higher education funding policies and to make recommendations to their respective committees. The objective of the review is to develop policies and formulas to provide the public institutions of higher education with an equitable funding methodology that: (a) recognizes differences in institutional mission; (b) provides incentives for achievement and productivity; (c) recognizes enrollment growth; and (d) establishes funding objectives in areas such as faculty salaries, financial aid, and the appropriate share of educational and general costs

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that should be borne by resident students. In addition, the review shall include the development of comparable cost data concerning the delivery of higher education through an analysis of the relationship of each public institution to its national peers. The public institutions of higher education and the staff of the State Council of Higher Education for Virginia are directed to provide technical assistance, as required, to the joint subcommittee.

2. The Joint Subcommittee on Higher Education Funding Policies shall conduct an assessment of the adequacy of the current educational and general funding levels for Virginia's public institutions of higher education. The assessment shall be used to develop guidelines against which to measure funding requests for higher education. The assessment shall include, but not be limited to, the following components:

a) Updated student-to-faculty ratios based on current practice or industry norms.

b) Consideration of support staff needs and the changing requirements of support staff due to technology and privatization of services previously performed by the institutions.

c) Costs of instruction, such as equipment, utilities, facilities maintenance, and other nonpersonal services expenses.

d) Recognition of the individual mission of the institution, student characteristics, location, or other factors that may influence the costs of instruction.

e) Benchmarking of the funding guidelines against a group of peer institutions, or other appropriate comparator group, to assess the validity of the guidelines.

f) Means by which measures of institutional performance can be assessed and incorporated into funding and policy guidelines for higher education.

3. The Joint Subcommittee on Higher Education Funding Policies shall develop a more precise methodology for determining funding needs at Virginia's public institutions of higher education related to enrollment growth. The methodology should take into consideration that support staff and operations may need to be expanded when enrollment growth reaches certain levels.

4. The Joint Subcommittee may seek support from the staff of the Senate Finance and House Appropriations Committees, the public institutions of higher education, or other higher education or state agency representatives, as requested by the Joint Subcommittee. At its discretion, the Joint Subcommittee may contract for consulting services.

5. The Joint Subcommittee is hereby continued to provide direction and oversight of higher education funding policies. The Joint Subcommittee shall review and articulate policies and funding methodologies on: (a) the appropriate share of educational and general costs that should be borne by students; (b) student financial aid; (c) undergraduate medical education funding; (d) the mix of full-time and part-time faculty; (e) the mix of in-state and out-of-state students as it relates to tuition policy; and (f) the viability of statewide articulation agreements between four-year and two-year public institutions.

6. a. It is the objective of the General Assembly that funding for Virginia's public colleges and universities shall be based primarily on the funding guidelines outlined in the November, 2001 report of the Joint Subcommittee on Higher Education Funding Policies.

b. Based on the findings and recommendations of its November, 2001 report, the Joint Subcommittee shall coordinate with the State Council of Higher Education, the Secretary of Education, and the Department of Planning and Budget in incorporating the higher education funding guidelines into the development of budget recommendations.

c. As part of its responsibilities to ensure the fair and equitable distribution and use of public funds among the public institutions of higher education, the State Council of Higher Education shall incorporate the funding guidelines established by the Joint Subcommittee into its budget recommendations to the Governor and the General Assembly.

G. The Chairmen of the Senate Finance and House Appropriations Committees shall each appoint four members from their respective committees to a joint subcommittee to review compensation of state agency heads and cabinet secretaries. The Department of Human

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Resource Management, the Virginia Retirement System and all other agencies and institutions of the Commonwealth are directed to provide technical assistance, as required, to the joint subcommittee.

H. 1. The Chairmen of the House Appropriations and Senate Finance Committees shall each appoint up to five members from their respective committees to a joint subcommittee to provide on-going direction and oversight of Standards of Quality funding cost policies and to make recommendations to their respective committees.

2. The Joint Subcommittee on Elementary and Secondary Education Funding shall: a) study the Commonwealth's use of the prevailing salary and cost approaches to funding the Standards of Quality, as compared with alternative approaches, such as a fixed point in time salary base that is increased annually by some minimum percentage or funding the national average teacher salary; and b) review the "federal revenue deduct" methodology, including the current use of a cap on the deduction; and c) review the methodology for establishing a consistent funding cap process for all state funded instructional and certain support positions.

3. The school divisions, the staff of the Virginia Department of Education, and staff of the Joint Legislative Audit and Review Commission, are directed to provide technical assistance, as required, to the joint subcommittee.

I. Notwithstanding the salaries listed in Item 1, paragraph B.2., of this act, the Speaker of the House may establish a salary range for the Clerk of the House of Delegates.

J. Notwithstanding the salaries listed in Item 1, paragraph B.3. of this act, the Senate Committee on Rules may establish a salary range for the Clerk of the Senate.

K. Notwithstanding the salaries set out in Items 2, 5, and 6, the Committee on Joint Rules may establish salary ranges for such agency heads consistent with the provisions and salary ranges included in Item 4-6.01 of this act.

L. Included within this appropriation is $15,400 each year from the general fund for expenses related to the Joint Subcommittee on Tax Preferences, pursuant to House Bill 777 of the 2012 Session. This includes $6,622 each year to be allocated by the Clerk of the Senate and $8,778 each year to be allocated by the Clerk of the House of Delegates.

M. Included in the appropriations for this item is $25,000 the first year and $25,000 the second year from the general fund for the operations of the Virginia Indian Commemorative Commission and the development of a monument commemorating the life, achievements, and legacy of Native Americans in the Commonwealth.

Total for General Assembly of Virginia.....			**$34,175,023**	**~~$34,175,617~~** ***$36,555,381***
General Fund Positions.....	221.00	221.00		
Position Level	221.00	221.00		
Fund Sources: General.....	$34,175,023	~~$34,175,617~~ *$36,555,381*		

§ 1-2. AUDITOR OF PUBLIC ACCOUNTS (133)

2. Legislative Evaluation and Review (78300).....			$11,331,545	$11,335,573
Financial and Compliance Audits (78301).....	$11,331,545	$11,335,573		
Fund Sources: General.....	$10,453,492	$10,457,520		
Special.....	$878,053	$878,053		

Authority: Article IV, Section 18, Constitution of Virginia; Title 30, Chapter 14, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Auditor of Public Accounts,

ITEM 2.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	$167,902 from July 1, 2012 to ~~June 24, 2013 and $167,902 from June 25, 2013~~*December 31, 2012 and $168,279 from January 1, 2013* to June 30, 2014.				
	B. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year pursuant to § 2.2-1829, Code of Virginia. The Auditor shall, at the same time, provide his report on (i) the 10 percent limitation and the amount that could be paid into the Revenue Stabilization Fund and (ii) any amounts necessary for deposit into the Fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.				
	C. The specifications of the Auditor of Public Accounts for the independent certified public accountants auditing localities shall include requirements for any money received by the sheriff. These requirements shall include that the independent certified public accountant must submit a letter to the Auditor of Public Accounts annually providing assurance as to whether the sheriff has maintained a proper system of internal controls and records in accordance with the Code of Virginia. This letter shall be submitted along with the locality's audit report.				
	Total for Auditor of Public Accounts.....			**$11,331,545**	**$11,335,573**
	General Fund Positions.....	120.00	120.00		
	Nongeneral Fund Positions.....	10.00	10.00		
	Position Level	130.00	130.00		
	Fund Sources: General.....	$10,453,492	$10,457,520		
	Special.....	$878,053	$878,053		
	§ 1-3. COMMISSION ON THE VIRGINIA ALCOHOL SAFETY ACTION PROGRAM (413)				
3.	Ground Transportation System Safety Services (60500)..			$1,452,820	$1,452,820
	Ground Transportation Safety Promotion (60503).....	$1,452,820	$1,452,820		
	Fund Sources: Special.....	$1,452,820	$1,452,820		
	Authority: §§ 18.2-271.1 and 18.2-271.2, Code of Virginia.				
	Out of this appropriation shall be paid the annual salary of the Executive Director, $117,923 from July 1, 2012 to June 24, 2013 and $117,923 from June 25, 2013 to June 30, 2014.				
	Total for Commission on the Virginia Alcohol Safety Action Program.....			**$1,452,820**	**$1,452,820**
	Nongeneral Fund Positions.....	11.50	11.50		
	Position Level	11.50	11.50		
	Fund Sources: Special.....	$1,452,820	$1,452,820		
	§ 1-4. DIVISION OF CAPITOL POLICE (961)				
4.	Administrative and Support Services (39900).....			$7,347,673	~~$7,351,875~~ *$7,370,154*
	Security Services (39923).....	$7,347,673	~~$7,351,875~~ *$7,370,154*		
	Fund Sources: General.....	$7,347,673	~~$7,351,875~~ *$7,370,154*		
	Authority: Title 30, Chapter 3.1, Code of Virginia.				
	A. Out of this appropriation shall be paid the annual salary of the Chief, Division of Capitol Police, which shall be within the range of $86,528 and $108,160 from July 1, 2012 to June 30, 2014.				

ITEM 4.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	B. Included in this Item is $160,735 the first year and $160,735 the second year from the general fund, which shall be unallotted until such time as an additional position class or other career development plan for the Division of Capitol Police shall be approved by the Committee on Joint Rules.				
	Total for Division of Capitol Police			**$7,347,673**	**~~$7,351,875~~** ***$7,370,154***
	General Fund Positions.....	108.00	108.00		
	Position Level	108.00	108.00		
	Fund Sources: General.....	$7,347,673	~~$7,351,875~~ *$7,370,154*		
	§ 1-5. DIVISION OF LEGISLATIVE AUTOMATED SYSTEMS (109)				
5.	Information Technology Development and Operations (82000)			$3,439,308	$3,439,401
	Computer Operations Services (82001)	$3,439,308	$3,439,401		
	Fund Sources: General.....	$3,160,853	$3,160,946		
	Special.....	$278,455	$278,455		
	Authority: Title 30, Chapter 3.2, Code of Virginia.				
	Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, $148,868 from July 1, 2012 to June 24, 2013 and $148,868 from June 25, 2013 to June 30, 2014.				
	Total for Division of Legislative Automated Systems.....			**$3,439,308**	**$3,439,401**
	General Fund Positions.....	16.00	16.00		
	Nongeneral Fund Positions.....	3.00	3.00		
	Position Level	19.00	19.00		
	Fund Sources: General.....	$3,160,853	$3,160,946		
	Special.....	$278,455	$278,455		
	§ 1-6. DIVISION OF LEGISLATIVE SERVICES (107)				
6.	Legislative Research and Analysis (78400).....			$5,823,846	$5,823,939
	Bill Drafting and Preparation (78401)	$5,823,846	$5,823,939		
	Fund Sources: General.....	$5,803,846	$5,803,939		
	Special.....	$20,000	$20,000		
	Authority: Title 30, Chapter 2.2, Code of Virginia.				
	A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Services, $151,263 from July 1, 2012, to June 24, 2013 and $151,263 from June 25, 2013, to June 30, 2014.				
	B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint Rules may establish a salary range for the Director, Division of Legislative Services.				
	C. The Division of Legislative Services shall continue to provide administrative support to include payroll processing, accounting, and travel expense processing at no charge to the Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia Commission on Youth, and the Virginia State Crime Commission.				
	Total for Division of Legislative Services.....			**$5,823,846**	**$5,823,939**
	General Fund Positions.....	56.00	56.00		
	Position Level	56.00	56.00		

ITEM 6.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: General	$5,803,846	$5,803,939		
	Special	$20,000	$20,000		
	Capitol Square Preservation Council (820)				
7.	*Architectural and Antiquity Research Planning and Coordination (74800)*			*$0*	*$160,000*
	Fund Sources: *General*	*$0*	*$160,000*		
	Authority: Title 30, Chapter 28, Code of Virginia.				
	Total for Capitol Square Preservation Council			***$0***	***$160,000***
	General Fund Positions	*0.00*	*1.00*		
	Position Level	*0.00*	*1.00*		
	Fund Sources: *General*	*$0*	*$160,000*		
8.	Omitted.				
	Virginia Disability Commission (837)				
9.	Social Services Research, Planning, and Coordination (45000)			$25,554	$25,554
	Social Services Coordination (45001)	$25,554	$25,554		
	Fund Sources: General	$25,554	$25,554		
	Authority: Title 30, Chapter 35, Code of Virginia.				
	Total for Virginia Disability Commission			**$25,554**	**$25,554**
	Fund Sources: General	$25,554	$25,554		
	Dr. Martin Luther King, Jr. Memorial Commission (845)				
10.	Human Relations Management (14600)			$50,349	$50,349
	Human Relations Management (14601)	$50,349	$50,349		
	Fund Sources: General	$50,349	$50,349		
	Authority: Title 30, Chapter 27, Code of Virginia.				
	Total for Dr. Martin Luther King, Jr. Memorial Commission			**$50,349**	**$50,349**
	Fund Sources: General	$50,349	$50,349		
11.	Omitted.				
	Joint Commission on Technology and Science (847)				
12.	Technology Research, Planning, and Coordination (53700)			$206,344	$206,346
	Technology Research (53701)	$206,344	$206,346		
	Fund Sources: General	$206,344	$206,346		
	Authority: Title 30, Chapter 11, Code of Virginia.				
	Total for Joint Commission on Technology and Science			**$206,344**	**$206,346**

ITEM 12.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	General Fund Positions	2.00	2.00		
	Position Level	2.00	2.00		
	Fund Sources: General	$206,344	$206,346		
	Commissioners for the Promotion of Uniformity of Legislation in the United States (145)				
13.	Governmental Affairs Services (70100)			$62,500	$62,500
	Interstate Affairs (70103)	$62,500	$62,500		
	Fund Sources: General	$62,500	$62,500		
	Authority: Title 30, Chapter 29, Code of Virginia.				
	Total for Commissioners for the Promotion of Uniformity of Legislation in the United States			**$62,500**	**$62,500**
	Fund Sources: General	$62,500	$62,500		
	State Water Commission (971)				
14.	Environmental Policy and Program Development (51600)			$10,160	$10,160
	Environmental Policy and Program Development (51601)	$10,160	$10,160		
	Fund Sources: General	$10,160	$10,160		
	Authority: Title 30, Chapter 24, Code of Virginia.				
	Total for State Water Commission			**$10,160**	**$10,160**
	Fund Sources: General	$10,160	$10,160		
	Virginia Coal and Energy Commission (118)				
15.	Resource Management Research, Planning, and Coordination (50700)			$21,616	$21,616
	Energy Conservation Advisory Services (50703)	$21,616	$21,616		
	Fund Sources: General	$21,616	$21,616		
	Authority: Title 30, Chapter 25, Code of Virginia.				
	Total for Virginia Coal and Energy Commission			**$21,616**	**$21,616**
	Fund Sources: General	$21,616	$21,616		
	Virginia Code Commission (108)				
16.	Enactment of Laws (78200)			$93,309	$93,309
	Code Modernization (78201)	$93,309	$93,309		
	Fund Sources: General	$69,309	$69,309		
	Special	$24,000	$24,000		
	Authority: Title 30, Chapter 15, Code of Virginia.				
	Total for Virginia Code Commission			**$93,309**	**$93,309**

ITEM 16.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: General	$69,309	$69,309		
	Special	$24,000	$24,000		
17.	Omitted.				
18.	Omitted.				
	Virginia Freedom of Information Advisory Council (834)				
19.	Governmental Affairs Services (70100)			$181,619	$181,622
	Public Information Services (70109)	$181,619	$181,622		
	Fund Sources: General	$181,619	$181,622		
	Authority: Title 30, Chapter 21, Code of Virginia.				
	Total for Virginia Freedom of Information Advisory Council			**$181,619**	**$181,622**
	General Fund Positions	1.50	1.50		
	Position Level	1.50	1.50		
	Fund Sources: General	$181,619	$181,622		
	Virginia Housing Commission (840)				
20.	Housing Assistance Services (45800)			$20,975	$20,975
	Housing Research and Planning (45803)	$20,975	$20,975		
	Fund Sources: General	$20,975	$20,975		
	Authority: Section 30-257, Code of Virginia.				
	Total for Virginia Housing Commission			**$20,975**	**$20,975**
	Fund Sources: General	$20,975	$20,975		
	Brown V. Board of Education Scholarship Committee (858)				
21.	Human Relations Management (14600)			$25,296	$25,296
	Human Relations Management (14601)	$25,296	$25,296		
	Fund Sources: General	$25,296	$25,296		
	Authority: Title 30, Chapter 34.1, Code of Virginia.				
	Pursuant to § 30-231.5, Code of Virginia, there is provided $25,000 each year from the general fund to support the operations of the Brown v. Board of Education Scholarship Awards Committee. This operational support shall be used to provide for the expenses incurred by the members of the committee and may be used for such other services as deemed necessary to accomplish the purposes for which it was created.				
	Total for Brown V. Board of Education Scholarship Committee			**$25,296**	**$25,296**
	Fund Sources: General	$25,296	$25,296		
	Virginia Sesquicentennial of the American Civil War Commission (859)				
22.	Human Relations Management (14600)			$2,600,512	$2,600,513
	Human Relations Management (14601)	$2,600,512	$2,600,513		
	Fund Sources: General	$2,000,512	$2,000,513		
	Special	$600,000	$600,000		

ITEM 22.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Authority: Title 30, Chapter 40, Code of Virginia.				
	Pursuant to the provisions of Chapter 465 of the Acts of Assembly of 2006, $2,000,512 the first year and 2,000,513 the second year from the general fund and $600,000 the first year and $600,000 the second year from nongeneral funds is appropriated to support the Virginia Sesquicentennial of the American Civil War Commission and Fund. Such funds shall be used for expenses incurred by the members of the commission, to appoint staff as may be deemed necessary to assist the commission in performing its duties, and to pay for the services of professional personnel, consultants, advisors, or other services which the commission may deem necessary to accomplish the purposes for which it was created.				
	Total for Virginia Sesquicentennial of the American Civil War Commission			**$2,600,512**	**$2,600,513**
	General Fund Positions	1.00	1.00		
	Position Level	1.00	1.00		
	Fund Sources: General	$2,000,512	$2,000,513		
	Special	$600,000	$600,000		
	Commission on Unemployment Compensation (860)				
23.	Consumer Affairs Services (55000)			$6,000	$6,000
	Consumer Assistance (55002)	$6,000	$6,000		
	Fund Sources: General	$6,000	$6,000		
	Authority: Title 30, Chapter 33, Code of Virginia.				
	Total for Commission on Unemployment Compensation			**$6,000**	**$6,000**
	Fund Sources: General	$6,000	$6,000		
	Small Business Commission (862)				
24.	Economic Development Services (53400)			$15,000	$15,000
	Economic Development Research, Planning, and Coordination (53401)	$15,000	$15,000		
	Fund Sources: General	$15,000	$15,000		
	Authority: Title 30, Chapter 22, Code of Virginia.				
	Total for Small Business Commission			**$15,000**	**$15,000**
	Fund Sources: General	$15,000	$15,000		
	Commission on Electric Utility Regulation (863)				
25.	Resource Management Research, Planning, and Coordination (50700)			$10,000	$10,000
	Resource Management Policy and Program Development (50701)	$10,000	$10,000		
	Fund Sources: General	$10,000	$10,000		
	Authority: Title 30, Chapter 31, Code of Virginia.				
	Total for Commission on Electric Utility Regulation			**$10,000**	**$10,000**
	Fund Sources: General	$10,000	$10,000		

ITEM 26.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Manufacturing Development Commission (864)				
26.	Economic Development Services (53400)			$12,000	$12,000
	Economic Development Research, Planning, and Coordination (53401)	$12,000	$12,000		
	Fund Sources: General	$12,000	$12,000		
	Authority: Title 30, Chapter 41, Code of Virginia.				
	Total for Manufacturing Development Commission			**$12,000**	**$12,000**
	Fund Sources: General	$12,000	$12,000		
	Joint Commission on Administrative Rules (865)				
27.	Governmental Affairs Services (70100)			$10,000	$10,000
	Intragovernmental Services (70104)	$10,000	$10,000		
	Fund Sources: General	$10,000	$10,000		
	Authority: Title 30, Chapter 8.1, Code of Virginia.				
	Total for Joint Commission on Administrative Rules			**$10,000**	**$10,000**
	Fund Sources: General	$10,000	$10,000		
	Commission on Prevention of Human Trafficking (866)				
28.	Human Relations Management (14600)			$0	$0
	Authority: Title 30, Chapter 8.1, Code of Virginia.				
	Total for Commission on Prevention of Human Trafficking			**$0**	**$0**
	Virginia Bicentennial of the American War of 1812 Commission (867)				
29.	Human Relations Management (14600)			$23,340	$23,340
	Human Relations Management (14601)	$23,340	$23,340		
	Fund Sources: General	$23,340	$23,340		
	Authority: Title 30, Chapter 45, Code of Virginia.				
	Total for Virginia Bicentennial of the American War of 1812 Commission			**$23,340**	**$23,340**
	Fund Sources: General	$23,340	$23,340		
	Autism Advisory Council (871)				
30.	Health Research, Planning, and Coordination (40600)			$6,300	$6,300
	Health Policy Research (40606)	$6,300	$6,300		
	Fund Sources: General	$6,300	$6,300		
	Authority: Title 30, Chapter 50, Code of Virginia.				
	Total for Autism Advisory Council			**$6,300**	**$6,300**
	Fund Sources: General	$6,300	$6,300		

ITEM 30.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Grand Total for Division of Legislative Services			**$9,204,720**	**~~$9,204,819~~** ***$9,364,819***
	General Fund Positions	60.50	~~60.50~~ *61.50*		
	Position Level	60.50	~~60.50~~ *61.50*		
	Fund Sources: General	$8,560,720	~~$8,560,819~~ *$8,720,819*		
	Special	$644,000	$644,000		
	§ 1-7. CHESAPEAKE BAY COMMISSION (842)				
30.10.	Resource Management Research, Planning, and Coordination (50700)			$232,268	$232,268
	Resource Management Policy and Program Development (50701)	$232,268	$232,268		
	Fund Sources: General	$232,268	$232,268		
	Authority: Title 30, Chapter 36, Code of Virginia.				
	Total for Chesapeake Bay Commission			**$232,268**	**$232,268**
	General Fund Positions	1.00	1.00		
	Position Level	1.00	1.00		
	Fund Sources: General	$232,268	$232,268		
	§ 1-8. JOINT COMMISSION ON HEALTH CARE (844)				
30.20.	Health Research, Planning, and Coordination (40600)			$683,817	$684,795
	Health Policy Research (40606)	$683,817	$684,795		
	Fund Sources: General	$683,817	$684,795		
	Authority: Title 30, Chapter 18, Code of Virginia.				
	Total for Joint Commission on Health Care			**$683,817**	**$684,795**
	General Fund Positions	6.00	6.00		
	Position Level	6.00	6.00		
	Fund Sources: General	$683,817	$684,795		
	§ 1-9. VIRGINIA COMMISSION ON YOUTH (839)				
30.30.	Social Services Research, Planning, and Coordination (45000)			$316,797	$316,802
	Social Services Research and Planning (45003)	$316,797	$316,802		
	Fund Sources: General	$316,797	$316,802		
	Authority: Title 30, Chapter 20, Code of Virginia.				
	Total for Virginia Commission on Youth			**$316,797**	**$316,802**
	General Fund Positions	3.00	3.00		
	Position Level	3.00	3.00		
	Fund Sources: General	$316,797	$316,802		

ITEM 30.40.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	§ 1-10. VIRGINIA STATE CRIME COMMISSION (142)				
30.40.	Criminal Justice Research, Planning and Coordination (30500)			$643,740	$644,271
	Criminal Justice Research (30503)	$643,740	$644,271		
	Fund Sources: General	$506,306	$506,837		
	Federal Trust	$137,434	$137,434		
	Authority: Title 30, Chapter 16, Code of Virginia.				
	Total for Virginia State Crime Commission			**$643,740**	**$644,271**
	General Fund Positions	5.00	5.00		
	Nongeneral Fund Positions	4.00	4.00		
	Position Level	9.00	9.00		
	Fund Sources: General	$506,306	$506,837		
	Federal Trust	$137,434	$137,434		
	§ 1-11. JOINT LEGISLATIVE AUDIT AND REVIEW COMMISSION (110)				
31.	Legislative Evaluation and Review (78300)			$3,405,648	$3,405,698
	Performance Audits and Evaluation (78303)	$3,405,648	$3,405,698		
	Fund Sources: General	$3,289,975	$3,290,025		
	Trust and Agency	$115,673	$115,673		
	Authority: Title 30, Chapters 7 and 8, Code of Virginia.				

A. Out of this appropriation shall be paid the annual salary of the Director, Joint Legislative Audit and Review Commission (JLARC), $153,015 from July 1, 2012 to June 24, 2013 and $153,015 from June 25, 2013 to June 30, 2014.

B. JLARC, upon request of the Department of Planning and Budget and approval of the Chairman, shall review and provide comments to the department on its use of performance measures in the state budget process. JLARC staff shall review the methodology and proposed uses of such performance measures and provide periodic status reports to the Commission.

C. Expenses associated with the oversight responsibility of the Virginia Retirement System by JLARC and the House Appropriations and Senate Finance Committees shall be reimbursed by the Virginia Retirement System upon documentation by the Director, JLARC of the expenses incurred.

D. Out of this appropriation, funds are provided to continue the technical support staff of JLARC, 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.

E.1. The General Assembly hereby designates the Joint Legislative Audit and Review Commission (JLARC) to review and evaluate the Virginia Information Technologies Agency (VITA) on a continuing basis and to make such special studies and reports as may be requested by the General Assembly, the House Appropriations Committee, or the Senate Finance Committee.

2. The areas of review and evaluation to be conducted by the Commission shall include, but are not limited to, the following: (i) VITA's infrastructure outsourcing contracts and any amendments thereto; (ii) adequacy of VITA's planning and oversight responsibilities, including VITA's oversight of information technology projects and the security of governmental information; (iii) cost-effectiveness and adequacy of VITA's procurement services and its oversight of the procurement activities of State agencies.

ITEM 31.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

3. For the purpose of carrying out its duties and notwithstanding any contrary provision of law, JLARC shall have the legal authority to access the information, records, facilities, and employees of VITA.

4. Records provided to VITA by a private entity pertaining to VITA's comprehensive infrastructure agreement or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure shall be exempt from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), to the extent that such records contain (i) trade secrets of the private entity as defined in the Uniform Trade Secrets Act (§ 59.1-336 et seq.) or (ii) financial records of the private entity, including balance sheets and financial statements, that are not generally available to the public through regulatory disclosure or otherwise. In order for the records specified in clauses (i) and (ii) to be excluded from the Virginia Freedom of Information Act, the private entity shall make a written request to VITA:

a. Invoking such exclusion upon submission of the data or other materials for which protection from disclosure is sought;

b. Identifying with specificity the data or other materials for which protection is sought; and

c. Stating the reasons why protection is necessary.

VITA shall determine whether the requested exclusion from disclosure is necessary to protect the trade secrets or financial records of the private entity. VITA shall make a written determination of the nature and scope of the protection to be afforded by it under this subdivision. Once a written determination is made by VITA, the records afforded protection under this subdivision shall continue to be protected from disclosure when in the possession of VITA or JLARC.

Except as specifically provided in this item, nothing in this item shall be construed to authorize the withholding of (a) procurement records as required by § 56-575.17; (b) information concerning the terms and conditions of any interim or comprehensive agreement, service contract, lease, partnership, or any agreement of any kind entered into by VITA and the private entity; (c) information concerning the terms and conditions of any financing arrangement that involves the use of any public funds; or (d) information concerning the performance of the private entity under the comprehensive infrastructure agreement, or any successor contract, or any contractual amendments thereto for the operation of the Commonwealth's information technology infrastructure.

5. The Chairman of JLARC may appoint a permanent subcommittee to provide guidance and direction for VITA review and evaluation activities, subject to the full Commission's supervision and such guidelines as the Commission itself may provide.

6. All agencies of the Commonwealth shall cooperate as requested by JLARC in the performance of its duties under this authority.

F.1 JLARC is hereby directed to study the impact of restructuring the local Business, Professional, and Occupational License ("BPOL") Tax such that the basis of the tax is changed from gross receipts to net income. All local tax officials are hereby directed to provide any assistance required by JLARC in the course of the study. If requested by JLARC, all local tax officials are authorized to require businesses subject to the BPOL tax in their locality to calculate and report back to the locality their net income for the timeframe requested, notwithstandng the requirements of § 58.1-3700 et seq. of the Code of Virginia.

2. JLARC shall complete its study and submit a final report by November 1, 2013.

3. The Department of Taxation shall cooperate as requested by JLARC in the performance of its duties under this authority. All agencies of the Commonwealth shall provide assistance for this study, upon request.

G. 1. JLARC is hereby directed to study options for the restructuring of lowest performing schools or districts. The study shall consider (i) options used in other states and cities and the outcomes of efforts such as mergers, takeovers, charter schools, and other turnaround efforts, including an assessment of Virginia's efforts to date; (ii) other current successful approaches

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for high poverty urban schools within Virginia and whether they could be replicated in other areas; (iii) an estimate of the resources and expertise that would be required at the state level to effectively implement and oversee any such models; (iv) appropriate criteria for intervention decisions; and (v) analysis of the primary reasons for low school or district performance.				
2. JLARC shall complete its study and submit a final report by June 30, 2014.				
3. The Department of Education and local school divisions shall cooperate as requested by JLARC. All agencies of the Commonwealth shall provide assistance for this study, upon request.				
Total for Joint Legislative Audit and Review Commission			**$3,405,648**	**$3,405,698**
General Fund Positions	36.00	36.00		
Nongeneral Fund Positions	1.00	1.00		
Position Level	37.00	37.00		
Fund Sources: General	$3,289,975	$3,290,025		
Trust and Agency	$115,673	$115,673		
§ 1-12. VIRGINIA COMMISSION ON INTERGOVERNMENTAL COOPERATION (105)				
32. Governmental Affairs Services (70100)			$590,882	$590,882
Interstate Affairs (70103)	$590,882	$590,882		
Fund Sources: General	$590,882	$590,882		
Authority: Title 30, Chapter 19, Code of Virginia.				
Out of this appropriation may be paid from the general fund the annual assessments:				
1. To the National Conference of State Legislatures;				
2. To the Council of State Governments; and				
3. To the Southern Regional Education Board.				
Included within this appropriation is $146,035 each year for the annual dues for the Council of State Governments. Of this amount, one-third ($48,678) shall represent the dues payable on behalf of the Executive Department, one-third ($48,678) shall represent the dues payable on behalf of the Judicial Department, and the remaining one-third ($48,679) shall represent the dues payable on behalf of the Legislative Department. Of the amount for annual dues payable on behalf of the Legislative Department, $13,908 each year shall be allocated at the discretion of the Senate Committee on Rules and $34,771 each year shall be allocated at the discretion of the Speaker of the House of Delegates.				
Total for Virginia Commission on Intergovernmental Cooperation			**$590,882**	**$590,882**
Fund Sources: General	$590,882	$590,882		
§ 1-13. LEGISLATIVE DEPARTMENT REVERSION CLEARING ACCOUNT (102)				
33. Across the Board Reductions (71400)			($194,600)	($194,600)
Across the Board Reduction (71401)	($194,600)	($194,600)		
Fund Sources: General	($194,600)	($194,600)		
Authority: Discretionary Inclusion.				
On or before June 30, 2013, the Committee on Joint Rules shall authorize the reversion to the				

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general fund of $1,625,771, representing savings generated by legislative agencies in the first year. The total savings amount includes estimated savings within the legislative agencies of:				

Legislative Agency	***Estimated Savings***
Auditor of Public Accounts (133)	*$900,000*
Virginia Coal and Energy Commission (118)	*$171,135*
Virginia Code Commission (108)	*$30,237*
Division of Legislative Services (107)	*$115,170*
Capitol Police (961)	*$267,569*
Virginia Disability Commission (837)	*$38,568*
Joint Commission on Technology and Science (847)	*$50,000*
Small Business Commission (862)	*$22,882*
Commission on Electric Utility Regulation (863)	*$9,999*
Autism Advisory Council (871)	*$6,300*
State Water Commission (971)	*$13,911*

34.	Enactment of Laws (78200)		$360,315	$360,315
	Undesignated Support for Enactment of Laws Services (78205)	$360,315 $360,315		
	Fund Sources: General	$360,315 $360,315		
	Authority: Discretionary Inclusion.			
	A. Transfers out of this appropriation may be made to fund unanticipated costs in the budgets of legislative agencies or other such costs approved by the Joint Rules Committee.			
	B. Included in this Item is $20,000 the first year and $20,000 the second year from the general fund to support the Commission on Access and Diversity in Higher Education in Virginia as continued by HJR 202 of the 2000 Acts of Assembly.			
	C. Included within this appropriation is $190,000 the first year and $190,000 the second year from the general fund and one position for the operation of the Capitol Guides program. The allocation of these funds shall be subject to the approval of the Committee on Joint Rules. The Capitol Guides program shall be jointly administered by the Clerk of the House of Delegates and the Clerk of the Senate.			
	Total for Legislative Department Reversion Clearing Account.....		**$165,715**	**$165,715**
	General Fund Positions.....	1.00 1.00		
	Position Level	1.00 1.00		
	Fund Sources: General	$165,715 $165,715		
	TOTAL FOR LEGISLATIVE DEPARTMENT.....		**$72,989,956**	**~~$73,000,536~~** ***$75,558,579***
	General Fund Positions.....	577.50 ~~577.50~~ *578.50*		
	Nongeneral Fund Positions.....	29.50 29.50		
	Position Level	607.00 ~~607.00~~ *608.00*		
	Fund Sources: General	$69,483,521 ~~$69,494,101~~ *$72,052,144*		
	Special.....	$3,253,328 $3,253,328		
	Trust and Agency	$115,673 $115,673		
	Federal Trust.....	$137,434 $137,434		

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JUDICIAL DEPARTMENT

§ 1-14. SUPREME COURT (111)

35. Pre-Trial, Trial, and Appellate Processes (32100).....			$13,023,273	$12,783,273
Appellate Review (32101).....	$8,812,373	$8,572,373		
Other Court Costs and Allowances (Criminal Fund) (32104)	$4,210,900	$4,210,900		
Fund Sources: General.....	$12,843,993	$12,603,993		
Special.....	$179,280	$179,280		

Authority: Article VI, Sections 1 through 6, Constitution of Virginia; Title 17.1, Chapter 3 and § 19.2-163, Code of Virginia.

A. Out of the amounts for Appellate Review shall be paid:

1. The annual salary of the Chief Justice, $181,604 from July 1, 2012, to November 24, 2012, $181,604 from November 25, 2012, to November 24, 2013, and $181,604 from November 25, 2013, to June 30, 2014.

2. The annual salaries of the six (6) Associate Justices, each $170,339 from July 1, 2012, to November 24, 2012, $170,339 from November 25, 2012, to November 24, 2013, and $170,339 from November 25, 2013, to June 30, 2014.

3. To each justice, $13,500 the first year and $13,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.

B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2012, in the appropriation made in Item 34, Chapter 890, Acts of Assembly of 2011, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2013.

C. Out of the amounts appropriated in this Item, $4,200,000 the first year and $4,200,000 the second year from the general fund is included for increased reimbursements for court-appointed counsel pursuant to § 19.2-163, Code of Virginia.

D. The Executive Secretary of the Supreme Court of Virginia shall encourage training of Juvenile and Domestic Relations District Court judges regarding the options available for court-ordered services for families in truancy cases prior to the initiation of other remedies.

E. Out of the amounts appropriated for this item, $240,000 the first year from the general fund is included for the Supreme Court to contract with the National Center for State Courts to develop and implement a weighted caseload system to precisely measure and compare judicial caseloads throughout the Commonwealth on the circuit court, general district court, and juvenile and domestic relations district court levels. The Supreme Court shall report to the General Assembly by November 15, 2013, on the weighted caseload in each court in each county and city, and in each circuit and district based on the current circuit and district boundaries. The Court shall also recommend a plan for the realignment of the circuit and district boundaries and the number of judges the Court recommends for assignment to each court in each county and city within the new circuits and districts.

F. The Executive Secretary of the Supreme Court shall provide to the Chairmen of House Appropriations and Senate Finance Committees on or before November 1, 2013, a report on the impact on criminal fund expenditures as a result of the hiring of full time foreign language interpreters.

36. Law Library Services (32300).....			$948,399	$948,399
Law Library Services (32301).....	$948,399	$948,399		
Fund Sources: General.....	$948,399	$948,399		

Authority: §§ 42.1-60 through 42.1-64, Code of Virginia.

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37.	Adjudicatory Research, Planning, and Coordination (32400)			$25,000	$25,000
	Adjudicatory Coordination (32401)	$25,000	$25,000		
	Fund Sources: General	$25,000	$25,000		
	Authority: §§ 17.1-700 through 17.1-705, Code of Virginia.				
38.	Adjudication Training, Education, and Standards (32600)			$899,140	$899,140
	Judicial Training (32603)	$899,140	$899,140		
	Fund Sources: General	$899,140	$899,140		
	Authority: Title 16.1, Chapter 9; Title 17.1, Chapter 7; §§ 2.2-4025, 19.2-38:1 and 19.2-43, Code of Virginia.				
39.	Regulation of Professions and Occupations (56000)			$25,000	$25,000
	Physician Regulation (56030)	$25,000	$25,000		
	Fund Sources: Trust and Agency	$25,000	$25,000		
	Authority: Title 8.01, Chapter 21.1, Code of Virginia.				
40.	Administrative and Support Services (39900)			$27,751,479	$27,791,144
	General Management and Direction (39901)	$27,751,479	$27,791,144		
	Fund Sources: General	$17,227,241	$17,266,906		
	Special	$99,375	$99,375		
	Dedicated Special Revenue	$9,000,000	$9,000,000		
	Federal Trust	$1,424,863	$1,424,863		
	Authority: §§ 16.1-69.30, 16.1-69.33, 17.1-314 through 17.1-320 and 17.1-502, Code of Virginia.				

A. The Executive Secretary of the Supreme Court shall submit an annual fiscal year summary, on or before September 1 of each year, to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget, which will report the number of individuals for whom legal or medical services were provided and the nature and cost of such services as are authorized for payment from the criminal fund or the involuntary mental commitment fund.

B. Notwithstanding the provisions of § 19.2-326, Code of Virginia, the amount of attorney's fees allowed counsel for indigent defendants in appeals to the Supreme Court shall be in the discretion of the Supreme Court.

C. The Chief Justice is authorized to reallocate legal support staff between the Supreme Court and the Court of Appeals of Virginia, in order to meet changing workload demands.

D. Prior to January 1 of each year, the Judicial Council and the Committee on District Courts are requested to submit a fiscal impact assessment of their recommendations for the creation of any new judgeships, including the cost of judicial retirement, to the Chairmen of the House and Senate Committees on Courts of Justice, and the House Appropriations and Senate Finance Committees.

E. Included in this Item is $3,750,000 the first year and $3,750,000 the second year from the general fund, which may support computer system improvements for the several circuit and district courts.

F. Given the continued concern about providing adequate compensation levels for court-appointed attorneys providing criminal indigent defense in the Commonwealth, the Executive Secretary of the Supreme Court, in conjunction with the Governor, Attorney General, Indigent Defense Commission, representatives of the Indigent Defense Stakeholders Group and Chairmen of the House and Senate Courts of Justice Committees, shall continue to study and

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evaluate all available options to enhance Virginia's Indigent Defense System.

G. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems.

H. 1. No state funds used to support the operation of drug court programs shall be provided to programs that serve first-time substance abuse offenders only or do not include probation violators. This restriction shall not apply to juvenile drug court programs.

2. Nothwithstanding the provisions of subsection O. of § 18.2-254.1, Code of Virginia, any locality is authorized to establish a drug treatment court supported by existing state resources and by federal or local resources that may be available. This authorization is subject to the requirements and conditions regarding the establishment and operation of a local drug treatment court advisory committee as provided by § 18.2-254.1 and the requirements and conditions established by the state Drug Treatment Court Advisory Committee. Any drug court treatment progam established after July 1, 2012, shall limit participation in the program to offenders who have been determined, through the use of a nationally recognized, validated assessment tool, to be addicted to or dependent on drugs. However, no such drug court treatment program shall limit its participation to first-time substance abuse offenders only; nor shall it exclude probation violators from participation.

3. The evaluation of drug treatment court programs required by § 18.2-254.1 shall include the collection of data needed for outcome measures, including recidivism. Drug treatment court programs shall provide to the Office of the Executive Secretary of the Supreme Court the information needed to conduct such an evaluation.

I. Notwithstanding the provisions of § 16.1-69.48, Code of Virginia, the Executive Secretary of the Supreme Court shall ensure the deposit of all collections directly into the State Treasury for Item 43 General District Courts, Item 44 Juvenile and Domestic Relations District Courts, Item 45 Combined District Courts, and Item 46 Magistrate System.

J. The Executive Secretary of the Supreme Court shall consider options for reducing judicial training costs, including, but not limited to, the use of distance learning, communications technology, regional meetings, and the scheduling of selected judicial training events on a biennial rather than an annual basis. A report on these and other options as may be appropriate shall be provided to the Judicial Council of Virginia and the Committee on District Courts by September 1, 2013.

Total for Supreme Court.....			**$42,672,291**	**$42,471,956**
General Fund Positions.....	148.63	148.63		
Nongeneral Fund Positions.....	6.00	6.00		
Position Level	154.63	154.63		
Fund Sources: General.....	$31,943,773	$31,743,438		
Special.....	$278,655	$278,655		
Trust and Agency	$25,000	$25,000		
Dedicated Special Revenue.....	$9,000,000	$9,000,000		
Federal Trust.....	$1,424,863	$1,424,863		

Court of Appeals of Virginia (125)

41. Pre-Trial, Trial, and Appellate Processes (32100).....			$8,474,996	~~$8,479,192~~ *$8,435,730*
Appellate Review (32101).....	$8,469,996	~~$8,474,192~~ *$8,430,730*		
Other Court Costs and Allowances (Criminal Fund) (32104)	$5,000	$5,000		

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	Fund Sources: General	$8,474,996	~~$8,479,192~~ *$8,435,730*		
	Authority: Title 17.1, Chapter 4 and § 19.2-163, Code of Virginia.				
	A. Out of the amounts in this Item for Appellate Review shall be paid:				
	1. 1. The annual salary of the Chief Justice, $164,883 from July 1, 2012, to November 24, 2012, $164,883 from November 25, 2012, to November 24, 2013, and $164,883 from November 25, 2013, to June 30, 2014.				
	2. The annual salaries of the ten (10) judges, each at $161,822 from July 1, 2012, to November 24, 2012, $161,822 from November 25, 2012, to November 24, 2013, and $161,822 from November 25, 2013, to June 30, 2014.				
	3. Salaries of the judges are to be 95 percent of the salaries of justices of the Supreme Court except for the Chief Judge, who shall receive an additional $3,000 annually.				
	4. To each judge, $6,500 the first year and $6,500 the second year, for expenses not otherwise reimbursed, said expenses to be paid out of the current appropriation to the Court.				
	B. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2012, in the appropriation made in Item 40, Chapter 890, Acts of Assembly of 2011, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2013.				
	C. The amount of attorney's fees allowed counsel to indigent defendants in appeals to the Court of Appeals shall be in the discretion of the court.				
	Total for Court of Appeals of Virginia			**$8,474,996**	**~~$8,479,192~~** ***$8,435,730***
	General Fund Positions	69.13	69.13		
	Position Level	69.13	69.13		
	Fund Sources: General	$8,474,996	~~$8,479,192~~ *$8,435,730*		
	Circuit Courts (113)				
42.	Pre-Trial, Trial, and Appellate Processes (32100)			~~$103,164,009~~ *$103,430,987*	~~$103,164,009~~ *$103,430,987*
	Trial Processes (32103)	$44,195,507	$44,195,507		
	Other Court Costs and Allowances (Criminal Fund) (32104)	~~$58,968,502~~ *$59,235,480*	~~$58,968,502~~ *$59,235,480*		
	Fund Sources: General	~~$103,159,009~~ *$103,425,987*	~~$103,159,009~~ *$103,425,987*		
	Special	$5,000	$5,000		
	Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-163, Code of Virginia.				
	A. Out of the amounts in this Item for Trial Processes shall be paid:				
	1. The annual salaries of Circuit Court judges, each at $158,134 from July 1, 2012, to November 24, 2012, $158,134 from November 25, 2012, to November 24, 2013, and $158,134 from November 25, 2013, to June 30, 2014. Such salaries shall represent the total compensation from all sources for Circuit Court judges.				
	2. Expenses necessarily incurred for the position of judge of the Circuit Court, including clerk hire not exceeding $1,500 a year for each judge.				

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3. The state's share of expenses incident to the prosecution of a petition for a writ of habeas corpus by an indigent petitioner, including payment of counsel fees as fixed by the Court; the expenses shall be paid upon receipt of an appropriate order from a Circuit Court.

4. A circuit court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.

B. The Chief Circuit Court Judge shall restrict the appointment of special justices to conduct involuntary mental commitment hearings to those unusual instances when no General District Court or Juvenile and Domestic Relations District Court Judge can be made available or when the volume of the hearings would require more than eight hours a week.

C. There is hereby reappropriated the unexpended balance remaining at the close of business on June 30, 2012, in the appropriation made in Item 41, Chapter 890, Acts of Assembly of 2011, in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance remaining in this item detail on June 30, 2013.

D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund) total ~~$109,682,218~~ *$110,956,463* the first year and ~~$109,682,218~~ *$111,354,063* the second year in this Item and Items 35, 41, 43, 44 and 45.

2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts appropriated to Other Courts Costs and Allowances (Criminal Fund) will be allocated, consistent with statutory provisions in the Code of Virginia. Funds within these appropriations are to be used to fund fully the statutory caps on compensation applicable to attorneys appointed by the court to defend criminal charges. Should this appropriation not be sufficient to fund fully all of the statutory caps on compensation as established by § 19.2-163, Code of Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the most serious noncapital felonies and then, should funds still remain in this appropriation, to the other statutory caps, in declining order of the severity of the charges to which each cap is applicable.

3. Out of the amount appropriated from the general fund for Other Court Costs and Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed $880,000 the first year and not to exceed $880,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the administration of the physical evidence recovery kit (PERK) program.

4. Notwithstanding the provisions of § 19.2-163, Code of Virginia, the amount of compensation allowed to counsel appointed by the court to defend a felony charge that may be punishable by death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia.

F.1. For any hearing conducted pursuant to § 19.2-306, Code of Virginia, the circuit court shall have presented to it a sentencing revocation report prepared on a form designated by the Virginia Criminal Sentencing Commission indicating the condition or conditions of the suspended sentence, good behavior, or probation supervision that the defendant has allegedly violated.

2. For any hearing conducted pursuant to § 19.2-306 in which the defendant is cited for violation of a condition or conditions other than a new criminal offense conviction, the court shall also have presented to it the applicable probation violation guideline worksheets established pursuant to Chapter 1042 of the Acts of Assembly 2003. The court shall review and consider the suitability of the discretionary probation violation guidelines. Before imposing sentence, the court shall state for the record that such review and consideration have been accomplished and shall make the completed worksheets a part of the record of the case and open for inspection. In hearings in which the court imposes a sentence that is either greater or less than that indicated by the discretionary probation violation guidelines, the court shall file with the record of the case a written explanation of such departure.

3. Following any hearing conducted pursuant to § 19.2-306 and the entry of a final order, the

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clerk of the circuit court in which the hearing was held shall cause a copy of such order or orders, the original sentencing revocation report, any applicable probation violation guideline worksheets prepared in the case, and a copy of any departure explanation prepared pursuant to subsection F.2., to be forwarded to the Virginia Criminal Sentencing Commission within 30 days.

4. The failure to follow any or all of the provisions specified in F.1. through F.3 or the failure to follow any or all of these provisions in the prescribed manner shall not be reviewable on appeal or the basis of any other post-hearing relief.

G. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, Code of Virginia, or otherwise, including any new construction, shall be delayed at the request of the local governing body in which the court is located until June 30, 2014. The provisions of this item shall not apply to facilities that were subject to litigation on or before November 30, 2008.

Total for Circuit Courts			~~$103,164,009~~	~~$103,164,009~~
			$103,430,987	*$103,430,987*
General Fund Positions	164.00	164.00		
Position Level	164.00	164.00		
Fund Sources: General	~~$103,159,009~~	~~$103,159,009~~		
	$103,425,987	*$103,425,987*		
Special	$5,000	$5,000		

General District Courts (114)

43. Pre-Trial, Trial, and Appellate Processes (32100)			~~$98,284,614~~	~~$97,750,023~~
			$98,614,237	*$98,079,646*
Trial Processes (32103)	$80,550,627	$80,016,036		
Other Court Costs and Allowances (Criminal Fund) (32104)	~~$12,924,458~~	~~$12,924,458~~		
	$13,254,081	*$13,254,081*		
Involuntary Mental Commitments (32105)	$4,809,529	$4,809,529		
Fund Sources: General	~~$98,284,614~~	~~$97,750,023~~		
	$98,614,237	*$98,079,646*		

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137, 19.2-163 and 37.1-67.1 et seq., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of all General District Court judges, $142,329 from July 1, 2012, to November 24, 2012, $142,329 from November 25, 2012, to November 24, 2013, and $142,329 from November 25, 2013, to June 30, 2014. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for General District Court Judges and incorporate all supplements formerly paid by the various localities.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2012, in the appropriation made in Item 42, Chapter 890, Acts of Assembly of 2011, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2013.

C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may be transferred between Items 42, 43, 44, and 304, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

D.1. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund)

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shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

2. The Committee on District Courts, in consultation with the Virginia Association of Commonwealth's Attorneys and the Virginia Indigent Defense Commission, shall develop policies and procedures to reduce the number of misdemeanor charges for which the Commonwealth will seek incarceration, thereby reducing expenditures through the Criminal Fund for court-appointed counsel or for public defenders. The Executive Secretary of the Supreme Court shall provide a report by October 30, 2013, to the Governor and to the Chairmen of the Senate and House Courts of Justice Committees, and the Chairmen of the Senate Finance and House Appropriations Committees on the implementation of these policies and procedures and their impact on Criminal Fund expenditures.

E. Out of the amount appropriated from the general fund for Other Court Costs and Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed $40,000 the first year and not to exceed $40,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the administration of the physical evidence recovery kit (PERK) program.

F. A district court judge shall only be reimbursed for mileage for commuting if the judge has to travel to a courthouse in a county or city other than the one in which the judge resides and the distance between the judge's residence and the courthouse is greater than 25 miles.

G. Upon the retirement or separation from employment of any chief general district court clerks from the 7th judicial district or the 13th judicial district, any vacant chief clerk positions in excess of one chief clerk for each general district court shall be reallocated by the Committee on District Courts to district courts with the highest documented unmet staffing requirements.

Total for General District Courts			~~**$98,284,614**~~ ***$98,614,237***	~~**$97,750,023**~~ ***$98,079,646***
General Fund Positions.....	1,068.10	1,056.10		
Position Level	1,068.10	1,056.10		
Fund Sources: General.....	~~$98,284,614~~ *$98,614,237*	~~$97,750,023~~ *$98,079,646*		

Juvenile and Domestic Relations District Courts (115)

44. Pre-Trial, Trial, and Appellate Processes (32100).....			~~$81,069,130~~ *$81,585,156*	~~$81,680,707~~ *$82,594,333*
Trial Processes (32103)	$53,797,340	$54,408,917		
Other Court Costs and Allowances (Criminal Fund) (32104)	~~$26,956,222~~ *$27,472,248*	~~$26,956,222~~ *$27,869,848*		
Involuntary Mental Commitments (32105).....	$315,568	$315,568		
Fund Sources: General.....	~~$81,069,130~~ *$81,585,156*	~~$81,680,707~~ *$82,594,333*		

Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58, 16.1-226 through 16.1-334, 19.2-163 and 37.1-67.1 et seq., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid:

1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges, $142,329 from July 1, 2012, to November 24, 2012, $142,329 from November 25, 2012, to November 24, 2013, and $142,329 from November 25, 2013, to June 30, 2014. Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall represent the total compensation for Juvenile and Domestic Relations District Court Judges.

2. The salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business

ITEM 44.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

on June 30, 2012, in the appropriation made in Item 43, Chapter 890, Acts of Assembly of 2011, in the Item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2013.

C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 43, 44, 45, and 304, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.

D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.

E. Notwithstanding any other provision of law, when a Guardian ad Litem is appointed for a child by the Commonwealth, the juvenile and domestic relations district court or the circuit court, as the case may be, shall order the parent, parents, adoptive parent or adoptive parents of the child, or another party with a legitimate interest therein who has filed a petition with the court to reimburse the Commonwealth the costs of such services in an amount not to exceed the amount awarded the Guardian ad Litem by the court. If the court determines such party is unable to pay, the required reimbursement may be reduced or eliminated. In addition, it is the intent of the General Assembly that the Supreme Court actively administer the Guardian ad Litem program to ensure that payments made to Guardians ad Litem do not exceed that which is required. The Executive Secretary of the Supreme Court shall report August 1 and January 1 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on the amounts paid for Guardian ad Litem purposes, amounts reimbursed by parents and/or guardians, savings achieved, and management actions taken to further enhance savings under this program.

F. Out of the amount appropriated from the general fund for Other Court Costs and Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed $870,000 the first year and not to exceed $870,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission for the administration of the physical evidence recovery kit (PERK) program.

Total for Juvenile and Domestic Relations District Courts			~~**$81,069,130**~~ ***$81,585,156***	~~**$81,680,707**~~ ***$82,594,333***
General Fund Positions.....	605.10	617.10		
Position Level	605.10	617.10		
Fund Sources: General.....	~~$81,069,130~~ *$81,585,156*	~~$81,680,707~~ *$82,594,333*		

Combined District Courts (116)

45. Pre-Trial, Trial, and Appellate Processes (32100).....			~~$22,506,507~~ *$22,668,125*	~~$22,506,507~~ *$22,668,125*
Trial Processes (32103)	$14,508,614	$14,508,614		
Other Court Costs and Allowances (Criminal Fund) (32104)	~~$6,617,136~~ *$6,778,754*	~~$6,617,136~~ *$6,778,754*		
Involuntary Mental Commitments (32105).....	$1,380,757	$1,380,757		
Fund Sources: General.....	~~$22,506,507~~ *$22,668,125*	~~$22,506,507~~ *$22,668,125*		

Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137, 16.1-226 through 16.1-334, 19.2-163, and 37.1-67.1 et seq., Code of Virginia.

A. Out of the amounts in this Item for Trial Processes shall be paid the salaries of substitute judges and court personnel.

B. There is hereby reappropriated the unexpended balances remaining at the close of business on June 30, 2012, in the appropriation made in Item 44, Chapter 890, Acts of Assembly of

ITEM 45.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	2011, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental Commitments and the balances remaining in these item details on June 30, 2013.				
	C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may be transferred between Items 43, 44, 45, and 304, as needed, to cover any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.				
	D. The appropriation in this Item for Other Court Costs and Allowances shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
	E. Out of the amount appropriated from the general fund for Other Court Costs and Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed $95,000 the first year and not to exceed $95,000 the second year to the Criminal Injuries Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the administration of the physical evidence recovery kit (PERK) program.				
	Total for Combined District Courts			~~**$22,506,507**~~ ***$22,668,125***	~~**$22,506,507**~~ ***$22,668,125***
	General Fund Positions	204.55	204.55		
	Position Level	204.55	204.55		
	Fund Sources: General	~~$22,506,507~~ *$22,668,125*	~~$22,506,507~~ *$22,668,125*		
	Magistrate System (103)				
46.	Pre-Trial, Trial, and Appellate Processes (32100)			$28,444,972	$28,445,672
	Appellate Review (32101)	$12,242	$12,942		
	Pre-Trial Assistance (32102)	$28,432,730	$28,432,730		
	Fund Sources: General	$28,444,972	$28,445,672		
	Authority: Article VI, Section 8, Constitution of Virginia; Title 19.2, Chapter 3, Code of Virginia.				
	Total for Magistrate System			**$28,444,972**	**$28,445,672**
	General Fund Positions	446.20	446.20		
	Position Level	446.20	446.20		
	Fund Sources: General	$28,444,972	$28,445,672		
	Grand Total for Supreme Court			~~**$384,616,519**~~ ***$385,890,764***	~~**$384,498,066**~~ ***$386,126,449***
	General Fund Positions	2,705.71	2,705.71		
	Nongeneral Fund Positions	6.00	6.00		
	Position Level	2,711.71	2,711.71		
	Fund Sources: General	~~$373,883,001~~ *$375,157,246*	~~$373,764,548~~ *$375,392,931*		
	Special	$283,655	$283,655		
	Trust and Agency	$25,000	$25,000		
	Dedicated Special Revenue	$9,000,000	$9,000,000		
	Federal Trust	$1,424,863	$1,424,863		
	§ 1-15. BOARD OF BAR EXAMINERS (233)				
47.	Regulation of Professions and Occupations (56000)			$1,474,523	$1,474,523
	Lawyer Regulation (56019)	$1,474,523	$1,474,523		

ITEM 47.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Special	$1,474,523	$1,474,523		
	Authority: Title 54.1, Chapter 39, Articles 3 and 4 and §54.1-3934, Code of Virginia.				
	The State Comptroller shall continue the Board of Bar Examiners Fund on the Commonwealth Accounting and Reporting System. Revenues collected from fees paid by applicants for admission to the bar shall be deposited into the Board of Bar Examiners Fund. The source of nongeneral funds included in this item is the Board of Bar Examiners Fund. Interest generated by the fund shall be retained by the fund.				
	Total for Board of Bar Examiners			**$1,474,523**	**$1,474,523**
	Nongeneral Fund Positions	8.00	8.00		
	Position Level	8.00	8.00		
	Fund Sources: Special	$1,474,523	$1,474,523		
	§ 1-16. JUDICIAL INQUIRY AND REVIEW COMMISSION (112)				
48.	Adjudication Training, Education, and Standards (32600)			$569,574	$570,544
	Judicial Standards (32602)	$569,574	$570,544		
	Fund Sources: General	$569,574	$570,544		
	Authority: Article VI, Section 10, Constitution of Virginia; Title 17.1, Chapter 9, Code of Virginia.				
	Total for Judicial Inquiry and Review Commission			**$569,574**	**$570,544**
	General Fund Positions	3.00	3.00		
	Position Level	3.00	3.00		
	Fund Sources: General	$569,574	$570,544		
	§ 1-17. INDIGENT DEFENSE COMMISSION (848)				
49.	Legal Defense (32700)			$42,972,997	$42,973,831
	Criminal Indigent Defense Services (32701)	$36,835,481	$36,835,481		
	Capital Indigent Defense Services (32702)	$3,351,660	$3,351,660		
	Legal Defense Regulatory Services (32703)	$186,490	$186,490		
	Administrative Services (32722)	$2,599,366	$2,600,200		
	Fund Sources: General	$42,960,997	$42,961,831		
	Special	$12,000	$12,000		
	Authority: §§ 19.2-163.1 through 19.2-163.8, Code of Virginia, as amended by Chapter 884 of the Acts of Assembly 2004.				
	A. Pursuant to § 19.2-163.01, Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the commission.				
	B. Out of the amounts in this Item, $200,000 the first year and $200,000 the second year from the general fund is provided to support two positions to enforce and monitor compliance with the new Standards of Practice for court-appointed counsel.				
	C. The Indigent Defense Commission shall review the current organizational structure and workload of the capital defense units and develop a plan to restructure the offices based on current and projected workload, and reallocate positions, as may be appropriate, to those public defender offices with the greatest workload in relation to their staffing.				
	Total for Indigent Defense Commission			**$42,972,997**	**$42,973,831**

ITEM 49.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	General Fund Positions	540.00	540.00		
	Position Level	540.00	540.00		
	Fund Sources: General	$42,960,997	$42,961,831		
	Special	$12,000	$12,000		
	§ 1-18. VIRGINIA CRIMINAL SENTENCING COMMISSION (160)				
50.	Adjudicatory Research, Planning, and Coordination (32400)			$1,049,479	$1,050,457
	Adjudicatory Research and Planning (32403)	$1,049,479	$1,050,457		
	Fund Sources: General	$979,479	$980,457		
	Special	$70,000	$70,000		

Authority: Title 17.1, Chapter 8, Code of Virginia; Section 19.2-303.6, Code of Virginia

A. For any fiscal impact statement prepared by the Virginia Criminal Sentencing Commission pursuant to § 30-19.1:4, Code of Virginia, for which the commission does not have sufficient information to project the impact, the commission shall assign a minimum fiscal impact of $50,000 to the bill and this amount shall be printed on the face of each such bill, but shall not be codified. The provisions of § 30-19.1:4, paragraph H. shall be applicable to any such bill.

B.1. Notwithstanding the provisions of § 19.2-303.5, Code of Virginia, the provisions of that section shall not expire on July 1, 2012, but shall continue in effect until July 1, 2014, and may be implemented in up to four sites.

2. The Virginia Criminal Sentencing Commission, with the concurrence of the chief judge of the circuit court and the Commonwealth's attorney of the locality, shall designate each immediate sanction probation program site. The Virginia Criminal Sentencing Commission shall develop guidelines and procedures for implementing the program, administer the program, and evaluate the results of the program. As part of its administration of the program, the commission shall designate a standard, validated substance abuse assessment instrument to be used by probation and parole districts to assess probationers subject to the immediate sanction probation program. The commission shall also determine outcome measures and collect data for evaluation of the results of the program at the designated sites. The commission shall present a report on the implementation of the immediate sanction probation program, including preliminary recidivism results to the Chief Justice, Governor, and the Chairmen of the House and Senate Courts of Justice Committees, the House Appropriations Committee, and the Senate Finance Committee by October 1, 2013.

	Total for Virginia Criminal Sentencing Commission			**$1,049,479**	**$1,050,457**
	General Fund Positions	10.00	10.00		
	Position Level	10.00	10.00		
	Fund Sources: General	$979,479	$980,457		
	Special	$70,000	$70,000		
	§ 1-19. VIRGINIA STATE BAR (117)				
51.	Legal Defense (32700)			$11,270,000	~~$11,270,000~~ *$11,852,500*
	Criminal Indigent Defense Services (32701)	$470,000	~~$470,000~~ *$352,500*		
	Indigent Defense, Civil (32704)	$10,800,000	~~$10,800,000~~ *$11,500,000*		
	Fund Sources: General	$3,420,000	~~$3,420,000~~ *$4,002,500*		
	Special	$7,850,000	$7,850,000		

Authority: § 17.1-278, Code of Virginia.

ITEM 51.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

A. The Virginia State Bar and the Legal Services Corporation of Virginia shall not use funds provided for in this act, and those available from financial institutions pursuant to § 54.1-3916, Code of Virginia, to file lawsuits on behalf of aliens present in the United States in violation of law.

B.1. The amounts for Indigent Defense, Civil, include up to $50,000 the first year and up to $50,000 the second year from the general fund for the Community Tax Law Project, to provide indigent defense services in matters related to taxation disputes, and educational services involving the rights and responsibilities of taxpayers.

2. The amounts for Indigent Defense, Civil, include up to $2,900,000 the first year and up to ~~$2,900,000~~*$3,600,000* the second year from the general fund to provide grants for high quality civil legal assistance to low income Virginians and to promote equal access to justice.

C. The Virginia State Bar and the Legal Services Corporation of Virginia shall annually, on or about January 1, provide a report to the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget regarding the status of legal services assistance programs in the Commonwealth. The report shall include, but not be limited to, efforts to maintain and improve the accuracy of caseload data, case opening and case closure information, and program activity levels as it relates to clients.

52. Regulation of Professions and Occupations (56000)			~~$12,465,152~~ *$12,765,152*	~~$12,465,152~~ *$12,765,152*
Lawyer Regulation (56019)	~~$12,465,152~~ *$12,765,152*	~~$12,465,152~~ *$12,765,152*		
Fund Sources: Dedicated Special Revenue	~~$12,465,152~~ *$12,765,152*	~~$12,465,152~~ *$12,765,152*		

Authority: Title 54.1, Chapter 39, Article 2 and §§ 54.1-3935 through 54.1-3938, Code of Virginia.

A. It is the intention of the General Assembly that the Virginia State Bar strictly direct its activities toward the purposes of regulating the legal profession and improving the quality of legal services available to the people of the Commonwealth, and that, insofar as reasonably possible, the Virginia State Bar shall refrain from commercial or other undertakings not necessarily or reasonably related to the above stated purposes.

B. Out of the amounts appropriated for this Item, $1,000,000 the first year and $1,000,000 the second year from revenues generated from the assessment of annual fees by the Supreme Court of Virginia upon members of the Virginia State Bar, pursuant to Chapter 847, 2007 Acts of Assembly, is provided for transfer to the Clients' Protection Fund of the Virginia State Bar.

C. The Virginia State Bar shall review its member fee structure and make changes necessary to ensure fees are set at amounts needed only to cover costs and to provide for an appropriate balance.

Total for Virginia State Bar			~~**$23,735,152**~~ ***$24,035,152***	~~**$23,735,152**~~ ***$24,617,652***
Nongeneral Fund Positions	89.00	89.00		
Position Level	89.00	89.00		
Fund Sources: General	$3,420,000	~~$3,420,000~~ *$4,002,500*		
Special	$7,850,000	$7,850,000		
Dedicated Special Revenue	~~$12,465,152~~ *$12,765,152*	~~$12,465,152~~ *$12,765,152*		

§ 1-20. JUDICIAL DEPARTMENT REVERSION CLEARING ACCOUNT (104)

53. Across the Board Reductions (71400)			$0	$0

Authority: Discretionary Inclusion.

ITEM 53.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

A.1. Notwithstanding the provisions of §§ 16.1-69.6:1 or 17.1-507, Code of Virginia, the total number of authorized judges in any judicial district or circuit shall be reduced by a number equal to the number of judges retiring, dying or resigning from that district or circuit for any authorized judgeship which was vacant or became vacant on or after February 15, 2010, and before July 1, 2010, effective upon the resignation, death or retirement date of each such judge.

2. Furthermore, notwithstanding the provisions of §§ 16.1-69.6:1 or 17.1-507, Code of Virginia, the total number of authorized judges in any judicial district or circuit shall be reduced by a number equal to the number of judges retiring, dying or resigning from that district or circuit on or after July 1, 2010, and on or before June 30, 2014, effective upon the resignation, death or retirement date of each such judge.

3. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Second Judicial Circuit in which the retiring incumbent judge was a resident of Northampton or Accomack County.

4. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Second Judicial Circuit in which the retiring incumbent judge was a resident of the City of Virginia Beach and retired prior to July 1, 2010.

5. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Fifth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2011.

6. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Sixth Judicial Circuit.

7. Effective July 1, 2011, the provisions of this item shall not apply to any authorized circuit court judgeship in the Ninth Judicial Circuit in which the judgeship became vacant prior to July 1, 2010.

8. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Tenth Judicial Circuit in which the retiring incumbent judge retired after January 1, 2011, but prior to July 1, 2011.

9. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Eleventh Judicial Circuit in which the retiring incumbent judge retired after January 1, 2010, but prior to July 1, 2010.

10. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Fourteenth Judicial Circuit in which the retiring incumbent judge retired after January 1, 2011, but prior to July 1, 2011.

11. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Fifteenth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2011.

12. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Eighteenth Judicial Circuit.

13. Effective July 1, 2011, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twenty-fourth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2010.

14. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Twenty-sixth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2011.

15. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Twenty-seventh Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2010.

16. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit court judgeship in the Thirtieth Judicial Circuit in which the vacancy occurred prior to July 1,

ITEM 53.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

2011.

17. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general district court judgeship in the Second Judicial District in which the retiring incumbent judge retired prior to July 1, 2010.

18. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general district court judgeship in the Sixth Judicial District in which the retiring incumbent judge retired prior to July 1, 2010.

19. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general district court judgeship in the Twelfth Judicial District in which the retiring incumbent judge retired prior to July 1, 2011.

20. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general district court judgeship in the Twentieth Judicial District in which the retiring incumbent judge retired after January 1, 2010, but prior to July 1, 2010.

21. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized juvenile and domestic relations general district court judgeship in the Eleventh Judicial District in which the retiring incumbent judge retired prior to July 1, 2010.

22. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized juvenile and domestic relations general district court judgeship in the Fifteenth Judicial District in which the retiring incumbent judge retired prior to July 1, 2010.

23. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized juvenile and domestic relations general district court judgeship in the Twenty-seventh Judicial District in which the retiring incumbent judge retired prior to July 1, 2010.

24. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Sixth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2012.

25. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Ninth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2012.

26. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twelfth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2012.

27. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Thirteenth Judicial Circuit in which the retiring incumbent judge retired prior to January 1, 2011.

28. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Fourteenth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2012.

29. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Sixteenth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2012.

30. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Seventeenth Judicial Circuit in which the retiring incumbent judge retired prior to February 1, 2012.

31. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twenty-second Judicial Circuit in which the retiring incumbent judge retired after July 1, 2011 and prior to August 31, 2012.

32. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twenty-eighth Judicial Circuit in which the retiring incumbent judge

ITEM 53.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

retired after January 1, 2012 and prior to July 1, 2012.

33. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general district court judgeship in the First Judicial District in which the retiring incumbent judge retired after July 1, 2011 and prior to July 1, 2012.

34. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general district court judgeship in the Sixth Judicial District in which the retiring incumbent judge retired after January 1, 2011 and prior to January 1, 2012.

35. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general district court judgeship in the Twentieth Judicial District in which the retiring incumbent judge retired after April 1, 2012 and prior to July 1, 2012.

36. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general district court judgeship in the Twenty-fifth Judicial District in which the retiring incumbent judge retired prior to January 1, 2009.

37. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general district court judgeship in the Thirty-first Judicial District in which the retiring incumbent judge retired prior to January 1, 2013.

38. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Second Judicial District which became vacant after January 1, 2012 and prior to July 1, 2012.

39. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Ninth Judicial District in which the retiring incumbent judge retired prior to July 1, 2012.

40. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Tenth Judicial District in which the retiring incumbent judge retired prior to July 1, 2012.

41. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Twelfth Judicial District in which the retiring incumbent judge retired prior to July 1, 2012.

42. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Fourteenth Judicial District in which the retiring incumbent judge retired prior to July 1, 2010.

43. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Twenty-fourth Judicial District in which an incumbent judge died prior to January 1, 2012.

44. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Twenty-eighth Judicial District in which the retiring incumbent judge retired prior to July 1, 2012.

45. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized judgeship in which the vacancy occurred as a result of a judge being appointed to a judgeship on another Virginia court, provided such appointment is to another authorized judgeship which is funded as provided herein or by existing law.

46. Effective August 1, 2012, the provisions of this Item shall not apply to any authorized circuit, general district, or juvenile and domestic relations court judgeship in which the vacancy occurred after August 1, 2012, and prior to December 1, 2012, and the incumbent judge would not have been subject to mandatory retirement on or before February 15, 2013.

47. The State Comptroller shall revert to the general fund ~~$3,305,080~~*$4,640,400* on or before June 30, 2013 and ~~$4,679,328~~ *$5,680,764* on or before June 30, 2014 representing savings from vacant judgeships.

ITEM 53.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

48. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Sixteenth Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.

49. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Thirty-first Judicial District in which the retiring incumbent judge retired prior to July 1, 2013.

50. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Fifth Judicial Circuit in which the retiring incumbent judge retired prior to January 1, 2013.

51. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Fifteenth Judicial Circuit in which the retiring incumbent judge retired prior to May 1, 2013.

52. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twenty-second Judicial Circuit in which the retiring incumbent judge retired prior to January 1, 2013.

53. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twenty-fifth Judicial Circuit in which the retiring incumbent judge retired prior to January 1, 2013.

54. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twenty-sixth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2013.

55. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Second Judicial District in which the retiring incumbent judge retired prior to February 1, 2012.

56. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Fourth Judicial District in which the retiring incumbent judge retired prior to February 1, 2012.

57. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Eleventh Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.

58. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Twelfth Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.

59. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Fourteenth Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.

60. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Fifteenth Judicial District in which the retiring incumbent judge retired prior to December 1, 2012.

61. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Twenty-eighth Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.

62. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Twenty-ninth Judicial District in which the incumbent judge vacated the bench prior to September 1, 2012.

63. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Second Circuit in which the retiring incumbent judge retired prior to January 1, 2012.

ITEM 53.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
64. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Nineteenth Circuit in which the retiring incumbent judge retired prior to August 1, 2012.				
65. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twentieth Circuit in which the retiring incumbent judge retired prior to May 1, 2013.				
66. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Seventeenth Judicial District in which the retiring incumbent judge retired prior to July 1, 2012.				
67. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Twenty-First Judicial District in which the retiring incumbent judge retired prior to July 1, 2013.				
B. On or before June 30, 2013, the Director of the Department of Planning and Budget shall authorize the reversion to the general fund of $38,000, representing additional savings generated within the Indigent Defense Commission.				
C. On or before June 30, 2014, the Director of the Department of Planning and Budget shall authorize the reversion to the general fund of $200,000, representing additional savings generated within the Indigent Defense Commission.				
Total for Judicial Department Reversion Clearing Account.....			**$0**	**$0**
TOTAL FOR JUDICIAL DEPARTMENT			**~~$454,418,244~~** ***$455,992,489***	**~~$454,302,573~~** ***$456,813,456***
General Fund Positions.....	3,258.71	3,258.71		
Nongeneral Fund Positions.....	103.00	103.00		
Position Level	3,361.71	3,361.71		
Fund Sources: General.....	~~$421,813,051~~ *$423,087,296*	~~$421,697,380~~ *$423,908,263*		
Special.....	$9,690,178	$9,690,178		
Trust and Agency	$25,000	$25,000		
Dedicated Special Revenue.....	~~$21,465,152~~ *$21,765,152*	~~$21,465,152~~ *$21,765,152*		
Federal Trust.....	$1,424,863	$1,424,863		

ITEM 54.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	EXECUTIVE DEPARTMENT				
	EXECUTIVE OFFICES				
	§ 1-21. OFFICE OF THE GOVERNOR (121)				
54.	Administrative and Support Services (79900).....			$3,606,623	$3,611,723
	General Management and Direction (79901).....	$3,606,623	$3,611,723		
	Fund Sources: General.....	$3,606,623	$3,611,723		
	Authority: Article V, Constitution of Virginia; Title 2.2, Chapter 1, Code of Virginia.				
	Out of this appropriation shall be paid the salary of the Governor, $175,000 the first year and $175,000 the second year.				
55.	Historic and Commemorative Attraction Management (50200)			$443,979	$443,979
	Executive Mansion Operations (50207).....	$443,979	$443,979		
	Fund Sources: General.....	$443,979	$443,979		
	Authority: Title 2.2, Chapter 1, Code of Virginia.				
56.	Governmental Affairs Services (70100).....			$463,400	$463,400
	Intergovernmental Relations (70101).....	$463,400	$463,400		
	Fund Sources: General.....	$320,195	$320,195		
	Commonwealth Transportation.....	$143,205	$143,205		
	Authority: Title 2.2, Chapter 3, Code of Virginia.				
57.	Disaster Planning and Operations (72200).....			a sum sufficient	
	Disaster Operations (72202).....	a sum sufficient			
	Disaster Assistance (72203).....	a sum sufficient			
	Authority: Title 44, Chapter 3.2, Code of Virginia.				
	A.1. The amount for Disaster Assistance is from all funds of the state treasury, not constitutionally restricted, and is to be effective only in the event of a declared state of emergency or authorization by the Governor of the sum sufficient, pursuant to § 44-146.28, Code of Virginia. Any appropriation authorized by this Item shall be transferred to state agencies for payment of eligible costs according to written directions of the Governor or by such other person or persons as may be designated by him for this purpose.				
	2. Any amount authorized for expenditure pursuant to § 44-146.28, Code of Virginia, shall be paid to eligible jurisdictions in accordance with guidelines and procedures established by the Department of Emergency Management, pursuant to § 44-146.28, Code of Virginia.				
	B. In the event of a Presidentially declared disaster, the state and local share of any federal assistance, hazard mitigation, or flood control programs in which the state participates will be determined in accordance with the procedures in the "Commonwealth of Virginia Emergency Operations Plan, Basic Plan," promulgated by the Department of Emergency Management. The state share of any such program shall be no less than 10 percent.				
	Total for Office of the Governor			**$4,514,002**	**$4,519,102**
	General Fund Positions.....	37.67	37.67		
	Nongeneral Fund Positions.....	1.33	1.33		
	Position Level	39.00	39.00		
	Fund Sources: General.....	$4,370,797	$4,375,897		
	Commonwealth Transportation.....	$143,205	$143,205		

ITEM 58.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	§ 1-22. LIEUTENANT GOVERNOR (119)				
58.	Administrative and Support Services (79900).....			$329,525	$330,528
	General Management and Direction (79901).....	$329,525	$330,528		
	Fund Sources: General.....	$329,525	$330,528		
	Authority: Article V, Sections 13, 14, and 16, Constitution of Virginia; and Title 24.2, Chapter 2, Article 3, Code of Virginia.				
	Out of this appropriation shall be paid:				
	1. The salary of the Lieutenant Governor, $36,321 the first year and $36,321 the second year;				
	2. Expenses of the Lieutenant Governor during sessions of the General Assembly on the same basis as for the members of the General Assembly;				
	3. Salaries and benefits for compensation of up to three staff positions in the Office of the Lieutenant Governor.				
	Total for Lieutenant Governor			**$329,525**	**$330,528**
	General Fund Positions.....	4.00	4.00		
	Position Level	4.00	4.00		
	Fund Sources: General.....	$329,525	$330,528		
	§ 1-23. ATTORNEY GENERAL AND DEPARTMENT OF LAW (141)				
59.	Legal Advice (32000).....			$26,570,363	~~$26,590,411~~ *$26,840,411*
	State Agency/Local Legal Assistance and Advice (32002)	$26,570,363	~~$26,590,411~~ *$26,840,411*		
	Fund Sources: General.....	$18,124,043	~~$18,144,091~~ *$18,394,091*		
	Special.....	$7,871,577	$7,871,577		
	Federal Trust.....	$574,743	$574,743		

Authority: Title 2.2, Chapter 5, Code of Virginia.

A. Out of this appropriation shall be paid:

1. The salary of the Attorney General, $150,000 the first year and $150,000 the second year.

2. Expenses of the Attorney General not otherwise reimbursed, $9,000 each year in equal monthly installments.

3. Salary expenses necessary to provide legal services pursuant to Title 2.2, Chapter 5, Code of Virginia.

B. Out of this appropriation, $488,536 the first year and ~~$488,536~~*$738,536* the second year from the general fund is designated for efforts to enforce the 1998 Tobacco Master Settlement Agreement and Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia. The Department of Law shall be responsible for enforcement of Article 1 (§ 3.2-4200, et seq.), Chapter 42, Title 3.2, Code of Virginia and the 1998 Tobacco Master Settlement Agreement. The general fund shall be reimbursed on a proportional basis from the Tobacco Indemnification and Community Revitalization Fund and the Virginia Tobacco Settlement Fund for costs associated with the enforcement of the 1998 Tobacco Master Settlement Agreement pursuant to transfers directed by Item 467, paragraphs A.2 and B.2, and § 3-1.01, Paragraph N of this act.

C. Upon notification by the Attorney General, agencies that administer programs which are

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funded wholly or partially from nongeneral fund appropriations shall transfer to the Department of Law the necessary funds to cover the costs of legal services that are related to such nongeneral funds. The Attorney General, in consultation with the respective agency heads, shall determine the amounts for transfer. It is the intent of the General Assembly that legal services provided by the Office of the Attorney General for general fund-supported programs shall be provided out of this appropriation.

D. At the request of the Attorney General, the Director, Department of Planning and Budget, shall provide an amount not to exceed $100,000 per year from the Miscellaneous Contingency Reserve Account to pay the compensation, fees, and expenses of *(i)* counsel appointed by the Office of the Attorney General in actions brought pursuant to § 15.2-1643, Code of Virginia, to cause court facilities to be made secure, or put in good repair, or rendered otherwise safe, *and (ii) counsel representing court personnel, including clerks, judges, and Justices in actions arising out of their official duties*.

E. Pursuant to Chapter 577 of the Acts of Assembly of 2008, the Office of the Attorney General shall provide legal service in civil matters and consultation and legal advice in suits and other legal actions to soil and water conservation district directors and districts upon the request of those district directors or districts at no charge.

60. Medicaid Program Services (45600)			~~$10,077,785~~ *$12,156,148*	~~$10,077,785~~ *$12,156,148*
Medicaid Fraud Investigation and Prosecution (45614)	~~$10,077,785~~ *$12,156,148*	~~$10,077,785~~ *$12,156,148*		
Fund Sources: Special	~~$2,631,946~~ *$3,151,536*	~~$2,631,946~~ *$3,151,536*		
Federal Trust	~~$7,445,839~~ *$9,004,612*	~~$7,445,839~~ *$9,004,612*		

Authority: Title 32.1, Chapter 9, Code of Virginia.

On or before November 15, 2012, the Medicaid Fraud Control Unit within the Office of the Attorney General shall provide a report to the Chairmen of the House Appropriations and Senate Finance Committees detailing the unit's efforts to prevent Medicaid fraud and increase Medicaid recoveries, including details on the history of annual collections, actual deposits to the general fund, and estimated amounts to be identified and collected over the biennium. The report shall include the efforts to be undertaken as a result of the additional positions authorized in this act and provide an update on the projected increase in Medicaid recoveries assumed for the Virginia Health Care Fund.

61. Regulation of Business Practices (55200)			$2,904,410	~~$2,604,410~~ *$3,270,910*
Regulatory and Consumer Advocacy (55201)	$2,904,410	~~$2,604,410~~ *$3,270,910*		
Fund Sources: General	$1,354,410	$1,354,410		
Special	$1,550,000	~~$1,250,000~~ *$1,916,500*		

Authority: Title 2.2, Chapter 5, Code of Virginia.

Included in this Item is $1,550,000 the first year and $1,250,000 the second year from special funds for the Regulatory, Consumer Advocacy, Litigation, and Enforcement Revolving Trust Fund as established in Item 48 of Chapter 966 of the Acts of Assembly 1994 and amended herein. The Department of Law is authorized to deposit to the fund any fees, civil penalties, costs, recoveries, or other moneys which from time to time may become available as a result of regulatory and consumer advocacy litigation, litigation in which the Office of the Attorney General participates, or civil enforcement efforts including, but not limited to, those brought pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 3.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia. The Department of Law is also authorized to deposit to the fund any attorneys' fees which from time to time may be obtained. Any deposit to, and interest earnings on, the fund shall be retained in the fund, provided, however, that any amounts contained in the fund that exceed $1,550,000 on the final day of the fiscal year shall be

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deposited to the credit of the general fund. In addition to the uses of the fund permitted by Item 48 of Chapter 966 of the Acts of Assembly of 1994, the fund may be used to pay costs associated with enforcement efforts pursuant to Article 1 (§ 3.2-4200 et seq.) and Article 3 (§ 32.2-4204 et seq.) of Chapter 42 of Title 3.2 of the Code of Virginia, costs associated with litigation initiated by the Office of the Attorney General, and costs associated with civil commitment procedures pursuant to Chapter 9 of Title 37.2 of the Code of Virginia.

62. Any judgment rendered pursuant to the Virginia Tort Claims Act shall be paid out of the state treasury under the direction of the Attorney General. Claims against agencies funded solely from the general fund shall be paid from the general fund. Claims against agencies funded by both general and nongeneral funds shall be paid from a combination of funds based upon the appropriations from such funds.

62.10. Personnel Management Services (70400)			*$0*	*$406,970*
Compliance and Enforcement (70414)	*$0*	*$406,970*		
Fund Sources: General	*$0*	*$380,521*		
Federal Trust	*$0*	*$26,449*		

Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia.

Total for Attorney General and Department of Law			~~$39,552,558~~ *$41,630,921*	~~$39,272,606~~ *$42,674,439*
General Fund Positions	196.00	~~196.00~~ *203.00*		
Nongeneral Fund Positions	~~154.00~~ *168.00*	~~154.00~~ *178.00*		
Position Level	~~350.00~~ *364.00*	~~350.00~~ *381.00*		
Fund Sources: General	$19,478,453	~~$19,498,501~~ *$20,129,022*		
Special	~~$12,053,523~~ *$12,573,113*	~~$11,753,523~~ *$12,939,613*		
Federal Trust	~~$8,020,582~~ *$9,579,355*	~~$8,020,582~~ *$9,605,804*		

Division of Debt Collection (143)

63. Collection Services (74000)			$1,916,448	$1,916,448
State Collection Services (74001)	$1,916,448	$1,916,448		
Fund Sources: Special	$1,916,448	$1,916,448		

Authority: Title 2.2, Chapter 5, Code of Virginia.

A. All agencies and institutions shall follow the procedures for collection of funds owed the Commonwealth as specified in §§ 2.2-518 and 2.2-4806 of the Code of Virginia, except as provided otherwise therein or in this act.

B.1. The Division of Debt Collection is entitled to retain as fees up to 30 percent of any revenues generated by it pursuant to paragraph A. to pay operating costs supported by the appropriation in this item.

2. Upon closing its books at the end of the fiscal year, after the execution of all transfers to state agencies having claims collected by the Division of Debt Collection, the Division may retain up to a $400,000 balance in its operating accounts. Any amounts contained in the operating accounts that exceed $400,000 on the final day of the fiscal year shall be deposited to the credit of the general fund no later than September 1 of the succeeding fiscal year.

3. The Director, Department of Planning and Budget, may grant an exception to the provisions

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	in paragraph B.2. if the Division of Debt Collection can show just cause.				
	C. The Division of Debt Collection may contract with private collection agents for the collection of debts amounting to less than $15,000.				
	Total for Division of Debt Collection			**$1,916,448**	**$1,916,448**
	Nongeneral Fund Positions.....	24.00	24.00		
	Position Level	24.00	24.00		
	Fund Sources: Special.....	$1,916,448	$1,916,448		
	Grand Total for Attorney General and Department of Law			~~**$41,469,006**~~ ***$43,547,369***	~~**$41,189,054**~~ ***$44,590,887***
	General Fund Positions.....	196.00	~~196.00~~ *203.00*		
	Nongeneral Fund Positions.....	~~178.00~~ *192.00*	~~178.00~~ *202.00*		
	Position Level	~~374.00~~ *388.00*	~~374.00~~ *405.00*		
	Fund Sources: General.....	$19,478,453	~~$19,498,501~~ *$20,129,022*		
	Special.....	~~$13,969,971~~ *$14,489,561*	~~$13,669,971~~ *$14,856,061*		
	Federal Trust.....	~~$8,020,582~~ *$9,579,355*	~~$8,020,582~~ *$9,605,804*		
	§ 1-24. SECRETARY OF THE COMMONWEALTH (166)				
64.	Central Records Retention Services (73800).....			$1,931,705	$1,933,566
	Appointments (73801)	$1,370,872	$1,370,872		
	Authentications (73802).....	$65,622	$65,622		
	Judicial Support Services (73803).....	$286,095	$286,095		
	Lobbyist and Organization Registrations (73804).....	$80,126	$81,961		
	Notaries Commissioning (73805).....	$128,990	$129,016		
	Fund Sources: General.....	$1,931,705	$1,933,566		
	Authority: §§ 2.2-400 through 2.2-435, 2.2-3106, 2.2-3114 through 2.2-3117, 8.01-328 through 8.01-330, and Title 47.1, Code of Virginia.				
	A. Notwithstanding the provisions of § 2.2-409, Code of Virginia, or any other law to the contrary, the Secretary of the Commonwealth shall charge a fee of $35.00 for issuing a commission to a notary for the Commonwealth at large, including seal tax.				
	B. The fee charged by the Secretary of the Commonwealth under the provisions of §2.2-409, Code of Virginia, for a Service of Process shall be $28.00.				
	Total for Secretary of the Commonwealth			**$1,931,705**	**$1,933,566**
	General Fund Positions.....	19.00	19.00		
	Position Level	19.00	19.00		
	Fund Sources: General.....	$1,931,705	$1,933,566		
	§ 1-24.1. OFFICE OF THE STATE INSPECTOR GENERAL (147)				
64.05.	*Inspection, Monitoring, and Auditing Services (78700)....*			*$1,400,000*	*$6,176,536*
	Inspection and Compliance of Program Operations (78701)	*$1,400,000*	*$6,176,536*		

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Fund Sources: General	*$1,400,000*	*$4,155,222*		
Special	*$0*	*$125,000*		
Commonwealth Transportation	*$0*	*$1,896,314*		

Authority: Title 2.2, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the State Inspector General, which shall be within the range of $127,846 and $170,352 from July 1, 2012 to June 30, 2014.

B. The Office of the State Inspector General shall be responsible for investigating the management and operations of state agencies and nonstate agencies to determine whether acts of fraud, waste, abuse, or corruption have been committed or are being committed by state officers or employees or any officers or employees of a nonstate agency, including any allegations of criminal acts affecting the operations of state agencies or nonstate agencies. However, no investigation of an elected official of the Commonwealth to determine whether a criminal violation has occurred, is occurring, or is about to occur under the provisions of § 52-8.1 shall be initiated, undertaken, or continued except upon the request of the Governor, the Attorney General, or a grand jury.

C. The Office of the State Inspector General shall be responsible for coordinating and recommending standards for those internal audit programs in existence as of July 1, 2012, and developing and maintaining other internal audit programs in state agencies and nonstate agencies as needed in order to ensure that the Commonwealth's assets are subject to appropriate internal management controls. The State Inspector General shall assess the condition of the accounting, financial, and administrative controls of state agencies and nonstate agencies.

D. The Office of the State Inspector General shall be responsible for providing timely notification to the appropriate attorney for the Commonwealth and law-enforcement agencies whenever the State Inspector General has reasonable grounds to believe there has been a violation of state criminal law.

E. The Office of the State Inspector General shall be responsible for assisting citizens in understanding their rights and the processes available to them to express concerns regarding the activities of a state agency or nonstate agency or any officer or employee of the foregoing;

F.1. The Office of the State Inspector General shall be responsible for development, coordination and management of a program to train internal auditors. The Office of the State Inspector General shall assist internal auditors of state agencies and institutions in receiving continued professional education as required by professional standards. The Office of the State Inspector General shall coordinate its efforts with state institutions of higher education and offer training programs to the internal auditors as well as coordinate any special training programs for the internal auditors.

2. To fund the direct costs of hiring training instructors, the Office of the State Inspector General is authorized to collect fees from training participants to provide training events for internal auditors. A nongeneral fund appropriation of $125,000 the second year is provided for use by the Office of the State Inspector General to facilitate the collection of payments from training participants for this purpose

G. The State Inspector General shall review the organization structure, staffing levels, and missions of the Office of the State Inspector General, including the required numbers of auditors and investigators, the required numbers of support staff, and the appropriate division of responsibilities between the Department of Corrections and the Office of the State Inspector General for criminal investigations, internal operational reviews, and other studies and activities that are essential to the ongoing security of the Department of Corrections, and shall make recommendations as appropriate for the assignment of investigative staff resources in order to achieve the highest and best utilization of existing personnel resources. The State Inspector General shall provide copies of this report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2013.

Total for Office of the State Inspector General			***$1,400,000***	***$6,176,536***

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	General Fund Positions	*6.00*	*24.00*		
	Nongeneral Fund Positions	*0.00*	*16.00*		
	Position Level	*6.00*	*40.00*		
	Fund Sources: General	*$1,400,000*	*$4,155,222*		
	Special	*$0*	*$125,000*		
	Commonwealth Transportation	*$0*	*$1,896,314*		
	§ 1-25. INTERSTATE ORGANIZATION CONTRIBUTIONS (921)				
65.	Governmental Affairs Services (70100)			$190,910	$190,910
	Interstate Affairs (70103)	$190,910	$190,910		
	Fund Sources: General	$190,910	$190,910		
	Authority: Discretionary Inclusion.				
	Out of the amounts for Interstate Affairs funding is provided for the following organizational memberships:				
	1. National Association of State Budget Officers				
	2. National Governors' Association				
	3. Federal Funds Information for States				
	Total for Interstate Organization Contributions			**$190,910**	**$190,910**
	Fund Sources: General	$190,910	$190,910		
	TOTAL FOR EXECUTIVE OFFICES			~~**$48,435,148**~~ ***$51,913,511***	~~**$48,163,160**~~ ***$57,741,529***
	General Fund Positions	~~256.67~~ *262.67*	~~256.67~~ *287.67*		
	Nongeneral Fund Positions	~~179.33~~ *193.33*	~~179.33~~ *219.33*		
	Position Level	~~436.00~~ *456.00*	~~436.00~~ *507.00*		
	Fund Sources: General	~~$26,301,390~~ *$27,701,390*	~~$26,329,402~~ *$31,115,145*		
	Special	~~$13,969,971~~ *$14,489,561*	~~$13,669,971~~ *$14,981,061*		
	Commonwealth Transportation	$143,205	~~$143,205~~ *$2,039,519*		
	Federal Trust	~~$8,020,582~~ *$9,579,355*	~~$8,020,582~~ *$9,605,804*		

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	OFFICE OF ADMINISTRATION				
	§ 1-26. SECRETARY OF ADMINISTRATION (180)				
66.	Administrative and Support Services (79900)			$1,060,567	$1,061,775
	General Management and Direction (79901)	$443,456	$443,456		
	Accounting and Budgeting Services (79903)	$617,111	$618,319		
	Fund Sources: General	$1,060,567	$1,061,775		
	Authority: Title 2.2, Chapter 2, Code of Virginia.				
	Total for Secretary of Administration			**$1,060,567**	**$1,061,775**
	General Fund Positions	11.00	11.00		
	Position Level	11.00	11.00		
	Fund Sources: General	$1,060,567	$1,061,775		
	§ 1-27. DEPARTMENT OF EMPLOYMENT DISPUTE RESOLUTION (962)				
67.	Personnel Management Services (70400)			$1,038,434	~~$1,039,042~~ *$0*
	~~Employee Grievance, Mediation, Training, and Consultation Services (70416)~~	$1,038,434	~~$1,039,042~~		
	Employee Dispute Resolution Services (70416)		*$0*		
	Fund Sources: General	$726,422	~~$727,030~~ *$0*		
	Special	$312,012	~~$312,012~~ *$0*		
	Total for Department of Employment Dispute Resolution			**$1,038,434**	~~**$1,039,042**~~ ***$0***
	General Fund Positions	10.50	~~10.50~~ *0.00*		
	Nongeneral Fund Positions	6.50	~~6.50~~ *0.00*		
	Position Level	17.00	~~17.00~~ *0.00*		
	Fund Sources: General	$726,422	~~$727,030~~ *$0*		
	Special	$312,012	~~$312,012~~ *$0*		
	§ 1-28. COMPENSATION BOARD (157)				
68.	Financial Assistance for Sheriffs' Offices and Regional Jails (30700)			$418,615,282	~~$419,189,852~~ *$419,327,886*
	Financial Assistance for Regional Jail Operations (30710)	$123,234,511	$123,873,069		
	Financial Assistance for Local Law Enforcement (30712)	$89,425,613	$89,361,625		
	Financial Assistance for Local Court Services (30713)	$51,573,495	$51,573,495		
	Financial Assistance to Sheriffs (30716)	$11,690,523	$11,690,523		
	Financial Assistance for Local Jail Operations (30718)	$142,691,140	~~$142,691,140~~ *$142,829,174*		

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Fund Sources: General	$410,615,282	~~$411,189,852~~ *$411,327,886*		
Dedicated Special Revenue	$8,000,000	$8,000,000		

Authority: Title 15.2, Chapter 16, Articles 3 and 6.1; and §§ 53.1-83.1 and 53.1-85, Code of Virginia.

A.1. The annual salaries of the sheriffs of the counties and cities of the Commonwealth shall be as hereinafter prescribed, according to the population of the city or county served and whether the sheriff is charged with civil processing and courtroom security responsibilities only, or the added responsibilities of law enforcement or operation of a jail, or both. Execution of arrest warrants shall not, in and of itself, constitute law enforcement responsibilities for the purpose of determining the salary for which a sheriff is eligible.

2. Whenever a sheriff is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such sheriff under the provisions of this item and such sheriff shall receive as additional compensation the sum of one thousand dollars.

	July 1, 2012 to June 30, 2013	July 1, 2013 to November 30, 2013	December 1, 2013 to June 30, 2014
Law Enforcement and Jail Responsibility			
Less than 10,000	$64,798	$64,798	$64,798
10,000 to 19,999	$74,480	$74,480	$74,480
20,000 to 39,999	$81,847	$81,847	$81,847
40,000 to 69,999	$88,964	$88,964	$88,964
70,000 to 99,999	$98,849	$98,849	$98,849
100,000 to 174,999	$109,833	$109,833	$109,833
175,000 to 249,999	$115,613	$115,613	$115,613
250,000 and above	$128,458	$128,458	$128,458
Law Enforcement or Jail			
Less than 10,000	$63,501	$63,501	$63,501
10,000 to 19,999	$72,989	$72,989	$72,989
20,000 to 39,999	$80,209	$80,209	$80,209
40,000 to 69,999	$87,184	$87,184	$87,184
70,000 to 99,999	$96,872	$96,872	$96,872
100,000 to 174,999	$107,635	$107,635	$107,635
175,000 to 249,999	$113,301	$113,301	$113,301
250,000 and above	$126,531	$126,531	$126,531
No Law Enforcement or Jail Responsibility			
Less than 10,000	$59,667	$59,667	$59,667
10,000 to 19,999	$66,296	$66,296	$66,296
20,000 to 39,999	$73,661	$73,661	$73,661
40,000 to 69,999	$81,847	$81,847	$81,847
70,000 to 99,999	$90,942	$90,942	$90,942

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100,000 to 174,999	$101,045	$101,045		$101,045	
175,000 to 249,999	$106,361	$106,361		$106,361	
250,000 and above	$119,466	$119,466		$119,466	

B. Out of the amounts provided for in this Item, no expenditures shall be made to provide security devices such as magnetometers in standard use in major metropolitan airports. Personnel expenditures for operation of such equipment incidental to the duties of courtroom and courthouse security deputies may be authorized, provided that no additional expenditures for personnel shall be approved for the principal purpose of operating these devices.

C. Notwithstanding the provisions of § 53.1-120, or any other section of the Code of Virginia, unless a judge provides the sheriff with a written order stating that a substantial security risk exists in a particular case, no courtroom security deputies may be ordered for civil cases, not more than one deputy may be ordered for criminal cases in a district court, and not more than two deputies may be ordered for criminal cases in a circuit court. In complying with such orders for additional security, the sheriff may consider other deputies present in the courtroom as part of his security force.

D. Should the scheduled opening date of any facility be delayed for which funds are available in this Item, the Director, Department of Planning and Budget, may allot such funds as the Compensation Board may request to allow the employment of staff for training purposes not more than 45 days prior to the rescheduled opening date for the facility.

E. Consistent with the provisions of paragraph B of Item 75, the board shall allocate the additional jail deputies provided in this appropriation using a ratio of one jail deputy for every 3.0 beds of operational capacity. Operational capacity shall be determined by the Department of Corrections. No additional deputy sheriffs shall be provided from this appropriation to a local jail in which the present staffing exceeds this ratio unless the jail is overcrowded. Overcrowding for these purposes shall be defined as when the average annual daily population exceeds the operational capacity. In those jails experiencing overcrowding, the board may allocate one additional jail deputy for every five average annual daily prisoners above operational capacity. Should overcrowding be reduced or eliminated in any jail, the Compensation Board shall reallocate positions previously assigned due to overcrowding to other jails in the Commonwealth that are experiencing overcrowding.

F. Two-thirds of the salaries set by the Compensation Board of medical, treatment, and inmate classification positions approved by the Compensation Board for local correctional facilities shall be paid out of this appropriation.

G.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a master deputy pay grade to those sheriffs' offices which had certified, on or before January 1, 1997, having a career development plan for deputy sheriffs that meet the minimum criteria set forth by the Compensation Board for such plans. The Compensation Board shall allow for additional grade 9 positions, at a level not to exceed one grade 9 master deputy per every five Compensation Board grade 7 and 8 deputy positions in each sheriff's office.

2. Each sheriff who desires to participate in the Master Deputy Program who had not certified a career development plan on or before January 1, 1997, may elect to participate by certifying to the Compensation Board that the career development plan in effect in his office meets the minimum criteria for such plans as set by the Compensation Board. Such election shall be made by July 1 for an effective date of participation the following July 1.

3. Subject to appropriations by the General Assembly for this purpose, funding shall be provided by the Compensation Board for participation in the Master Deputy Program to sheriffs' offices electing participation after January 1, 1997, according to the date of receipt by the Compensation Board of the election by the sheriff.

~~4. State support for the Master Deputy Program shall be provided only for any individual who was participating in the program prior to January 1, 2010.~~

H. The Compensation Board shall estimate biannually the number of additional law enforcement deputies which will be needed in accordance with § 15.2-1609.1, Code of Virginia. Such estimate of the number of positions and related costs shall be included in the board's

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biennial budget request submission to the Governor and General Assembly. The allocation of such positions, established by the Governor and General Assembly in Item 75 of this act, shall be determined by the Compensation Board on an annual basis. The annual allocation of these positions to local sheriffs' offices shall be based upon the most recent final population estimate for the locality that is available to the Compensation Board at the time when the agency's annual budget request is completed. The source of such population estimates shall be the Weldon Cooper Center for Public Service of the University of Virginia or the United States Bureau of the Census. For the first year of the biennium, the Compensation Board shall allocate positions based upon the most recent provisional population estimates available at the time the agency's annual budget is completed.

I. Any amount in the program Financial Assistance for Sheriffs' Offices and Regional Jails may be transferred between Items 68 and 69, as needed, to cover any deficits incurred in the programs Financial Assistance for Confinement of Inmates in Local and Regional Facilities, and Financial Assistance for Sheriffs' Offices and Regional Jails.

J.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Sheriffs' Career Development Program.

2. Following receipt of a sheriff's certification that the minimum requirements of the Sheriffs' Career Development Program have been met, and provided that such certification is submitted by sheriffs as part of their annual budget request to the Compensation Board, the board shall increase the annual salary shown in paragraph A of this Item by the percentage shown below for a twelve-month period effective the following July 1:

a. 9.3 percent increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program where such criteria includes that a sheriff has achieved certification by the Weldon Cooper Center for Public Service of the University of Virginia, ~~and~~*or*, where such criteria include that a sheriff's office seeking accreditation has been assessed and will be considered for accreditation by the accrediting body no later than March 1, and have achieved accreditation by March 1 from the Virginia Law Enforcement Professional Standards Commission, or the Commission on Accreditation of Law Enforcement agencies, or the American Correctional Association, or,

b. For sheriffs that have not achieved one of the above accreditations:

1. 3.1 percent for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program; and

2. 3.1 percent additional increase for sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and operate a jail; and

3. 3.1 percent additional increase for all sheriffs who certify their compliance with the established minimum criteria for the Sheriffs' Career Development Program and provide primary law enforcement services in the county.

~~4. State support for the Sheriffs' Career Development Program shall be provided only for any individual who was participating in the program prior to January 1, 2010.~~

5. Other constitutional officers' associations may request the General Assembly to include certification by the Weldon Cooper Center for Public Service to the requirements for participation in their respective career development programs.

K. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $8,000,000 the first year and $8,000,000 the second year from the Wireless E-911 Fund is included in this appropriation for local law enforcement dispatchers to offset dispatch center operations and related costs.

L. Notwithstanding the provisions of §§ 53.1-131 through 53.1 -131.3, Code of Virginia, local and regional jails may charge inmates participating in inmate work programs a reasonable daily amount, not to exceed the actual daily cost, to operate the program.

M. Included in this appropriation is $1,004,500 the first year and $1,004,500 the second year from the general fund for the Compensation Board to contract for services to be provided by

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the Virginia Center for Policing Innovation to implement and maintain the interface between all local and regional jails in the Commonwealth and the Statewide Automated Victim Notification (SAVIN) system, to provide for SAVIN program coordination, and to maintain the interface between SAVIN and the Virginia Sex Offender Registry.

N. Included in the appropriation for this Item is $3,796,361 the first year and $4,310,171 the second year from the general fund to support costs associated with staffing the Meherrin River Regional Jail.

O. Included in the appropriation is $138,034 the second year from the general fund to support costs associated with staffing the new Richmond City Jail.

69. Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600)			~~$49,888,871~~ *$56,223,725*	~~$49,888,871~~ *$50,115,331*
Financial Assistance for Local Jail Per Diem (35601)	~~$25,942,213~~ *$29,236,337*	~~$25,942,213~~ *$25,642,213*		
Financial Assistance for Regional Jail Per Diem (35604)	~~$23,946,658~~ *$26,987,388*	~~$23,946,658~~ *$24,473,118*		
Fund Sources: General	~~$49,888,871~~ *$56,223,725*	~~$49,888,871~~ *$50,115,331*		

Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia.

A. In the event the appropriation in this Item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2013, and June 1, 2014, may be reallocated among localities on a pro rata basis according to such deficiency.

B. For the purposes of this Item, the following definitions shall be applicable:

1. Effective sentence—a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court.

2. Local responsible inmate—(a) any person arrested on a state warrant and incarcerated in a local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any person convicted of a misdemeanor offense and sentenced to a term in a local correctional facility; or (c) any person convicted of a felony offense and given an effective sentence of (i) twelve months or less or (ii) less than one year.

3. State responsible inmate—any person convicted of one or more felony offenses and (a) the sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is (i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive effective sentences for felonies, committed before January 1, 1995, is more than two years.

C. The individual or entity responsible for operating any facility which receives funds from this Item may, if requested by the Department of Corrections, enter into an agreement with the department to accept the transfer of convicted felons, from other local facilities or from facilities operated by the Department of Corrections. In entering into any such agreements, or in effecting the transfer of offenders, the Department of Corrections shall consider the security requirements of transferred offenders and the capability of the local facility to maintain such offenders. For purposes of calculating the amount due each locality, all funds earned by the locality as a result of an agreement with the Department of Corrections shall be included as receipts from these appropriations.

D. Out of this appropriation, an amount not to exceed $377,010 the first year and $377,010 the second year from the general fund, is designated to be held in reserve for unbudgeted medical expenses incurred by local correctional facilities in the care of state responsible felons.

E. The following amounts shall be paid out of this appropriation to compensate localities for the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1, Code of Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to incarceration program operated by, or under the authority of, the sheriff or jail board:

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1. For local responsible inmates—$4 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be $18 per inmate day.

2. For state responsible inmates—$12 per inmate day.

F. For the payment specified in paragraph E 1 of this Item for prisoners in alternative punishment or alternative to incarceration programs:

1. Such payment is intended to be made for prisoners that would otherwise be housed in a local correctional facility. It is not intended for prisoners that would otherwise be sentenced to community service or placed on probation.

2. No such payment shall be made unless the program has been approved by the Department of Corrections or the Department of Criminal Justice Services. Alternative punishment or alternative to incarceration programs, however, may include supervised work experience, treatment, and electronic monitoring programs.

G.1. Except as provided for in paragraph G 2, and notwithstanding any other provisions of this Item, the Compensation Board shall provide payment to any locality with an average daily jail population of under ten in FY 1995 an inmate per diem rate of $22 per day for local responsible inmates and $28 per day for state responsible inmates held in these jails in lieu of personal service costs for corrections' officers.

2. Any locality covered by the provisions of this paragraph shall be exempt from the provisions thereof provided that the locally elected sheriff, with the assistance of the Compensation Board, enters into good faith negotiations to house his prisoners in an existing local or regional jail. In establishing the per diem rate and capital contribution, if any, to be charged to such locality by a local or regional jail, the Compensation Board and the local sheriff or regional jail authority shall consider the operating support and capital contribution made by the Commonwealth, as required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The Compensation Board shall report periodically to the Chairmen of the House Appropriations and Senate Finance Committees on the progress of these negotiations and may withhold the exemption granted by this paragraph if, in the board's opinion, the local sheriff fails to negotiate in good faith.

H.1. The Compensation Board shall recover the state-funded costs associated with housing federal inmates, District of Columbia inmates or contract inmates from other states. The Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day salary funds provided by the Commonwealth, as identified in the most recent Jail Cost Report prepared by the Compensation Board. Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the amount to be recovered by the Commonwealth by multiplying the jail's current inmate days for this population by the proportion of the jail's per inmate day operating costs provided by the Commonwealth, excluding payments otherwise provided for in this Item, as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in the most recent Jail Cost Report, the Compensation Board shall use the statewide average of per inmate day salary funds provided by the Commonwealth.

2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth from the facility's next quarterly per diem payment for state-responsible and local-responsible inmates. Should the next quarterly per diem payment owed the locality not be sufficient against which to net the total quarterly recovery amount, the locality shall remit the remaining amount not recovered to the Compensation Board.

3. Any local or regional jail which receives funding from the Compensation Board shall give priority to the housing of local-responsible, state-responsible, and state contract inmates, in that order, as provided in paragraph H 1.

4. The Compensation Board shall not provide any inmate per diem payments to any local or regional jail which holds federal inmates in excess of the number of beds contracted for with the Department of Corrections, unless the Director, Department of Corrections, certifies to the Chairman of the Compensation Board that a) such contract beds are not required; b) the facility

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has operational capacity built under contract with the federal government; c) the facility has received a grant from the federal government for a portion of the capital costs; or d) the facility has applied to the Department of Corrections for participation in the contract bed program with a sufficient number of beds to meet the Department of Corrections' need or ability to fund contract beds at that facility in any given fiscal year.

5. The Compensation Board shall apply the cost recovery methodology set out in paragraph H 1 of this Item to any jail which holds inmates from another state on a contractual basis. However, recovery in such circumstances shall not be made for inmates held pending extradition to other states or pending transfer to the Virginia Department of Corrections.

6. The provisions of this paragraph shall not apply to any local or regional jail where the cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital contribution.

7. For a local or regional jail which operates bed space specifically built utilizing federal capital or grant funds for the housing of federal inmates and for which Compensation Board funding has never been authorized for staff for such bed space, the Compensation Board shall allow an exemption from the recovery provided in paragraph H.1. for a defined number of federal prisoners upon certification by the sheriff or superintendent that the federal government has paid for the construction of bed space in the facility or provided a grant for a portion of the capital cost. Such certification shall include specific funding amounts paid by the federal government, localities, and/or regional jail authorities, and the Commonwealth for the construction of bed space specifically built for the housing of federal inmates and for the construction of the jail facility in its entirety. The defined number of federal prisoners to be exempted from the recovery provided in paragraph H.1. shall be based upon the proportion of funding paid by the federal government and localities and/or regional jail authorities for the construction of bed space to house federal prisoners to the total funding paid by all sources, including the Commonwealth, for all construction costs for the jail facility in its entirety.

8. Beginning March 1, 2013, federal inmates placed in the custody of a regional jail pursuant to a work release program operated by the federal Bureau of Prisons shall be exempt from the recovery of costs associated with housing federal inmates pursuant to paragraph H.1. of this item if such federal inmates have been assigned by the federal Bureau of Prisons to a home electronic monitoring program in place for such inmates by agreement with the jail on or before January 1, 2012 and are not housed in the jail facility. However, no such exemption shall apply to any federal inmate while they are housed in the regional jail facility.

I. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and Regional Facilities, may be transferred between Items 68 and 69, as needed, to cover any deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.

J. Projected growth in per diem payments for the support of prisoners in local and regional jails shall be based on actual inmate population counts up through the first quarter of the affected fiscal year.

K. The Compensation Board shall provide an annual report on the number and diagnoses of inmates with mental illnesses in local and regional jails, the treatment services provided, and expenditures on jail mental health programs. The report shall be prepared in cooperation with the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia Association of Community Services Boards, and the Department of Behavioral Health and Developmental Services, and shall be coordinated with the data submissions required for the annual jail cost report. Copies of this report shall be provided by November 1 of each year to the Governor, Director, Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees.

L. The Compensation Board shall work with local and regional jails to determine the number of local-responsible offenders hospitalized off-site, the costs for such hospitalization, and the numbers of such hospitalized local-responsible offenders who are either 65 years of age or older, blind, disabled, or pregnant in order to determine the population of local-responsible offenders who may be eligible for enrollment in Medicaid. The Departments of Medical Assistance Services and Social Services shall provide any assistance necessary to the Compensation Board in determining the eligibility of those local-responsible offenders for

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Medicaid enrollment and the process that would be necessary for localities who choose to enroll eligible local-responsible offenders in Medicaid. The Compensation Board, with any necessary assistance from the Departments of Medical Assistance Services and Social Services, shall provide a report on the number of local-responsible offenders who could be enrolled in Medicaid to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2013.

70. Financial Assistance for Local Finance Directors (71700)			$5,242,052	$5,242,052
Financial Assistance to Local Finance Directors (71701)	$617,860	$617,860		
Financial Assistance for Operations of Local Finance Directors (71702)	$4,624,192	$4,624,192		
Fund Sources: General	$5,242,052	$5,242,052		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2012 to June 30, 2013	**July 1, 2013 to November 30, 2013**	**December 1, 2013 to June 30, 2014**
Less than 10,000	$58,345	$58,345	$58,345
10,000-19,999	$64,830	$64,830	$64,830
20,000-39,999	$72,034	$72,034	$72,034
40,000-69,999	$80,035	$80,035	$80,035
70,000-99,999	$88,929	$88,929	$88,929
100,000-174,999	$98,808	$98,808	$98,808
175,000 to 249,999	$104,011	$104,011	$104,011
250,000 and above	$118,194	$118,194	$118,194

2. Whenever any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such officer under the provisions of this Item.

B.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item following receipt of the appointed officer's certification that the minimum requirements of the Treasurers' Career Development Program have been met, provided that such certifications are submitted by appointed officers as part of their annual budget request to the Compensation Board on February 1 of each year.

71. Financial Assistance for Local Commissioners of the Revenue (77100)			$16,955,944	$16,948,836
Financial Assistance to Local Commissioners of the Revenue for Tax Value Certification (77101)	$9,329,848	$9,329,848		
Financial Assistance for Operations of Local Commissioners of the Revenue (77102)	$6,779,476	$6,772,368		
Financial Assistance for State Tax Services by Commissioners of the Revenue (77103)	$846,620	$846,620		

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Fund Sources: General	$16,955,944	$16,948,836		

Authority: Title 15.2, Chapter 16, Article 6.1, Code of Virginia.

A. The annual salaries of county or city commissioners of the revenue shall be as hereinafter prescribed, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2012 to June 30, 2013	**July 1, 2013 to November 30, 2013**	**December 1, 2013 to June 30, 2014**
Less than 10,000	$58,345	$58,345	$58,345
10,000-19,999	$64,830	$64,830	$64,830
20,000-39,999	$72,034	$72,034	$72,034
40,000-69,999	$80,035	$80,035	$80,035
70,000-99,999	$88,929	$88,929	$88,929
100,000-174,999	$98,808	$98,808	$98,808
175,000 to 249,999	$104,011	$104,011	$104,011
250,000 and above	$118,194	$118,194	$118,194

B. 1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Commissioners of the Revenue Career Development Program.

2. Following receipt of the commissioner's certification that the minimum requirements of the Commissioners of the Revenue Career Development Program have been met, and provided that such certification is submitted by commissioners of the revenue as part of their annual budget request to the Compensation Board on or before February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A of this Item by the amount shown herein for a 12-month period effective the following July 1. The salary supplement shall be based upon the levels of service offered by the commissioner of the revenue for his/her locality and shall be in accordance with the following schedule:

a. 4.7 percent increase for all commissioners of the revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program;

b. 2.3 percent additional increase for all commissioners of the revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide state income tax or real estate services as described in the minimum criteria for the Commissioners of the Revenue Career Development Program; and

c. 2.3 percent additional increase for all commissioners of the revenue who certify their compliance with the established minimum criteria for the Commissioners of the Revenue Career Development Program and provide state income tax and real estate services, as described in the minimum criteria for the Commissioners of the Revenue Career Development Program.

~~3. State support for the Commissioners of the Revenue Career Development Program shall be provided only for any individual who was participating in the program prior to January 1, 2010.~~

C.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Commissioners Career Development Program.

2. For each deputy commissioner selected by the commissioner of the revenue for participation in the Deputy Commissioners Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent, following receipt of the commissioner of the revenue's certification that the minimum requirements of the Deputy Commissioners Career Development Program have been met, and provided that such certification is submitted by the commissioner of the revenue as part of the annual budget request to the Compensation Board on or before February 1st of each year for an effective date

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of salary increase of the following July 1.				
~~3. State support for the Deputy Commissioners of the Revenue Career Development Program shall be provided only for any individual who was participating in the program prior to January 1, 2010.~~				
72. Financial Assistance for Attorneys for the Commonwealth (77200).....			$63,782,067	~~$63,767,006~~ *$66,080,394*
Financial Assistance to Attorneys for the Commonwealth (77201).....	$15,249,264	~~$15,249,264~~ *$15,379,527*		
Financial Assistance for Operations of Local Attorneys for the Commonwealth (77202).....	$48,532,803	~~$48,517,742~~ *$50,700,867*		
Fund Sources: General.....	$63,782,067	~~$63,767,006~~ *$66,080,394*		

Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.

A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter prescribed according to the population of the city or county served except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2012 to June 30, 2013	**July 1, 2013 to November 30, 2013**	**December 1, 2013 to June 30, 2014**
Less than 10,000	$51,706	$51,706	$51,706
10,000-19,999	$57,458	$57,458	$57,458
20,000-34,999	$63,202	$63,202	$63,202
35,000-44,999	$113,760	$113,760	$113,760
45,000-99,999	$126,397	$126,397	$126,397
100,000-249,999	$131,139	$131,139	$131,139
250,000 and above	$135,882	$135,882	$135,882

2. The attorneys for the Commonwealth and their successors who serve on a full-time basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code of Virginia, shall receive salaries as if they served localities with populations between 35,000 and 44,999.

3. Whenever an attorney for the Commonwealth is such for a county and city together, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such attorney for the Commonwealth under the provisions of this paragraph and such attorney for the Commonwealth shall receive as additional compensation the sum of one thousand dollars.

B. No expenditure shall be made out of this Item for the employment of investigators, clerk-investigators or other investigative personnel in the office of an attorney for the Commonwealth.

C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, employ individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, beginning on the date upon which the order or judgment is entered, the costs associated with employing such individuals may be paid from the proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis according to the amount collected which is due the state and that which is due the locality. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

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D. The provisions of this act notwithstanding, no Commonwealth's attorney, public defender or employee of a public defender, shall be paid or receive reimbursement for the state portion of a salary in excess of the salary paid to judges of the circuit court. Nothing in this paragraph shall be construed to limit the ability of localities to supplement the salaries of locally elected constitutional officers or their employees.

E. The Statewide Juvenile Justice project positions, as established under the provisions of Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of Assembly, are continued under the provisions of this act. The Commonwealth's attorneys receiving such positions shall annually certify to the Compensation Board that the positions are used primarily, if not exclusively, for the prosecution of delinquency and domestic relations felony cases, as defined by Chapters 912 and 924. In the event the positions are not primarily or exclusively used for the prosecution of delinquency and domestic relations felony cases, the Compensation Board shall reallocate such positions by using the allocation provisions as provided for the board in Item 74 E of Chapters 912 and 924.

F. The Compensation Board shall monitor the Department of Taxation program regarding the collection of unpaid fines and court costs by private debt collection firms contracted by Commonwealth’s attorneys and shall include, in its annual report to the General Assembly on the collection of court-ordered fines and fees for clerks of the courts and Commonwealth's attorneys, the amount of unpaid fines and costs collected by this program.

G. Out of this appropriation, $389,165 the first year and $389,165 the second year from the general fund is designated for the Compensation Board to fund five additional positions in Commonwealth’s attorney’s offices that shall be dedicated to prosecuting gang-related criminal activities. The board shall ensure that these positions work across jurisdictional lines, serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax).

~~H. State support for the Career Prosecutor Career Development Program is suspended and state general fund appropriation supporting the Career Prosecutor Career Development Program is suspended for any individual who was not participating in the program on January 1, 2010.~~

I. Included within this appropriation is $2,140,908 the second year from the general fund to increase the salary of each assistant Commonwealth's attorney by $3,308.

J. In accordance with the provisions of § 19.2-349, Code of Virginia, attorneys for the Commonwealth may, in addition to the options otherwise provided by law, contract with or employ individuals, or other state or local agencies, to assist in collection of outstanding fines, costs, forfeitures, penalties, and restitution. Notwithstanding any other provision of law, the amounts owed and collected shall be increased, up to a maximum of seventeen percent, to reflect the costs associated with employing or contracting with such agencies or individuals. The attorneys for the Commonwealth are authorized to increase the amount up to twenty-five percent if the amount owed is more than 180 days delinquent. These fees shall be paid on a contingency basis out of the proceeds of the amounts collected. The attorneys for the Commonwealth shall account for the amounts collected and apportion costs associated with the collections consistent with procedures issued by the Auditor of Public Accounts.

73. Financial Assistance for Circuit Court Clerks (77300).....			$49,483,802	$49,483,802
Financial Assistance to Circuit Court Clerks (77301)	$12,813,824	$12,813,824		
Financial Assistance for Operations for Circuit Court Clerks (77302).....	$20,430,451	$20,430,451		
Financial Assistance for Circuit Court Clerks’ Land Records (77303).....	$16,239,527	$16,239,527		
Fund Sources: General	$41,483,090	$41,483,090		
Trust and Agency	$8,000,712	$8,000,712		

Authority: Title 15.2, Chapter 16, Article 6.1; §§ 51.1-706 and 51.1-137, Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. The annual salaries of clerks of circuit courts shall be as hereinafter prescribed.

ITEM 73.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
		July 1, 2012 to June 30, 2013	**July 1, 2013 to November 30, 2013**	**December 1, 2013 to June 30, 2014**	
Less than 10,000		$73,304	$73,304	$73,304	
10,000 to 19,999		$90,326	$90,326	$90,326	
20,000-39,999		$103,419	$103,419	$103,419	
40,000-69,999		$108,654	$108,654	$108,654	
70,000-99,999		$117,814	$117,814	$117,814	
100,000-174,999		$128,288	$128,288	$128,288	
175,000-249,999		$132,270	$132,270	$132,270	
250,000 and above		$136,146	$136,146	$136,146	

2. Whenever a clerk of a circuit court is such for a county and a city, for two or more counties, or for two or more cities, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of the circuit court clerk under the provisions of this Item.

3. Except as provided in Item 75 A 2, the annual salary herein prescribed shall be full compensation for services performed by the office of the circuit court clerk as prescribed by general law, and for the additional services of acting as general receiver of the court pursuant to § 8.01-582, Code of Virginia, indexing and filing land use application fees pursuant to § 58.1-3234, Code of Virginia, and all other services provided from, or utilizing the facilities of, the office of the circuit court clerk. Pursuant to § 8.01-589, Code of Virginia, the court shall provide reasonable compensation to the office of the clerk of the circuit court for acting as general receiver of the court. Out of the compensation so allowed, the clerk shall pay his bond or bonds. The remainder of the compensation so allowed shall be fee and commission income to the office of the circuit court clerk.

4. In any county or city operating under provisions of law which authorizes the governing body to fix the compensation of the clerk on a salary basis, such clerk shall receive such salary as shall be allowed by the governing body. Such salary shall not be fixed at an amount less than the amount that would be allowed the clerk under paragraphs A 1 through A 3 of this Item.

5. All clerks shall deposit all clerks' fees and state revenue with the State Treasurer in a manner consistent with § 2.2-806, Code of Virginia, unless otherwise provided by the Compensation Board as set forth in § 17.1-284, Code of Virginia or otherwise provided by law.

B. The reports filed by each circuit court clerk pursuant to § 17.1-283, Code of Virginia, for each calendar year shall include all income derived from the performance of any office, function or duty described or authorized by the Code of Virginia whether directly or indirectly related to the office of circuit court clerk, including, by way of description and not limitation, services performed as a commissioner of accounts, receiver, or licensed agent, but excluding private services performed on a personal basis which are completely unrelated to the office. The Compensation Board may suspend the allowance for office expenses for any clerk who fails to file such reports within the time prescribed by law, or when the board determines that such report does not comply with the provisions of this paragraph.

C. Each clerk of the circuit court shall submit to the Compensation Board a copy of the report required pursuant to § 19.2-349, Code of Virginia, at the same time that it is submitted to the Commonwealth's attorney.

D. Included within this appropriation are Trust and Agency funds necessary to support one position to assist circuit court clerks in implementing the recommendations of the Land Records Management Task Force Report dated January 1, 1998.

E. Notwithstanding the provisions of § 17.1-279 E, Code of Virginia, the Compensation Board may allocate to the clerk of any circuit court funds for the acquisition of equipment and software for a pilot project for the automated application for, and issuance of, marriage licenses by such court. Any such funds allocated shall be deemed to have been expended pursuant to clause (iii) of § 17.1-279 E for the purposes of the limitation on allocations set forth in that subsection.

ITEM 73.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

F. Notwithstanding the provisions of § 17.1-279, Code of Virginia, the Compensation Board may allocate up to $3,978,426 the first year and $3,978,426 the second year of Technology Trust Fund moneys for operating expenses in the clerks' offices.

G. Notwithstanding § 17.1-287, Code of Virginia, any elected official funded through this Item may elect to relinquish any portion of his state funded salary established in paragraph A 1 of this Item. In any office where the official elects this option, the Compensation Board shall ensure the amount relinquished is used to fund salaries of other office staff.

H.1. For audits of clerks of the circuit court completed after July 1, 2004, the Auditor of Public Accounts shall report any internal control matter that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability. The Auditor of Public Accounts will also report on compliance with appropriate law and other financial matters of the clerks' office.

2. For internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability, the clerk shall provide the Auditor of Public Accounts a written corrective action plan to any such audit findings within 10 business days of the audit exit conference, which will state what actions the clerk will take to remediate the finding. The clerk’s response may also address the other matters in the report. During the next audit, the Auditor of Public Accounts shall determine and report if the clerk has corrected the finding related to internal control matters that could be reasonably expected to lead to the loss of revenues or assets, or otherwise compromise fiscal accountability.

3. Notwithstanding the provisions of Item 468, the Compensation Board shall not provide any salary increase to any circuit court clerk identified by the Auditor of Public Accounts who has not taken corrective action for the matters reported above.

I.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Circuit Court Clerks’ Career Development Program.

2. Following receipt of a clerk’s certification that the minimum requirements of the Clerks’ Career Development Program have been met, and provided that such certification is submitted by Clerks as part of their annual budget request to the Compensation Board by February 1 of each year, the Compensation Board shall increase the annual salary shown in Paragraph A.1. of this item by 9.3 percent with the salary increase becoming effective on the following July 1 for a 12-month period.

J.1. Subject to appropriation by the General Assembly for this purpose, the Compensation Board may implement a Deputy Clerks of Circuit Courts’ Career Development Program.

2. For each deputy clerk selected by the clerk for participation in the Deputy Clerks’ Career Development Program, the Compensation Board shall increase the annual salary established for that position by 9.3 percent following receipt of the clerk’s certification that the minimum requirements of the Deputy Clerks’ Career Development Program have been met and provided that such certification is submitted by clerks as part of their annual budget request to the Compensation Board by February 1 of each year.

K. Upon request of the attorney for the Commonwealth, the clerk of the circuit court shall contemporaneously provide the attorney for the Commonwealth copies of all documents provided to the Virginia Criminal Sentencing Commission pursuant to § 19.2-298.01 E, Code of Virginia.

L. The Compensation Board may obligate Trust and Agency funds in excess of the current biennium appropriation for the automation efforts of the clerks’ offices from the Technology Trust Fund provided that sufficient cash is available to cover projected costs in each year and that sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

ITEM 73.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
74.	Financial Assistance for Local Treasurers (77400).....			$16,046,178	$16,034,943
	Financial Assistance to Local Treasurers (77401).....	$9,376,817	$9,376,817		
	Financial Assistance for Operations of Local Treasurers (77402)	$6,469,328	$6,458,093		
	Financial Assistance for State Tax Services by Local Treasurers (77403)	$200,033	$200,033		
	Fund Sources: General.....	$16,046,178	$16,034,943		

Authority: Title 15.2, Chapter 16, Articles 2 and 6.1, Code of Virginia.

A.1. The annual salaries of treasurers, elected or appointed officers who hold the combined office of city treasurer and commissioner of the revenue, or elected or appointed officers who hold the combined office of county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia, shall be as hereinafter prescribed, based on the services provided, except as otherwise provided in § 15.2-1636.12, Code of Virginia.

	July 1, 2012 to June 30, 2013	**July 1, 2013 to November 30, 2013**	**December 1, 2013 to June 30, 2014**
Less than 10,000	$58,345	$58,345	$58,345
10,000 to 19,999	$64,830	$64,830	$64,830
20,000-39,999	$72,034	$72,034	$72,034
40,000-69,999	$80,035	$80,035	$80,035
70,000-99,999	$88,929	$88,929	$88,929
100,000-174,999	$98,808	$98,808	$98,808
175,000-249,999	$104,011	$104,011	$104,011
250,000 and above	$118,194	$118,194	$118,194

2. Provided, however, that in cities having a treasurer who neither collects nor disburses local taxes or revenue or who distributes local revenues but does not collect the same, such salaries shall be seventy-five percent of the salary prescribed above for the population range in which the city falls except that in no case shall any such treasurer, or any officer whether elected or appointed, who holds that combined office of city treasurer and commissioner of the revenue, receive an increase in salary less than the annual percentage increase provided from state funds to any other treasurer, within the same population range, who was at the maximum prescribed salary in effect for the fiscal year 1980.

3. Whenever a treasurer is such for two or more cities or for a county and city together, the aggregate population of such political subdivisions shall be the population for the purpose of arriving at the salary of such treasurer under the provisions of this Item.

C.1. Subject to appropriations by the General Assembly for this purpose, the Treasurers' Career Development Program shall be made available by the Compensation Board to appointed officers who hold the combined office of city or county treasurer and commissioner of the revenue subject to the provisions of § 15.2-1636.17, Code of Virginia.

2. The Compensation Board may increase the annual salary in paragraph A 1 of this Item by 9.3 percent following receipt of the treasurer’s certification that the minimum requirements of the Treasurers’ Career Development Program have been met, provided that such certifications are submitted by treasurers as part of their annual budget request to the Compensation Board on February 1 of each year.

~~3. State support for the Treasurers' Career Development Program shall be provided only for any individual who was participating in the program prior to January 1, 2010.~~

D.1. Subject to appropriations by the General Assembly for this purpose, the Compensation Board shall provide for a Deputy Treasurers' Career Development Program.

2. For each deputy treasurer selected by the treasurer for participation in the Deputy Treasurers' Career Development Program, the Compensation Board shall increase the annual salary

ITEM 74.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

established for that position by 9.3 percent following receipt of the treasurer's certification that the minimum requirements of the Deputy Treasurers' Career Development Program have been met, and provided that such certification is submitted by the treasurer as part of the annual budget request to the Compensation Board on or before February 1 of each year for an effective date of salary increase of the following July 1st.

~~3. State support for the Deputy Treasurers' Career Development Program shall be provided only for any individual who was participating in the program prior to January 1, 2010.~~

75.	Administrative and Support Services (79900).....		$3,191,928	~~$2,218,396~~ *$3,237,627*
	General Management and Direction (79901).....	$2,069,587	~~$1,237,565~~ *$2,257,499*	
	Information Technology Services (79902).....	$1,040,518	~~$899,008~~ *$898,305*	
	Training Services (79925)	$81,823	$81,823	
	Fund Sources: General.....	$3,191,928	~~$2,218,396~~ *$3,237,627*	

Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter 2, Article 7, Code of Virginia.

A.1. In determining the salary of any officer specified in Items 68, 70, 71, 72, 73 and 74 of this act, the Compensation Board shall use the greater of the most recent actual United States census count or the most recent provisional population estimate from the United States Bureau of the Census or the Weldon Cooper Center for Public Service of the University of Virginia available when fixing the officer's annual budget and shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary by reason of a decline in population during the terms in which the incumbent remains in office.

2. In determining the salary of any officer specified in Items 68, 70, 71, 72, 73 and 74 of this act, nothing herein contained shall prevent the governing body of any county or city from supplementing the salary of such officer in such county or city for the provisions of Chapter 822, 2012 Acts of Assembly or for additional services not required by general law; provided, however, that any such supplemental salary shall be paid wholly by such county or city.

3. Any officer whose salary is specified in Items 68, 70, 71, 72, 73 and 74 of this act shall provide reasonable access to his work place, files, records, and computer network as may be requested by his duly elected successor after the successor has been certified.

B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and fund permanent positions for the locally elected constitutional officers, subject to appropriation by the General Assembly, including the principal officer, at the following levels:

	FY 2013	**FY 2014**
Sheriffs	11,039	~~11,039~~ *11,051*
Partially Funded: Jail Medical, Treatment, and Classification and Records Positions	750	~~750~~ *753*
Commissioners of the Revenue	846	846
Treasurers	861	861
Directors of Finance	383	383
Commonwealth's Attorneys	1,266	1,266
Clerks of the Circuit Court	1,144	1,144
TOTAL	**16,289**	**~~16,289~~** ***16,304***

2. The Compensation Board is authorized to provide funding for 549 temporary positions the first year and 549 temporary positions the second year.

3. The board is authorized to adjust the expenses and other allowances for such officers to

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maintain approved permanent and temporary manpower levels.

4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to § 17.1-290, Code of Virginia.

C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased with public funds used in the discharge of official duties shall be at a rate equal to that approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool services. No vehicle purchased or leased with public funds on or after July 1, 2002, shall display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.

2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge of official duties shall be at a rate equal to that established in § 4-5.04 e 2. of this act. All such requests for reimbursement shall be accompanied by a certification that a publicly owned or leased vehicle was unavailable for use.

D. The Compensation Board is directed to examine the current level of crowding of inmates in local jails among the several localities and to reallocate or reduce temporary positions among local jails as may be required, consistent with the provisions of this act.

E. Any new positions established in Item 75 of this act shall be allocated by the Compensation Board upon request of the constitutional officers in accordance with staffing standards and ranking methodologies approved by the Compensation Board to fulfill the requirements of any court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance with the provisions of Item 68 of this act.

F. Any funds appropriated in this act for performance pay increases for designated deputies or employees of constitutional officers shall be allocated by the Compensation Board upon certification of the constitutional officer that the performance pay plan for that office meets the minimum standards for such plans as set by the Compensation Board. Nothing herein, and nothing in any performance pay plan set by the Compensation Board or adopted by a constitutional officer, shall change the status of employees or deputies of constitutional officers from employees at will or create a property or contractual right to employment. Such deputies and employees shall continue to be employees at will who serve at the pleasure of the constitutional officers.

G. The Compensation Board shall apply the current fiscal stress factor, as determined by the Commission on Local Government, to any general fund amounts approved by the board for the purchase, lease or lease purchase of equipment for constitutional officers. In the case of equipment requests from regional jail superintendents and regional special prosecutors, the highest stress factor of a member jurisdiction will be used.

H. The Compensation Board shall not approve or commit additional funds for the operational cost, including salaries, for any local or regional jail construction, renovation, or expansion project which was not approved for reimbursement by the State Board of Corrections prior to January 1, 1996, unless: (1) the Secretary of Public Safety certifies that such additional funding results in an actual cost savings to the Commonwealth or (2) an exception has been granted as provided for in Item 386 of this act.

I. Subject to appropriations by the General Assembly for this purpose, the Compensation Board may provide funding for executive management, lawful employment practices, and jail management training for constitutional officers, their employees, and regional jail superintendents.

J. Any local or regional jail that receives funding from the Compensation Board shall report inmate populations to the Compensation Board, through the local inmate data system, no less frequently than weekly. Each local or regional jail that receives funding from the Compensation Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for persons arrested and/or detained in local and regional jails in Virginia.

K.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House Appropriations Committees and the Secretaries of Finance and Administration with an annual report, on December 1 of each year, of jail revenues and expenditures for all local and regional

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jails and jail farms which receive funds from the Compensation Board. Information provided to the Compensation Board is to include an audited statement of revenues and expenses for inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any other fees collected from inmates and investment/interest monies for inclusion in the report.

2. Local and regional jails and jail farms and local governments receiving funds from the Compensation Board shall, as a condition of receiving such funds, provide such information as may be required by the Compensation Board, necessary to prepare the annual jail cost report.

3. If any sheriff, superintendent, county administrator, or city manager fails to send such information within five working days after the information should be forwarded, the Chairman of the Compensation Board shall notify the sheriff, superintendent, county administrator or city manager of such failure. If the information is not provided within ten working days from that date, then the chairman shall cause the information to be prepared from the books of the city, county, or regional jail and shall certify the cost thereof to the State Comptroller. The State Comptroller shall issue his warrant on the state treasury for that amount, deducting the same from any funds that may be due the sheriff or regional jail from the Commonwealth.

L. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 (§ 15.2-3500 et seq.) of Title 15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide funding from Items 68, 71, 72, 73 and 74 of this act, consistent with the requirements of § 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph E of this Item, any positions in the constitutional offices of the former city or former county which are available for reallocation as a result of the transition or consolidation shall be first reallocated in accordance with Compensation Board staffing standards to the constitutional officers in the county in which the town is situated or to the consolidated city, without regard to the Compensation Board's priority of need ranking for reallocated positions. The salary and fringe benefit costs for these positions shall be deducted from any amounts due the county or to the consolidated city, as provided in § 15.2-1302, Code of Virginia.

M. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation Board shall provide no reimbursement for accumulated vacation time for employees of Constitutional Officers.

N. The Compensation Board is hereby authorized to deduct, from ~~the first~~ reimbursements made each year to localities out of the amounts in Items 68, 70, 71, 72, 73 and 74 of this act, an amount equal to 100 percent of each locality’s share of the insurance premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

O. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements due the locality for sheriff and jail expenses upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by a locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the Superintendent that the data is accurate, the Compensation Board shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.

P. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board is hereby authorized to deduct, from ~~the first~~ reimbursements made each year to localities out of the amounts in Items 68, 70, 71, 72, 73 and 74 of this act, an amount equal to each locality’s retiree health premium paid by the Compensation Board on behalf of the constitutional offices, directors of finance, and regional jails.

Q.1. Compensation Board payments of, or reimbursements for, the employer paid contribution to the Virginia Retirement System, or any system offering like benefits, shall not exceed the Commonwealth's proportionate share of the following, whichever is less: (a) the actual retirement rate for the local constitutional officer's office or regional correctional facility as set by the Board of the Virginia Retirement System or (b) the employer rate established for the general classified workforce of the Commonwealth covered under and payable to the Virginia Retirement System.

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2. The rate specified in paragraph Q.1. shall exclude the cost of any early retirement program implemented by the Commonwealth.

3. Any employer paid contribution costs for rates exceeding those specified in paragraph Q.1. shall be borne by the employer.

4. The benefits rate reimbursed by the Compensation Board to localities and regional jails shall not exceed the rate identified for fiscal year 2011 in Chapter 890, Item 469, paragraph I.1.

R.1. ~~Notwithstanding Items 68, 70, 71, 72, 73 and 74, any Career Development Program supported by the Compensation Board with state funds shall remain in effect for those individuals who were participating in the program prior to January 1, 2010, and still meet all necessary program qualifications~~ *Effective July 1, 2013 the Career Development Programs operated by the Compensation Board within the Constitutional Offices shall be reinstated and individuals may be included in the programs within amounts appropriated for such programs.*

2. The funding identified in paragraphs R.3., R.4., R.5. and R.6. of this Item shall be used to support individuals that have not been provided Career Development Program salary adjustments even though they met all required program criteria ~~prior to January 1, 2010~~.

3. Included in this appropriation is $639,878 the first year *and $703,866 the second year* from the general fund to support the Sheriffs' Career Development Program and the Master Deputy Program. The Department of Planning and Budget shall transfer these amounts to Item 68 of this act.

4. Included in this appropriation is $71,083 the first year *and $78,191 the second year* from the general fund to support the Career Development Programs for commissioners and deputy commissioners of revenue. The Department of Planning and Budget shall transfer these amounts to Item 71 of this act.

5. Included in this appropriation is $150,612 the first year *and $165,673 the second year* from the general fund to support the Career Prosecutor Career Development Program for Commonwealth's attorneys. The Department of Planning and Budget shall transfer these amounts to Item 72 of this act.

6. Included in this appropriation is $112,346 the first year *and $72,204 the second year* from the general fund to support the Career Development Programs for treasurers and deputy treasurers. The Department of Planning and Budget shall transfer these amounts to Item 74 of this act.

Total for Compensation Board			~~$623,206,124~~ *$629,540,978*	~~$622,773,758~~ *$626,470,871*
General Fund Positions	20.00	20.00		
Nongeneral Fund Positions	1.00	1.00		
Position Level	21.00	21.00		
Fund Sources: General	~~$607,205,412~~ *$613,540,266*	~~$606,773,046~~ *$610,470,159*		
Trust and Agency	$8,000,712	$8,000,712		
Dedicated Special Revenue	$8,000,000	$8,000,000		

§ 1-29. DEPARTMENT OF GENERAL SERVICES (194)

76. Laboratory Services (72600)			~~$26,688,196~~ *$26,988,196*	~~$26,688,196~~ *$27,478,196*
Statewide Laboratory Services (72604)	~~$26,688,196~~ *$26,988,196*	~~$26,688,196~~ *$27,478,196*		
Fund Sources: General	$12,167,191	$12,167,191		
Special	$20,000	$20,000		
Enterprise	$6,981,598	~~$6,981,598~~ *$7,471,598*		
Internal Service	a sum sufficient			

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	Federal Trust.....	~~$7,519,407~~ *$7,819,407*	~~$7,519,407~~ *$7,819,407*		

Authority: Title 2.2, Chapter 11, Article 2, Code of Virginia.

A. The provisions of § 2.2-1104, Code of Virginia, notwithstanding, the Division of Consolidated Laboratory Services shall ensure that no individual is denied the benefits of laboratory tests mandated by the Department of Health for reason of inability to pay for such services.

B.1. Statewide Laboratory Services include an internal service fund which shall be paid from revenues derived from charges to the Department of Environmental Quality and the Department of Agriculture and Consumer Services. The estimated internal service fund cost is $1,800,000 the first year and ~~$1,800,000~~ *$2,174,600* the second year.

2. Statewide Laboratory Services include an internal service fund, which shall be paid by transfers from the Virginia Department of Transportation for motor fuel testing as stated in § 3-1.02 of this act, and fees collected from governmental entities for sample testing. The estimated internal service fund cost is $388,254 the first year and $388,254 the second year.

C. The provisions of § 2.2-1104 B, Code of Virginia, notwithstanding, the Division of Consolidated Laboratories may charge a fee for the limited and specific purpose of analyses of water samples where:

1. testing is required by Department of Health regulations as mandated by the federal Safe Drinking Water Act, and

2. funding to support such testing is not otherwise provided for in this act.

77.	Real Estate Services (72700).....		$433,707	$433,707
	Statewide Leasing and Disposal Services (72705).....	$433,707	$433,707	
	Fund Sources: Special.....	$433,707	$433,707	
	Internal Service.....	a sum sufficient		

Authority: Title 2.2, Chapter 11, Article 4, § 2.2-1156, Code of Virginia.

A. This appropriation includes an internal service fund to support a program of Real Estate Services. This internal service fund may include rent payments or fees to be paid by state agencies and institutions for their occupancy of facilities and for the agency's management of real property transactions, including, but not necessarily limited to, leases of non-state owned office space throughout the Commonwealth for use by such agencies and institutions. Also included are funds to pay costs associated with the disposal of state-owned real property and interests therein. The costs paid for each sale shall be returned to the fund upon sale of the property in an amount calculated at 115 percent of such costs. The estimated cost for this service area is $61,000,000 the first year and ~~$61,000,000~~ *$63,039,232* the second year. In implementing the program, the department may utilize brokerage services, portfolio management strategies, personnel policies, and compensation practices generally consistent with prevailing industry best practices.

B. The Department of General Services shall issue guidelines to ensure that site selection for new state facilities is accomplished in a way that is consistent with the Principles of Sustainable Community Investment identified in Executive Order 69 (2008) and Executive Order 82 (2009).

78.	Procurement Services (73000).....		$22,750,610	$22,750,610
	Statewide Procurement Services (73002).....	$22,750,610	$22,750,610	
	Surplus Property Programs (73007).....	a sum sufficient		
	Statewide Cooperative Procurement and Distribution Services (73008).....	a sum sufficient		
	Fund Sources: General.....	$2,059,151	$2,059,151	
	Special.....	$2,090,625	$2,090,625	
	Enterprise.....	$18,600,834	$18,600,834	

ITEM 78.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Internal Service	a sum sufficient			

Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.

A. The amounts for Surplus Property Programs shall be paid solely from revenues derived from charges for services. The estimated cost for sales of federal surplus property is $825,000 the first year and $825,000 the second year. The estimated cost for sales of state surplus property is $1,865,000 the first year and $1,865,000 the second year.

B. The amount for Statewide Cooperative Procurement and Distribution Services shall be paid solely from revenues derived from charges for services. The estimated cost is $34,000,000 the first year and ~~$36,000,000~~ *$32,000,000* the second year.

C. The Commonwealth's electronic procurement system and program will be financed by fees assessed to state agencies and institutions of higher education and vendors.

D. The Department of General Services shall allow nonprofit food banks operating in Virginia and granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase directly from the Virginia Distribution Center.

79.	Physical Plant Management Services (74100)		$4,875,507	~~$4,875,507~~ *$4,700,507*
	Parking Facilities Management (74105)	$3,328,104	$3,328,104	
	Statewide Building Management (74106)	$902,205	~~$902,205~~ *$727,205*	
	Statewide Engineering and Architectural Services (74107)	$40,450	$40,450	
	Seat of Government Mail Services (74108)	$604,748	$604,748	
	Fund Sources: General	$973,435	~~$973,435~~ *$798,435*	
	Special	$3,902,072	$3,902,072	
	Internal Service	a sum sufficient		

Authority: Title 2.2, Chapter 11, Articles 4 and 6; § 58.1-3403, Code of Virginia.

A.1. Statewide Building Management includes an internal service fund. The amounts for this service area shall be paid solely from revenues derived for services. The estimated cost is $8,788,017 the first year and $8,822,030 the second year.

2.a. Also in Statewide Building Management is an internal service fund supported from revenues derived from rental charges assessed to occupants for seat-of-government buildings controlled, maintained and operated by the Department of General Services, excluding the building occupants that currently have maintenance service agreements with the department. The estimated cost for this service area is $32,356,328 the first year and $33,466,558 the second year for facilities at the seat of government, and a sum sufficient for maintenance and operation of such other state-owned facilities as the Governor or department may direct, as otherwise provided by law.

b. The rent rate for occupants of office space in seat of government facilities operated and maintained by the Department of General Services, excluding the building occupants that currently have maintenance service agreements with the department, shall be no more than $14.73 per square foot the first year and $15.03 the second year.

c. The Department of General Services shall develop an energy conservation plan for the seat of government facilities and present the plan to the Secretary of Administration and Secretary of Finance by October 1, 2012.

3. Further, out of the estimated cost for this service area, amounts estimated at $1,900,000 the first year and $1,900,000 the second year shall be paid for Payment in Lieu of Taxes. In addition to the amounts for the sum sufficient, the following sums, estimated at the amounts shown for this purpose, are included in the appropriations for the agencies identified:

ITEM 79.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

	FY 2013	FY 2014
Department of Alcoholic Beverage Control	$67,104	$67,104
Department of Game and Inland Fisheries	$28,596	$28,596
Department of Motor Vehicles	$202,258	$202,258
Department of State Police	$710	$710
Department of Taxation	$24,478	$24,478
Department of Transportation	$202,000	$202,000
Department for the Blind and Vision Impaired	$3,320	$3,320
State Corporation Commission	$190,000	$190,000
Virginia Employment Commission	$56,442	$56,442
Virginia Museum of Fine Arts	$158,520	$158,520
Virginia Retirement System	$35,050	$35,050
Veterans Affairs	$136,400	$136,400
Workers' Compensation Commission	$20,000	$20,000
TOTAL	**$1,124,878**	**$1,124,878**

B.1. Statewide Engineering and Architectural Services include an internal service fund to support the Bureau of Capital Outlay Management. This internal service fund shall consist of the fees imposed upon state agencies and institutions of higher education for the review of architectural, mechanical, and life safety plans of capital outlay projects. The estimated total amount to be collected by this fund is a sum sufficient estimated at $4,700,000 in the first year and $4,700,000 in the second year.

2. In administering this internal service fund, the Bureau of Capital Outlay Management (BCOM) shall provide capital project cost review services to state agencies and institutions and produce capital project cost analysis work product for the Department of Planning and Budget. BCOM shall collect fees, consistent with those fees authorized in B.1, from state agencies and institutions for completed capital project cost review services or work product.

C. Interest on the employee vehicle parking fund authorized by § 4-6.04 c of this act shall be added to the fund as earned.

D. The Department of General Services shall, in conjunction with affected agencies, develop, implement, and administer a consolidated mail function to process inbound and outbound mail for agencies located in the Richmond metropolitan area. The consolidated mail function shall include the establishment of a centralized mail receiving and outbound processing location or locations, and the enhancement of mail security capabilities within these location(s).

E. All new and renovated state-owned facilities, if the renovations are in excess of 50 percent of the structure's assessed value, that are over 5,000 gross square feet shall be designed and constructed consistent with energy performance standards at least as stringent as the U.S. Green Building Councils LEED rating system or the Green Globes rating system.

F. Effective July 1, 2009, the total service charge for the property known as the General Assembly Building and the State Capitol Building shall not exceed $70,000 per fiscal year.

G. The Department of General Services is authorized to make any repair or tenant buildout projects at the Main Street Centre facility up to $2,000,000 using rent plan funds. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

H. Should the remodeling and relocation costs of the Department of Labor and Industry at its new location exceed the amount of the authorized treasury loan, the Governor is authorized to use a portion of the proceeds from the sale of the Powers-Taylor building to cover any cost overages.

80. Printing and Reproduction (82100)..... a sum sufficient
Statewide Graphic Design Services (82101) ..... a sum sufficient

Fund Sources: Internal Service..... a sum sufficient

Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.

The amounts in this Item shall be paid solely from revenues derived from charges for services. The estimated cost is $150,000 the first year and $150,000 the second year.

ITEM 80.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
81.	Transportation Pool Services (82300).....			a sum	sufficient
	Statewide Vehicle Management Services (82302)	a sum	sufficient		
	Fund Sources: Internal Service.....	a sum	sufficient		

Authority: Title 2.2, Chapter 11, Article 7; § 2.2-120, Code of Virginia.

A. Included in statewide vehicle management services is an internal service fund derived from charges to agencies for those services. The estimated cost for this internal service fund is $19,500,000 the first year and $21,000,000 the second year.

B. In addition to providing services to state agencies and institutions, fleet management services may also be provided to local public bodies on a fee for service basis in accordance with established Department of General Services Fleet Management policies and procedures.

C. The Department of General Services shall manage the Commonwealth's consolidation of bulk and commercial fuel contracts awarded in response to Chapter 879, Acts of Assembly of 2008, Item 1-83 C. The intent of this consolidation is to leverage the Commonwealth's state and local public entities, gasoline and diesel fuel purchase volume to achieve the most favored pricing from private sector fuel providers, and reduce procurement administration workload from state agencies, institutions, local government entities, and other authorized users of awarded contracts that would have otherwise procured and contracted separately for these commodities.

D. The Commonwealth of Virginia, Department of General Services may enter into a comprehensive agreement, or multiple comprehensive agreements, pursuant to the Public-Private Education Facilities and Infrastructure Act - 2002 (§ 56-575.1 et seq.), to achieve the purposes of § 2.2-1176 (B) and result in the replacement of state-owned or operated vehicles with vehicles that operate on alternative fuels. Any agreement entered into must be cost neutral or result in a reduction in the Commonwealth's combined vehicle acquisition and operational costs, and result in lower environmental emissions. The agreements shall not be subject to the requirements found in Title 30, Chapter 42, Code of Virginia (§ 30-278 et. seq.). The Director, Department of General Services, in consultation with the Governor's Senior Advisor on Energy and the Secretary of Finance, shall determine whether the agreement is cost neutral or results in cost savings to the Commonwealth.

E. The comprehensive agreement referenced in D. above, may allow for the Department of General Services (DGS) to establish alternative fuels (natural gas, propone, electric) fueling sites at its office of fleet management facility in Richmond, Virginia. Such sites may be open to the general public for the purchase of alternative fuels when such fuels are not available on the retail market within 10 miles of the DGS fleet management facility. Rates for fuel purchased by the general public will be established by the private vendor operating the fueling site. In emergency situations or fuel shortages, the Commonwealth retains the ability to restrict access to such sites as necessary.

82.	Administrative and Support Services (79900).....			$4,618,300	~~$4,630,688~~ *$4,783,083*
	General Management and Direction (79901).....	$2,059,329	$2,071,717		
	Information Technology Services (79902).....	$2,558,971	~~$2,558,971~~ *$2,711,366*		
	Fund Sources: General.....	$4,585,300	~~$4,597,688~~ *$4,750,083*		
	Special.....	$33,000	$33,000		

Authority: Title 2.2, Chapter 11 and Chapter 24, Articles 1, 3, and 13, Code of Virginia.

	Total for Department of General Services.....			~~**$59,366,320**~~ ***$59,666,320***	~~**$59,378,708**~~ ***$60,146,103***
	General Fund Positions.....	252.00	~~252.00~~ *251.00*		
	Nongeneral Fund Positions.....	401.50	~~401.50~~		

ITEM 82.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
			407.50		
	Position Level	653.50	~~653.50~~		
			658.50		
	Fund Sources: General	$19,785,077	~~$19,797,465~~		
			$19,774,860		
	Special	$6,479,404	$6,479,404		
	Enterprise	$25,582,432	~~$25,582,432~~		
			$26,072,432		
	Federal Trust	~~$7,519,407~~	~~$7,519,407~~		
		$7,819,407	*$7,819,407*		
	§ 1-30. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)				
83.	Personnel Management Services (70400)			~~$10,927,911~~	~~$10,933,495~~
				$11,027,911	*$12,414,382*
	Agency Human Resource Services (70401)	$3,045,331	~~$3,045,331~~		
			$3,651,770		
	Equal Employment Services (70403)	$936,062	$936,062		
	Health Benefits Services (70406)	~~$3,374,960~~	$3,374,960		
		$3,474,960			
	Employee Dispute Resolution Services (70416)	*$0*	*$882,892*		
	~~State Employee Services (70417)~~	$1,679,296	$1,679,296		
	State Employee Program Services (70417)				
	State Employee Workers' Compensation Services (70418)	$1,358,969	$1,358,969		
	Administrative and Support Services (70419)	$533,293	~~$538,877~~		
			$530,433		
	Fund Sources: General	~~$3,509,587~~	~~$3,515,171~~		
		$3,609,587	*$4,684,046*		
	Special	$6,059,355	~~$6,059,355~~		
			$6,371,367		
	Trust and Agency	$1,358,969	$1,358,969		

Authority: Title 2.2, Chapters 12, 28, and 29, Code of Virginia.

A. The department shall report any proposed changes in premiums, benefits, carriers, or provider networks to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees at least sixty days prior to implementation.

B.1. The Department of Human Resource Management shall operate a human resource service center to support the human resource needs of those agencies identified by the Secretary of Administration in consultation with the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Human Resource Management by transferring such records and functions as may be required.

2. The Department of Human Resource Management shall recover the cost of the human resource service center's services in a manner determined by the Director, Department of Planning and Budget and the State Comptroller.

3. Nothing in this paragraph shall prohibit additional agencies from using the services of the center; however, these additional agencies' use of the human resource service center shall be subject to approval by the affected cabinet secretary and the Secretary of Administration.

C. The institutions of higher education shall be exempt from the centralized advertising requirements identified in Executive Order 73 (01).

D.1. To ensure fair and equitable performance reviews, the Department of Human Resource Management, within available resources, is directed to provide performance management training to agencies and institutions of higher education with classified employees.

2. Agency heads in the Executive Department are directed to require appropriate performance management training for all agency supervisors and managers.

ITEM 83.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

E.1. The Department of Human Resource Management shall take into account the claims experience of each agency and institution when setting premiums for the workers' compensation program.

2. All financial obligations of the Commonwealth to the Virginia Workers' Compensation Commission for payroll taxes on behalf of the state employees' workers' compensation program are satisfied in full through calendar year 2009.

F. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2013, on its recommended workers' compensation premiums for state agencies for the following biennium. This report shall also include the basis for the department's recommendations, the number and amount of workers' compensation settlements concluded in the previous fiscal year, and the impact of those settlements on the workers' compensation program's reserves.

G. The Department of Human Resource Management shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees, by October 15 of each year, on the renewal cost of the state employee health insurance program premiums that will go into effect on July 1 of the following year. This report shall include the impact of the renewal cost on employee and employer premiums and a valuation of liabilities as required by Other Post Employment Benefits reporting standards.

H. *Included in these amounts is $606,439 in the second year for the implementation of an automated time, attendance and leave system*. The Department of Human Resource Management shall report on the status of an automated time, attendance and leave (TAL) application for use by executive branch agencies to the Chairmen of the House Appropriations and Senate Finance Committees by October 15, ~~2012~~*2013*.

I. Out of this appropriation, $100,000 from the general fund in the first year is included for the Department of Human Resource Management to conduct an actuarial review of the impact of including of employees, and their dependents, of local governments including local school divisions in the state employee health benefits plan in a manner consistent with the provisions of House Bill 1356 of the 2013 General Assembly session as it was introduced. This Department shall report its findings and recommendations to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 15, 2013.

J. The Department of Human Resource Management shall develop and distribute instructions and guidelines to all executive department agencies for the provision of an annual statement of total compensation for each classified employee. The statement should account for the full cost to the Commonwealth and the employee of cash compensation as well as Social Security, Medicare, retirement, deferred compensation, health insurance, life insurance, and any other benefits. The Director, Department of Human Resources Management, shall ensure that all executive department agencies provide this notice to each employee. The Department of Accounts and the Virginia Retirement System shall provide assistance upon request. Further, the Director of the Department of Human Resources Management shall provide instructions and guidelines for the development notices of total compensation to all independent, legislative, and judicial agencies, and institutions of higher education for preparation of annual statements to their employees

Total for Department of Human Resource Management..			~~$10,927,911~~ *$11,027,911*	~~$10,933,495~~ *$12,414,382*
General Fund Positions.....	48.50	~~48.50~~ *58.00*		
Nongeneral Fund Positions.....	39.50	~~39.50~~ *46.00*		
Position Level	88.00	~~88.00~~ *104.00*		
Fund Sources: General.....	~~$3,509,587~~ *$3,609,587*	~~$3,515,171~~ *$4,684,046*		

ITEM 83.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Special	$6,059,355	~~$6,059,355~~ *$6,371,367*		
	Trust and Agency	$1,358,969	$1,358,969		
	Administration of Health Insurance (149)				
84.	Personnel Management Services (70400)			~~$225,000,000~~ *$290,000,000*	~~$225,000,000~~ *$290,000,000*
	Health Benefits Services (70406)	a sum sufficient			
	Local Health Benefit Services (70407)	~~$225,000,000~~ *$290,000,000*	~~$225,000,000~~ *$290,000,000*		
	Fund Sources: Enterprise	~~$225,000,000~~ *$290,000,000*	~~$225,000,000~~ *$290,000,000*		
	Internal Service	a sum sufficient			

Authority: § 2.2-2818, Code of Virginia.

A. The amounts for Health Benefits Services are from all funds appropriated to state agencies for this purpose. It is an internal service fund for appropriation purposes. Revenues will be paid from state agencies to the Department of Human Resource Management.

B. The amounts for Local Health Benefits Services include estimated revenues received from localities for the local choice health benefits program.

C.1. In the event that the total of all eligible claims exceeds the balance in the state employee medical reimbursement account, there is hereby appropriated a sum sufficient from the general fund of the state treasury to enable the payment of such eligible claims.

2. The term "employee medical reimbursement account" means the account administered by the Department of Human Resource Management pursuant to § 125 of the Internal Revenue Code in connection with the health insurance program for state employees (§ 2.2-2818, Code of Virginia).

D. Any balances remaining in the reserved component of the Employee Health Insurance Fund shall be considered part of the overall Health Insurance Fund. It is the intent of the General Assembly that future premiums for the state employee health insurance program shall be set in a manner so that the balance in the Health Insurance Fund will be sufficient to meet the estimated Incurred But Not Paid liability for the Fund and maintain a contingency reserve at a level recommended by the Department of Human Resource Management for a self-insured plan subject to the approval of the General Assembly.

E. The Department of Human Resource Management shall ~~develop a proposal to~~ implement a Medication Therapy Management pilot program for state employees with certain disease states including Type II diabetes. The department shall *continue to* consult with all provider stakeholders in order to establish program parameters ~~and include any recommendations for the program as part of the 2013 introduced budget~~.

F. Concurrent with the date the Governor introduces the budget bill, the Directors of the Departments of Planning and Budget and Human Resource Management shall provide to the Chairmen of the House Appropriations and Senate Finance Committees a report detailing the assumptions included in the Governor's introduced budget for the state employee health insurance plan. The report shall include the proposed premium schedule that would be effective for the upcoming fiscal year and any proposed changes to the benefit structure.

G. The Department of Human Resource Management, in consultation with all providers of the state employee health insurance program, shall develop a plan to implement a provision for the electronic distribution of the explanation of benefits statements to all employees to the greatest extent allowed under federal law. The Department shall present a recommendation for implementation of this plan, including an analysis of projected cost savings from eliminating paper explanation of benefit statements, to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2013.

ITEM 84.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Total for Administration of Health Insurance			~~$225,000,000~~ *$290,000,000*	~~$225,000,000~~ *$290,000,000*
	Fund Sources: Enterprise	~~$225,000,000~~ *$290,000,000*	~~$225,000,000~~ *$290,000,000*		
	Grand Total for Department of Human Resource Management			~~$235,927,911~~ *$301,027,911*	~~$235,933,495~~ *$302,414,382*
	General Fund Positions.....	48.50	~~48.50~~ *58.00*		
	Nongeneral Fund Positions.....	39.50	~~39.50~~ *46.00*		
	Position Level	88.00	~~88.00~~ *104.00*		
	Fund Sources: General.....	~~$3,509,587~~ *$3,609,587*	~~$3,515,171~~ *$4,684,046*		
	Special.....	$6,059,355	~~$6,059,355~~ *$6,371,367*		
	Enterprise	~~$225,000,000~~ *$290,000,000*	~~$225,000,000~~ *$290,000,000*		
	Trust and Agency	$1,358,969	$1,358,969		
	§ 1-31. HUMAN RIGHTS COUNCIL (170)				
85.	Personnel Management Services (70400)			$408,105	~~$408,848~~ *$0*
	Compliance and Enforcement (70414).....	$408,105	~~$408,848~~ *$0*		
	Fund Sources: General.....	$381,656	~~$382,399~~ *$0*		
	Federal Trust.....	$26,449	~~$26,449~~ *$0*		
	Authority: Title 2.2, Chapter 26, Article 12, and Chapter 39; Title 15.2, Chapter 16, § 15.2-1604, Code of Virginia.				
	Total for Human Rights Council.....			**$408,105**	~~**$408,848**~~ ***$0***
	General Fund Positions.....	4.00	~~4.00~~ *0.00*		
	Position Level	4.00	~~4.00~~ *0.00*		
	Fund Sources: General.....	$381,656	~~$382,399~~ *$0*		
	Federal Trust.....	$26,449	~~$26,449~~ *$0*		
	§ 1-32. DEPARTMENT OF MINORITY BUSINESS ENTERPRISE (232)				
86.	Economic Development Services (53400).....			$2,096,312	~~$2,096,316~~ *$2,072,822*
	Minority Business Enterprise Procurement Reporting and Coordination (53406).....	$625,116	$625,116		
	Minority Business Enterprise Outreach (53407)	$913,676	~~$913,676~~ *$913,128*		

ITEM 86.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Minority Business Enterprise Certification (53414)	$494,739	$494,743		
	Capital Access Fund for Disadvantaged Businesses (53417)	$62,781	~~$62,781~~ *$39,835*		
	Fund Sources: General	$573,650	~~$573,654~~ *$550,160*		
	Commonwealth Transportation	$1,522,662	$1,522,662		
	Authority: Title 2.2, Chapter 14; Title 56, Chapter 57, Article 3, Code of Virginia.				
	The Department of Minority Business Enterprise, in conjunction with the Department of General Services, the Virginia Employment Commission, and the Virginia Department of Transportation, is authorized to conduct analyses of the availability of minority business enterprises in Virginia and the utilization of such businesses by the Commonwealth of Virginia, localities, or private industry in the acquisition of goods and services. The department also is authorized to receive and accept from the United States government, or any agency thereof, and from any other source, private or public, any and all gifts, grants, allotments, bequests or devises of any nature that would assist the department in conducting such analyses or otherwise strengthen its services to minority business enterprises. The Director, Department of Planning and Budget, is authorized to establish a nongeneral fund appropriation for the purposes of expending revenues that may be received for this effort.				
	Total for Department of Minority Business Enterprise			**$2,096,312**	~~**$2,096,316**~~ ***$2,072,822***
	General Fund Positions	0.50	0.50		
	Nongeneral Fund Positions	27.50	27.50		
	Position Level	28.00	28.00		
	Fund Sources: General	$573,650	~~$573,654~~ *$550,160*		
	Commonwealth Transportation	$1,522,662	$1,522,662		
	§ 1-33. STATE BOARD OF ELECTIONS (132)				
87.	Electoral Services (72300)			$7,587,817	~~$7,020,200~~ *$7,060,622*
	Electoral Uniformity, Legality, and Quality Assurance Services (72302)	$1,562,248	~~$1,542,248~~ *$1,708,498*		
	Statewide Voter Registration System Services (72304)	$2,699,456	~~$2,459,601~~ *$2,398,915*		
	Campaign Finance Disclosure Administration Services (72309)	$241,903	$241,903		
	Election Administration Services (72310)	$1,634,236	~~$1,324,236~~ *$1,357,626*		
	Voter Services (72311)	$660,336	$660,336		
	Administrative Services (72312)	$789,638	~~$791,876~~ *$693,344*		
	Fund Sources: General	$2,994,557	~~$2,675,630~~ *$2,716,052*		
	Special	$116,250	$116,250		
	Trust and Agency	$4,139,740	$4,139,740		
	Federal Trust	$337,270	$88,580		
	Authority: Title 24.2, Chapter 1, Code of Virginia.				
	A. It is the intention of the General Assembly that all local precincts, other than central absentee precincts established under § 24.2-712, Code of Virginia will use electronic pollbooks for elections held beginning in November, 2010.				
	B. Any locality using paper pollbooks for elections held beginning in November, 2010, shall be				

ITEM 87.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

responsible for entering voting credit as provided in § 24.2-668. Additionally, any locality using paper pollbooks for elections held after November, 2010 may be required to reimburse the State Board of Elections for state costs associated with providing paper pollbooks.

C. Municipalities will pay all expenses associated with May elections after June 30, 2009, including those costs incurred by the State Board of Elections.

D. The State Board of Elections shall by regulation provide for an administrative fee up to $25 for each non-electronic report filed with the Board under § 24.2-947.5. The regulation shall provide for waiver of the fee based upon indigence.

E. All unpaid charges and civil penalties assessed under Title 24.2 shall be subject to interest, the administrative collection fee and late penalties authorized in the Virginia Debt Collection Act, Chapter 48 of Title 2.2, § 2.2-4800 et seq.

F. Included in the appropriation for Statewide Voter Registration System Services is $166,250 from the general fund in the second year for the purchase of equipment required to implement voter registration photo identification requirements pursuant to Senate Bill 1256 of the 2013 Session of the General Assembly. It is the intent of the General Assembly that registration cards containing the voter's photograph and signature be provided free to any eligible voter upon request to the general registrar. The State Board shall be responsible for procuring this equipment in a cost effective manner and providing any necessary equipment to each local registrar.

88. Financial Assistance for Electoral Services (78000)			~~$5,441,636~~	~~$5,441,636~~
			$5,523,786	*$5,460,424*
Financial Assistance for General Registrar Compensation (78001)	~~$4,583,582~~	~~$4,583,582~~		
	$4,665,732	*$4,602,370*		
Financial Assistance for Local Electoral Board Compensation and Expenses (78002)	$858,054	$858,054		
Fund Sources: General	~~$5,441,636~~	~~$5,441,636~~		
	$5,523,786	*$5,460,424*		

Authority: Title 24.2, Chapter 1, Code of Virginia.

A.1.a. In determining the salary and normal days of service per week for each general registrar, the State Board of Elections shall use the most recent provisional population estimate from the Weldon Cooper Center for Public Service of the University of Virginia. The State Board of Elections shall adjust such population estimate, where applicable, for any annexation or consolidation order by a court when such order becomes effective. There shall be no reduction in salary or normal days of service per week by reason of a decline in population during the terms in which the incumbent general registrar remains in office.

b. The annual salaries of general registrars authorized to work five normal days of service per week in accordance with the provisions of § 24.2-111, Code of Virginia shall be as hereinafter prescribed.

Population	July 1, 2012 to June 30, 2013	July 1, 2013 to November 30, 2013	December 1, 2013 to June 30, 2014
0-25,000	$43,363	$43,363	$43,363
25,001-50,000	$47,647	$47,647	$47,647
50,001-100,000	$52,220	$52,220	$52,220
100,001-150,000	$58,359	$58,359	$58,359
150,001-200,000	$63,914	$63,914	$63,914
200,001 and above	$84,476	$84,476	$84,476

c. The annual salaries of general registrars authorized to work three normal days of service per week shall be fixed at 60 percent of the salary prescribed above for the population range in which the locality falls.

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d. Any locality required to supplement the salary of a general registrar on June 30, 1981, shall continue that supplement at the identical annual amount as paid in FY 1982. This supplement shall continue as long as the incumbent general registrar on July 1, 1982, continues in office. Further, any locality may supplement the annual salary of the general registrar. There shall be no reimbursement out of the state treasury for such supplements.

e. Normal days of service per week for each general registrar shall be fixed on July 1 each year by the State Board of Elections as hereinafter prescribed.

Population	Days of Service per Week
0 - 9,999	3
10,000 and above	5

No general registrar's normal days of service per week shall be less than that which was previously authorized as of June 1, 1981.

f. All general registrars whose normal days of service are less than five days per week shall be required to be open five days a week during August, September, October, November, and December of each year. Such registrars shall be compensated accordingly.

2. General registrars in the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park shall receive a cost of competition supplement equal to 15 percent of the salaries authorized in paragraph A1a. The cost of this supplement shall be paid out of the general fund of the state treasury.

B.1.a. The State Board of Elections shall set the annual compensation for secretaries and members of local electoral boards on July 1 of each year. In determining such compensation, the State Board of Elections shall use the most recent population estimate from the United States Bureau of the Census. However, should more recent population estimates from the Weldon Cooper Center for Public Service of the University of Virginia indicate that the population of any county or city has, since the last United States census, increased so as to entitle such county or city to be placed in a higher compensation bracket, such county or city shall be considered as being within the higher bracket for the purpose of fixing the annual compensation.

b. The annual compensation of the secretary of each local electoral board shall be as hereinafter prescribed.

Population Size of Locality	July 1, 2012 to June 30, 2013	July 1, 2013 to November 30, 2013	December 1, 2014 to June 30, 2014
0-10,000	$2,007	$2,007	$2,007
10,001-25,000	$3,007	$3,007	$3,007
25,001-50,000	$4,009	$4,009	$4,009
50,001-100,000	$5,012	$5,012	$5,012
100,001-150,000	$6,012	$6,012	$6,012
150,001-200,000	$7,030	$7,030	$7,030
200,001-350,000	$8,023	$8,023	$8,023
Above 350,000	$9,020	$9,020	$9,020

c. The annual compensation of other members of local electoral boards shall be fixed at one-half the annual compensation provided to the secretary of the board.

d. The governing body of any county or city may pay to a full-time secretary of an electoral board such supplemental compensation as it deems appropriate. There shall be no reimbursement out of the state treasury for such supplements.

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2. Nothing herein contained shall prevent the governing body of any county or city from paying the secretary of its electoral board such additional allowance for expenses as it deems appropriate but there shall be no reimbursement out of the state treasury for such expenses.

3. Notwithstanding § 24.2-108, Code of Virginia, counties and cities shall not be reimbursed for mileage paid to members of electoral boards.

C. Included in the appropriation for this Item is $30,900 the first year and $30,900 the second year from the general fund to provide temporary full-time status for part-time general registrars. Such temporary full-time status may be granted by the Board of Elections, upon request of the Local Electoral Board, in recognition of temporary or permanent increases in workload. In making its determination, the Board of Elections shall consider elections, if any, required to be conducted by the locality during January through July, and evidence submitted by the Local Electoral Board to document increases in workload. Such evidence shall include specific data with comparisons, by transaction type and by month experienced, of past and present workloads. Temporary full-time status, if granted, may include all or part of the time normally worked on a part-time basis.

Total for State Board of Elections			~~**$13,029,453**~~	~~**$12,461,836**~~
			$13,111,603	***$12,521,046***
General Fund Positions	30.00	30.00		
Nongeneral Fund Positions	7.00	7.00		
Position Level	37.00	37.00		
Fund Sources: General	~~$8,436,193~~	~~$8,117,266~~		
	$8,518,343	*$8,176,476*		
Special	$116,250	$116,250		
Trust and Agency	$4,139,740	$4,139,740		
Federal Trust	$337,270	$88,580		
TOTAL FOR OFFICE OF ADMINISTRATION			~~**$936,133,226**~~	~~**$935,153,778**~~
			$1,007,950,230	***$1,004,686,999***
General Fund Positions	376.50	~~376.50~~		
		370.50		
Nongeneral Fund Positions	483.00	~~483.00~~		
		489.00		
Position Level	859.50	859.50		
Fund Sources: General	~~$641,678,564~~	~~$640,947,806~~		
	$648,195,568	*$644,717,476*		
Special	$12,967,021	$12,967,021		
Commonwealth Transportation	$1,522,662	$1,522,662		
Enterprise	~~$250,582,432~~	~~$250,582,432~~		
	$315,582,432	*$316,072,432*		
Trust and Agency	$13,499,421	$13,499,421		
Dedicated Special Revenue	$8,000,000	$8,000,000		
Federal Trust	~~$7,883,126~~	~~$7,634,436~~		
	$8,183,126	*$7,907,987*		

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	OFFICE OF AGRICULTURE AND FORESTRY				
	§ 1-34. SECRETARY OF AGRICULTURE AND FORESTRY (193)				
89.	Administrative and Support Services (79900)			$344,234	$344,602
	General Management and Direction (79901)	$344,234	$344,602		
	Fund Sources: General	$344,234	$344,602		
	Authority: Title 2.2, Chapter 2, Article 2.1; § 2.2-203.3, Code of Virginia.				
	Total for Secretary of Agriculture and Forestry			**$344,234**	**$344,602**
	General Fund Positions	3.00	3.00		
	Position Level	3.00	3.00		
	Fund Sources: General	$344,234	$344,602		
	§ 1-35. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)				
90.	Nutritional Services (45700)			$2,608,398	$2,608,398
	Distribution of USDA Donated Food (45708)	$2,608,398	$2,608,398		
	Fund Sources: General	$255,102	$255,102		
	Federal Trust	$2,353,296	$2,353,296		
	Authority: Title 3.2, Chapter 47, Code of Virginia.				
91.	Animal and Poultry Disease Control (53100)			$6,531,607	$6,531,607
	Animal Disease Prevention and Control (53101)	$2,945,978	$2,945,978		
	Diagnostic Services (53102)	$3,401,706	$3,401,706		
	Animal Welfare (53104)	$183,923	$183,923		
	Fund Sources: General	$3,854,308	$3,854,308		
	Special	$1,713,223	$1,713,223		
	Federal Trust	$964,076	$964,076		
	Authority: Title 3.2, Chapters 60 and 65, Code of Virginia.				
92.	Agricultural Industry Marketing, Development, Promotion, and Improvement (53200)			$17,800,649	~~$17,949,649~~ *$17,881,649*
	Grading and Certification of Virginia Products (53201)	$5,707,120	~~$5,707,120~~ *$5,839,120*		
	Milk Marketing Regulation (53204)	$760,849	$760,849		
	Marketing Research (53205)	$242,269	$242,269		
	Market Virginia Agricultural and Forestry Products Nationally and Internationally (53206)	$4,212,573	$4,362,573		
	Agricultural Commodity Boards (53208)	$5,126,914	$5,125,914		
	Agribusiness Development Services and Farmland Preservation (53209)	$1,750,924	~~$1,750,924~~ *$1,550,924*		
	Fund Sources: General	$7,849,136	~~$7,998,136~~ *$7,930,136*		
	Special	$108,125	$108,125		
	Trust and Agency	$5,239,735	$5,239,735		
	Dedicated Special Revenue	$3,883,653	$3,883,653		
	Federal Trust	$720,000	$720,000		
	Authority: Title 3.2, Chapters , 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, Title 28.2, Chapter 2; and Title 61.1, Chapter 4, Code of Virginia.				

ITEM 92.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

A. Agricultural Commodity Boards shall be paid from the special fund taxes levied in the following estimated amounts:

1. To the ~~Bright Flue-Cured~~ Tobacco Board, ~~$135,000~~ *$143,000* the first year and ~~$135,000~~ *$143,000* the second year.

2. To the Corn Board, $390,000 the first year and $390,000 the second year.

~~3. To the Dark-Fired Tobacco Board, $8,000 the first year and $8,000 the second year.~~

4. To the Egg Board, $210,000 the first year and $210,000 the second year.

5. To the Pork Industry Board, $255,260 and 1.0 position the first year and $255,260 and 1.0 position the second year.

6. To the Soybean Board, $480,000 the first year and $480,000 the second year.

7. To the Peanut Board, $220,000 the first year and $220,000 the second year.

8. To the Cattle Industry Board, $425,000 the first year and $425,000 the second year.

9. To the Virginia Small Grains Board, $200,000 the first year and $200,000 the second year.

10. To the Virginia Horse Industry Board, $320,000 the first year and $320,000 the second year.

11. To the Virginia Sheep Industry Board, $35,000 the first year and $35,000 the second year.

12. To the Virginia Irish Potato Board, $25,000 the first year and $25,000 the second year.

13. To the Virginia Cotton Board, $180,000 the first year and $180,000 the second year.

14. To the State Apple Board, $257,650 the first year and $257,650 the second year.

B. Out of the amounts for this Item shall be paid from certain special fund license taxes, license fees, and permit fees levied or imposed under Title 28.2, Chapters 2, 3, 4, 5, 6 and 7, Code of Virginia, to the Virginia Marine Products Board, $402,543 and 3.0 positions the first year and $402,543 and 3.0 positions the second year.

C. Each commodity board is authorized to expend funds in accordance with its authority as stated in the Code. Such expenditures will be limited to available revenue levels.

D. Out of this appropriation shall be set aside an amount not to exceed $1,779,086 the first year and $1,779,086 the second year from the general fund for the Virginia Wine Board.

E. Each commodity board specified in this Item shall provide an annual notification to its excise tax paying producers which summarizes the purpose of the Board and the excise tax, current tax rate, amount of excise taxes collected in the previous tax year, the previous fiscal year expenditures and the Board's past year activities. The manner of notification shall be determined by each Board.

F. Out of the amounts for this Item, the commissioner is authorized to expend from the general fund amounts not to exceed $25,000 the first year and $25,000 the second year for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.

G. Out of the amounts for this item, the commissioner is authorized to expend $720,226 the first year and $870,226 the second year from the general fund for the promotion of Virginia's agricultural products overseas. Such efforts shall be conducted in concert with the international offices opened by the Virginia Economic Development Partnership.

H. Included in these amounts is $32,900 from the general fund in the second year to support 4-H and Future Farmers of America youth participation educational costs at the State Fair of Virginia. These funds shall not be used for administrative costs by the State Fair.

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I. 1. Out of the amounts for this Item, $75,000 the first year and $75,000 the second year from the general fund shall be used for research, development and the applied commercialization of specialty crops. For the purpose of these funds, specialty crops shall be defined as those crops not currently under widespread commercial production in Virginia, (not listed in the top 20 commodities in Virginia as reported annually by the National Agricultural Statistics Service) but which are commercially produced in other regions of the United States or other regions of the world.

2. Projects supported with these funds will encompass a crop, or crops, which have a unique potential for successful commercialization due to an existing commercial end market for the crop, or crops, having been identified within the Commonwealth. In selecting projects, priority shall be given to crops for which a commercial processor(s) or packer(s), operates within Virginia, and due to the specialty crop not currently being commercially grown in Virginia, this crop is currently imported into Virginia. The goal of the project is to improve the productivity and competitiveness of existing commercial food and agribusiness processors in Virginia through accelerated crop development of selected specialty crops that can be used as inputs and substitutes for an imported commodity.

J. The Commissioner shall take all necessary actions to ensure that the fees collected are adequate to cover the nongeneral fund portion of the Grain Inspection Program expenses, including those related to product inspections that are requested by parties financially interested in any agricultural products pursuant to § 3.2-3400, Code of Virginia.

93.	Economic Development Services (53400)		$1,000,000	~~$1,000,000~~ *$1,110,000*
	Financial Assistance for Economic Development (53410)	$1,000,000	~~$1,000,000~~ *$1,110,000*	
	Fund Sources: General	$1,000,000	~~$1,000,000~~ *$1,110,000*	

Authority: Discretionary Inclusion

1. Out of the amounts in this Item, $1,000,000 the first year and $1,000,000 the second year from the general fund shall be deposited to the Governor's Agriculture and Forestry Industries Development Fund, as provided for in legislation before the 2012 Session of the General Assembly establishing the program. Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees, to attract economic development prospects involving agriculture and forestry operations to locate or expand in Virginia. Of the amounts provided for the fund, $250,000 in each year shall be used to improve local economic development efforts related to agribusiness.

2. The Governor shall allocate these funds as grants to political subdivisions.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law.

4. It is the intent of the General Assembly that the Secretary of Agriculture and Forestry shall work with localities awarded grants from the Governor's Agriculture and Forestry Industries Development Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon targets. All such recoveries shall be deposited and credited to the Governor's Agriculture and Forestry Industries Development Fund.

5. *Out of the amounts in this Item, $110,000 the second year may be used by the Department of Agriculture and Consumer Services to pay administrative costs.* The Department of Agriculture and Consumer Services shall administer the fund.

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94.	Plant Pest and Disease Control (53500)			$3,451,320	~~$3,451,320~~ *$3,523,845*
	Plant Pest and Disease Prevention and Control Services (53504)	$3,451,320	~~$3,451,320~~ *$3,523,845*		
	Fund Sources: General	$1,778,599	~~$1,778,599~~ *$1,851,124*		
	Special	$395,235	$395,235		
	Federal Trust	$1,277,486	$1,277,486		

Authority: Title 3.2, Chapters 7, 8, 9, 10, 28, and 44; Title 15.2, Chapter 18, Code of Virginia.

A. Included in these amounts is $125,000 the first year and $125,000 the second year from the general fund for the Beehive Grant Fund, to be established on the books of the Comptroller. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund, which shall be in the form of grants, shall be made by the State Treasurer on warrants issued by the Comptroller upon the written request signed by the Commissioner. Grants from the Fund shall only be made to applications to the Beehive Grant Program. *Any moneys remaining in the Beehive Grant Fund at the end of fiscal years 2013 and 2014 shall not revert to the general fund but shall remain in the Fund and be available for allocation in the ensuing fiscal years.*

95.	Agriculture and Food Homeland Security (54100)			$375,923	$375,923
	Agricultural and Food Emergencies Prevention and Response (54101)	$375,923	$375,923		
	Fund Sources: General	$154,184	$154,184		
	Special	$99,152	$99,152		
	Federal Trust	$122,587	$122,587		

Authority: Title 3.2 Chapters 7, 51, and 60.

96.	Consumer Affairs Services (55000)			$2,305,971	~~$2,305,971~~ *$1,639,471*
	Consumer Affairs - Regulation and Consumer Education (55001)	$2,305,971	~~$2,305,971~~ *$1,639,471*		
	Fund Sources: General	$33,726	$33,726		
	Special	$2,272,245	~~$2,272,245~~ *$1,605,745*		

Authority: Title 3.2, Chapter 1; Title 57, Chapters 3 and 5; Title 59.1, Chapters 24, 25, 25.1, 33, 34, 35, 36, and 46 Code of Virginia.

97.	Regulation of Business Practices (55200)			$2,463,235	~~$2,463,235~~ *$2,713,235*
	Regulation of Grain Commodity Sales (55207)	$84,915	$84,915		
	Regulation of Weights and Measures and Motor Fuels (55212)	$2,378,320	~~$2,378,320~~ *$2,628,320*		
	Fund Sources: General	$2,275,830	~~$2,275,830~~ *$2,525,830*		
	Special	$187,405	$187,405		

Authority: Title 3.2, Chapters 43, 47, 56, 57, and 58; Title 61.1, Chapter 7; and Title 59.1, Chapter 12 Code of Virginia.

In lieu of periodic inspections by the commissioner, any person whose weights and measures devices, as defined in § 3.2-5600, et seq., Code of Virginia, which are used for a commercial

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	purpose may select to provide for the inspection and testing of all such weights and measures to determine the accuracy and correct operation of the equipment or device. The owner shall have all such weights and measures devices tested at least annually by a service agency that is registered pursuant to § 3.2-5702, Code of Virginia. Weights and measures that have been rejected by a service agency shall not be used again commercially until they have been officially reexamined by the rejecting authority or an inspector employed by the commissioner, and found to be in compliance with Chapter 56, Title 3.2, Code of Virginia. The owner of such weights and measures devices, or third-party agencies on behalf of the owner, shall report to the Commissioner of th*e* Department of Agriculture and Consumer Services on an annual basis in a manner prescribed by the Commissioner the results of all testing, including (i) the number of inspections completed, (ii) the number of failures in the weights and measures equipment or devices, and (iii) the actions taken to correct any inaccuracies in the equipment or devices.				
98.	Food Safety and Security (55400)			$7,005,257	~~$6,906,837~~ *$7,005,257*
	Regulation of Food Establishments and Processors (55401)	$2,776,246	~~$2,677,826~~ *$2,776,246*		
	Regulation of Meat Products (55402).....	$3,192,501	$3,192,501		
	Regulation of Milk and Dairy Industry (55403)	$1,036,510	$1,036,510		
	Fund Sources: General	$4,322,940	~~$4,224,520~~ *$4,322,940*		
	Special	$589,353	$589,353		
	Federal Trust	$2,092,964	$2,092,964		
	Authority: Title 3.2, Chapters 51, 52, 53, 54, 55, and 60, Code of Virginia.				
	A. Each establishment under the authority of the Regulation of Meat Products that is requesting overtime or holiday inspection shall pay that part of the actual cost of the inspection services.				
	B. The Commissioner, Department of Agriculture and Consumer Services is authorized to collect an annual inspection fee, not to exceed $40, to be collected from all establishments that are subject to inspection pursuant to Chapter 51 of Title 3.2 of the Code of Virginia. However, any such establishment that is subject to any permit fee, application fee, inspection fee, risk assessment fee, or similar fee imposed by any locality shall be subject to this annual inspection fee only to the extent that the annual inspection fee and the locally-imposed fee, when combined, do not exceed $40. This fee structure shall be subject to the approval of the Secretary of Agriculture and Forestry. Any food bank, second harvest certified food bank, food bank member charity, or other food related activity which is exempt from taxation under 26 U.S.C. § 501 (c) (3), which maintains a food handling or storage facility, or any food-related program operated by any Community Services Board, as defined in Title 37.2, Chapter 5, Code of Virginia, shall be exempt from this inspection fee. Also, a producer of fruits and herbs that are dried, without the addition of any other ingredients, and sold only at a local farmers' market shall be exempt from the fee.				
99.	Regulation of Products (55700)			$5,539,515	$5,539,515
	Pesticide Regulation and Applicator Certification (55704)	$3,325,620	$3,325,620		
	Regulation of Feed, Seed, and Fertilizer Products (55706)	$2,213,895	$2,213,895		
	Fund Sources: General	$480,548	$480,548		
	Dedicated Special Revenue	$4,239,433	$4,239,433		
	Federal Trust	$819,534	$819,534		
	Authority: Title 3.2, Chapters 1, 36, 37, 39, 40, 43, 47, 48, and 49; Title 18.2, Chapter 6; and Title 59.1, Chapter 12, Code of Virginia.				
	A. The Office of Pesticide Services will provide a plan for administering the Pesticide Control Act Fund to the Board of Agriculture and Consumer Services by October 15, 2013. Annually, the Office of Pesticide Services will publish a report on the activities, educational programs,				

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research, and grants administered through the Pesticide Control Act Fund to the Board of Agriculture and Consumer Services by October 15 of each year.				
100. Regulation of Charitable Gaming Organizations (55900)			$1,381,714	~~$1,320,596~~ *$1,470,596*
Charitable Gaming Regulation and Enforcement (55907)	$1,381,714	~~$1,320,596~~ *$1,470,596*		
Fund Sources: General	$1,381,714	~~$1,320,596~~ *$1,470,596*		
Authority: Title 18.2, Chapter 8, Code of Virginia.				
A. Out of this appropriation, the members of the Charitable Gaming Board shall receive compensation and reimbursement for their reasonable expenses in performance of their duties, as provided in § 2.2-2104, Code of Virginia.				
B. Notwithstanding § 18.2-340.31, Code of Virginia, any and all fees paid by any organization conducting charitable gaming under a permit issued by the department, including audit and administrative fees and permit fees, shall be deposited to the general fund.				
C. The department shall deposit into the Investigation Fund any assets it receives as a result of a law enforcement seizure and subsequent forfeiture by either a state or federal court. The fund shall be used to defray the expenses of investigation and enforcement actions and to purchase equipment for enforcement purposes.				
101. Administrative and Support Services (59900)			$8,591,718	~~$8,820,202~~ *$8,597,219*
General Management and Direction (59901)	$8,591,718	~~$8,820,202~~ *$8,597,219*		
Fund Sources: General	$7,119,701	~~$7,348,185~~ *$7,125,202*		
Special	$1,234,186	$1,234,186		
Trust and Agency	$153,219	$153,219		
Federal Trust	$84,612	$84,612		
Authority: Title 3.2, Chapters 1, 5, 6 and 29; Title 10.1, Chapter 5, Code of Virginia.				
~~Out of the appropriation for this Item, $208,751 the second year from the general fund is included for the purchase of backup generators for regional laboratories through the state's master equipment lease purchase program.~~				
Total for Department of Agriculture and Consumer Services			**$59,055,307**	~~**$59,273,253**~~ ***$58,996,715***
General Fund Positions	306.00	~~306.00~~ *314.00*		
Nongeneral Fund Positions	200.00	~~200.00~~ *190.00*		
Position Level	506.00	~~506.00~~ *504.00*		
Fund Sources: General	$30,505,788	~~$30,723,734~~ *$31,113,696*		
Special	$6,598,924	~~$6,598,924~~ *$5,932,424*		

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	Trust and Agency	$5,392,954	$5,392,954		
	Dedicated Special Revenue	$8,123,086	$8,123,086		
	Federal Trust	$8,434,555	$8,434,555		

§ 1-36. DEPARTMENT OF FORESTRY (411)

102.	Forest Management (50100)			~~$27,241,266~~ *$37,081,956*	~~$27,331,172~~ *$27,660,741*
	Reforestation Incentives to Private Forest Land Owners (50102)	$2,104,502	~~$2,104,502~~ *$2,354,502*		
	Forest Conservation, Wildfire & Watershed Services (50103)	~~$21,738,151~~ *$31,578,841*	~~$21,828,057~~ *$21,907,626*		
	Tree Restoration and Improvement, Nurseries & State-Owned Forest Lands (50104)	$2,723,613	$2,723,613		
	Financial Assistance for Forest Land Management (50105)	$675,000	$675,000		
	Fund Sources: General	$14,907,209	~~$14,832,900~~ *$15,025,902*		
	Special	$7,061,919	~~$7,226,134~~ *$7,359,871*		
	Trust and Agency	$100,000	~~$100,000~~ *$102,830*		
	Dedicated Special Revenue	~~$211,370~~ *$10,052,060*	$211,370		
	Federal Trust	$4,960,768	$4,960,768		

Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.

A. The State Forester is hereby authorized to utilize any unobligated balances in the fire suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring replacement equipment for forestry management and protection operations.

B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest fire suppression demands, such amounts as may be necessary for this purpose may be transferred from Item 469 of this act to the Department of Forestry, with the approval of the Director, Department of Planning and Budget.

C. This appropriation includes annual membership dues to the Southeast Interstate Forest Fire Protection Compact, $1,000 the first year and $1,000 the second year from nongeneral funds.

D. The department shall provide technical assistance and project supervision in the aerial spraying of herbicides on timberland on landowner property. In addition to recovering the direct cost associated with the spraying contract, the department may charge an administrative fee for this service.

E. The Department of Forestry, in cooperation with the Department of Corrections, shall increase the use of inmate labor for routine and special work projects in state forests.

F. The department shall report by December 15 of each year on the progress of implementing the silvicultural water quality laws in Virginia. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees.

G. The appropriation in Reforestation Incentives to Private Forest Land Owners include $697,570 the first year and ~~$697,570~~ *$947,570* the second year from the general fund for the Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet the provisions of Titles 10.1 and 58.1, Code of Virginia. ~~Included in the amounts for this item, up to $120,000 the first year and $120,000 in the second year from the general fund may be used for replacement of the Department of Forestry's accounts receivable fiscal system.~~ *Out of this appropriation, up to $240,000 over the biennium from the general fund may be used for replacement of the Department of Forestry's accounts receivable fiscal system.*

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H. Out of this appropriation, $464,398 the first year and ~~$464,398~~ *$394,605* the second year from the general fund is included for the purchase of forest fire protection equipment through the state's master equipment lease purchase program.

I. The department is authorized to enter into an agreement with a private entity for a pilot program to place a communication tower on department-owned property that is designed to blend with the surrounding landscape to the greatest extent practicable. Notwithstanding any other provision of law, any revenues received from such an agreement shall be retained by the department and used for forest land management.

J. The department is authorized to sell property located at the following: 564 Planters Road, Lawrenceville, Virginia, 23868; 2010 Sandy Hook Road, Goochland, Virginia, 23063; and, 717 East Third Street, Farmville, Virginia, 23901. Notwithstanding any other provision of law, the net proceeds of these transactions, estimated at $498,500, shall be retained by the department, deposited into a nongeneral fund account, and used for costs incurred replacing current information technology equipment with technology and equipment appropriate to the department's operational needs.

K.1.a. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia State Forest Mitigation and Acquisition Fund, which shall be administered by the Department of Forestry. The fund shall be established on the books of the Comptroller. All amounts appropriated and such other funds as may be made available to the fund from any other source, public or private, shall be paid into the state treasury and credited to the fund. Interest earned on moneys in the fund shall remain in the fund and be credited to it. Any moneys remaining in the fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the fund. Moneys in the fund shall be used solely for the i) long term management and stewardship of any mitigation plan, and ii) acquisition of additional state forest lands or conservation easements to be administered by the Department of Forestry.

b. There is hereby created in the state treasury a special nonreverting fund to be known as the Long Term Mitigation Fund, a subfund of the Virginia State Forest Mitigation and Acquisition Fund which shall be administered by the Department of Forestry. The subfund shall be established on the books of the Comptroller. All amounts appropriated and such other funds as may be made available to the subfund from any other source, public or private, shall be paid into the state treasury and credited to the subfund. Interest earned on moneys in the subfund shall remain in the subfund and be credited to it. Any moneys remaining in the subfund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the subfund. Moneys in the subfund shall be used solely for the long term management and stewardship of any mitigation plan administered by the Department of Forestry.

2.a. Included in this appropriation is an amount estimated at $9,840,690 in the first year from dedicated special revenue, to be deposited into the Virginia State Forest Mitigation Acquisition Fund, contingent upon ratification of a stream mitigation purchase and sale agreement between the Department of Forestry and Henrico County. This amount represents the proceeds from the stream mitigation transaction, which is based upon the Cumberland State Forest Stream Buffer Preservation Stewardship Plan. Such agreement shall be limited to fulfill no more than 75 percent of the required stream credits for the Cobbs Creek Reservoir project. All additional required credits shall be acquired from other sources. With the exception of the amounts prescribed in paragraph K.2.b of this item, these funds shall be used solely for forest land or conservation easement acquisition.

b. Out of these amounts, a minimum of seven percent, or such amount as agreed to by the parties in the purchase and sale agreement shall be deposited into the Long Term Mitigation Fund, and shall be used only for long term management in accordance with the terms of the final mitigation plan, as approved by the U.S. Army Corps of Engineers, the State Water Control Board, and any other applicable authorities.

3. For any such future mitigation projects, no state forest land shall be used to provide compensatory mitigation for wetland or stream impacts of any public or private project until such time as due consideration has been given to the availability of mitigation credits available

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from private sources. State forest land means all sites, roadways, game food patches, ponds, lakes, streams, rivers, beaches, and lakes to which the Department of Forestry holds title for use, development, and administration.				
Total for Department of Forestry			~~**$27,241,266**~~ ***$37,081,956***	~~**$27,331,172**~~ ***$27,660,741***
General Fund Positions	177.39	~~174.39~~ *173.59*		
Nongeneral Fund Positions	112.61	~~112.61~~ *113.41*		
Position Level	290.00	287.00		
Fund Sources: General	$14,907,209	~~$14,832,900~~ *$15,025,902*		
Special	$7,061,919	~~$7,226,134~~ *$7,359,871*		
Trust and Agency	$100,000	~~$100,000~~ *$102,830*		
Dedicated Special Revenue	~~$211,370~~ *$10,052,060*	$211,370		
Federal Trust	$4,960,768	$4,960,768		
§ 1-37. AGRICULTURAL COUNCIL (307)				
103. Agricultural and Seafood Product Promotion and Development Services (53000)			$490,334	$490,334
Grants for Agriculture, Research, Education and Services (53001)	$490,334	$490,334		
Fund Sources: Dedicated Special Revenue	$490,334	$490,334		
Authority: Title 3.2, Chapter 29, Code of Virginia.				
Total for Agricultural Council			**$490,334**	**$490,334**
Fund Sources: Dedicated Special Revenue	$490,334	$490,334		
TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY			~~**$87,131,141**~~ ***$96,971,831***	~~**$87,439,361**~~ ***$87,492,392***
General Fund Positions	486.39	~~483.39~~ *490.59*		
Nongeneral Fund Positions	312.61	~~312.61~~ *303.41*		
Position Level	799.00	~~796.00~~ *794.00*		
Fund Sources: General	$45,757,231	~~$45,901,236~~ *$46,484,200*		
Special	$13,660,843	~~$13,825,058~~ *$13,292,295*		
Trust and Agency	$5,492,954	~~$5,492,954~~ *$5,495,784*		
Dedicated Special Revenue	~~$8,824,790~~ *$18,665,480*	$8,824,790		
Federal Trust	$13,395,323	$13,395,323		

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OFFICE OF COMMERCE AND TRADE				
§ 1-38. SECRETARY OF COMMERCE AND TRADE (192)				
104. Administrative and Support Services (79900).....			$631,721	$632,413
General Management and Direction (79901).....	$631,721	$632,413		
Fund Sources: General.....	$631,721	$632,413		

Authority: Title 2.2, Chapter 2, Article 3; § 2.2-201, Code of Virginia.

A. It is the intent of the General Assembly that state programs providing financial, technical, or training assistance to local governments for economic development projects or directly to businesses seeking to relocate or expand operations in Virginia should not be used to help a company relocate or expand its operations in one or more Virginia communities when the same company is simultaneously closing facilities in other Virginia communities. It is the responsibility of the Secretary of Commerce and Trade to enforce this policy and to inform the Chairmen of the Senate Finance and House Appropriations Committees in writing of the justification to override this policy for any exception.

B. The Secretary shall report to the Chairmen of the Senate Finance and the House Appropriations and Finance Committees by October 30 of each year, on the use and efficacy of state incentives in creating investments and jobs in Virginia in the prior fiscal year. The two-part report shall identify, by planning districts, the following items using the most recent data available: (1) the number of companies receiving business incentives; (2) the dollar amounts received by each company for each incentive; (3) the number of jobs to be created; (4) the average salary; and (5) the amount of investment agreed upon by the state and the company as a condition for receiving the incentives. For the purposes of this report, the incentives to be reviewed in the study are those state incentives included in the Virginia Economic Development Partnership publication, "Virginia Guide to Business Incentives" as well as business incentive programs authorized and funded by the General Assembly. The first part of the study shall not identify by name the companies participating in the state's incentive programs. In the second part of the report, organized by planning district, the Secretary shall include the actual number of jobs created, average salary, and level of investments made by each company awarded incentives in the prior fiscal year; if not prohibited by state law or by memorandum of agreement or understanding between the Commonwealth and the company, the names of the companies awarded incentives shall be included. In addition, the report shall also identify the specific actions taken by the state as part of its business incentive program to create private investments and jobs in rural areas of the state and the success of these actions.

C. The Secretary shall convene a working group which shall include the Director of the Virginia Economic Development Partnership, the Director of the Department of Business Assistance, local economic development representatives, and representatives from Virginia's business community to determine whether the Virginia Jobs Investment Program Funds are best managed within the Department of Business Assistance or within the Virginia Economic Development Partnership or whether the separate sub-funds would be more effectively utilized by the two separate agencies whose missions focus on different sectors of the Commonwealth's business community. The Secretary shall report to the Chairmen of the House Appropriations and Senate Finance Committees by October 30, 2013 on the findings of this examination, including any proposals to shift funds among the two entities, and any administrative impediments to such a proposal. Such report shall also contain an accounting of how the funding has been distributed for the last four fiscal years by region, industry sector, size of company, size of grant and agency through which the incentive request was generated.

D. The Secretary of Commerce and Trade is directed to report to the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2013 on the progress of the consolidation of the Department of Business Assistance and the Department of Minority Business Enterprise. It is the intent of the General Assembly that the consolidation be effectuated in a manner that ensures that the core responsibilities of each agency are retained and full and adequate attention is given to the activities currently undertaken by both the Department of Minority Business Enterprise and the Department of Business Assistance.

Total for Secretary of Commerce and Trade.....			**$631,721**	**$632,413**

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	General Fund Positions	7.00	7.00		
	Position Level	7.00	7.00		
	Fund Sources: General	$631,721	$632,413		
	Economic Development Incentive Payments (312)				
105.	Economic Development Services (53400)			~~$55,536,745~~ *$54,986,745*	~~$58,283,955~~ *$56,833,955*
	Financial Assistance for Economic Development (53410)	~~$55,536,745~~ *$54,986,745*	~~$58,283,955~~ *$56,833,955*		
	Fund Sources: General	~~$55,001,745~~ *$54,451,745*	~~$57,908,955~~ *$56,458,955*		
	Dedicated Special Revenue	$535,000	$375,000		

Authority: Discretionary Inclusion.

A.1. Out of the amounts in this Item, $11,811,055 the first year and $11,811,055 the second year from the general fund shall be deposited to the Governor's Development Opportunity Fund, as established in § 2.2-115, Code of Virginia. Such funds shall be used at the discretion of the Governor, subject to prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees, to attract economic development prospects to locate or expand in Virginia. If the Governor, pursuant to the provisions of § 2.2-115, E.1., Code of Virginia, determines that a project is of regional or statewide interest and elects to waive the requirement for a local matching contribution, such action shall be included in the report on expenditures from the Governor's Development Opportunity Fund required by § 2.2-115, F., Code of Virginia. Such report shall include an explanation on the jobs anticipated to be created, the capital investment made for the project, and why the waiver was provided.

2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans shall be approved by the Governor and made in accordance with procedures established by the Virginia Economic Development Partnership and approved by the State Comptroller. Loans shall be interest-free unless otherwise determined by the Governor and shall be repaid to the general fund of the state treasury. The Governor may establish the interest rate to be charged, otherwise, any interest charged shall be at market rates as determined by the State Treasurer and shall be indicative of the duration of the loan. The Virginia Economic Development Partnership shall be responsible for monitoring repayment of such loans and reporting the receivables to the State Comptroller as required.

3. Funds may be used for public and private utility extension or capacity development on and off site; road, rail, or other transportation access costs beyond the funding capability of existing programs; site acquisition; grading, drainage, paving, and other activity required to prepare a site for construction; construction or build-out of publicly-owned buildings; grants or loans to an industrial development authority, housing and redevelopment authority, or other political subdivision pursuant to their duties or powers; training; or anything else permitted by law.

4. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

5. It is the intent of the General Assembly that the Virginia Economic Development Partnership shall work with localities awarded grants from the Governor's Development Opportunity Fund to recover such moneys when the economic development projects fail to meet minimal agreed-upon capital investment and job creation targets. All such recoveries shall be deposited and credited to the Governor's Development Opportunity Fund.

6. Up to $5,000,000 of previously awarded funds and funds repaid by political subdivisions or business beneficiaries and deposited to the Governor's Development Opportunity Fund may be used to assist Prince George County with site improvements related to the location of a major aerospace engine manufacturer to the Commonwealth.

7. Any funds appropriated in Item 105, paragraph B. 6, Chapter 781, Acts of Assembly of

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2009, to offset training expenses for a major automotive employer operating a diesel assembly and test facility in the City of Newport News, contingent upon such employer having entered into a performance agreement with the Virginia Economic Development Partnership describing the employer's commitments regarding job creation and retention, remaining on June 30, 2012, shall be carried forward and available for expenditure. The funds shall be administered in a manner similar to existing training grant programs permitted under § 2.2-902, Code of Virginia. The major automotive employer shall certify to the Secretary of Commerce and Trade that it has retained at least 500 jobs in the Commonwealth and has taken actions to increase employment by at least 250 new full-time jobs in the Commonwealth.

B. Out of the appropriation for this Item, $5,400,000 the first year and $5,400,000 the second year from the general fund shall be deposited to the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Fund to be used to pay semiconductor memory or logic wafer manufacturing performance grants in accordance with § 59.1-284.14.1, Code of Virginia.

C.1. Out of the appropriation for this Item, ~~$3,042,329~~ *$2,492,329* the first year and ~~$5,322,539~~ *$3,872,539* the second year from the general fund shall be deposited to the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia. In the first year, $160,000 from the Investment Performance Grant subfund of the Virginia Investment Partnership Grant Fund is hereby appropriated and shall be used to pay investment performance grants in accordance with § 2.2-5101, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

D.1. Out of the appropriation for this Item, $5,000,000 the first year and $5,000,000 the second year from the general fund shall be deposited to the Major Eligible Employer Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5102, Code of Virginia.

2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

E. Out of the appropriation for this Item, $3,000,000 the first year and $3,000,000 the second year from the general fund and an amount estimated at $375,000 the first year and $375,000 the second year from nongeneral funds shall be deposited to the Governor's Motion Picture Opportunity Fund, as established in § 2.2-2320, Code of Virginia. These nongeneral fund revenues shall be deposited to the fund from revenues generated by the digital media fee established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the discretion of the Governor to attract film industry production activity to the Commonwealth.

F. Out of the appropriation for this Item, $1,000,000 the first year from the general fund shall be used to pay grants in accordance with § 2.2-2240.1, Code of Virginia. It is the intent of the General Assembly to fulfill the commitment made to provide incentive payments for the location of a research related entity in accordance with the time frames set out in § 2.2-2240.1 D, Code of Virginia.

G. Out of the appropriation for this Item, $9,273,000 the first year and $10,400,000 the second year from the general fund shall be used in support of the location of an aerospace engine facility in Prince George County. In accordance with a memorandum of understanding between the Commonwealth and the aerospace engine manufacturer, the funds may be used for chaired professorships, research, community college programs, graduate student and internship endowments, workforce training, project management, and training grants in accordance with § 59.1-284.22, Code of Virginia. The Director, Department of Planning and Budget shall transfer these funds to the impacted state agencies and institutions upon request to the Director, Department of Planning and Budget by the respective state agency or institution.

H.1. Out of the appropriation for this Item, $800,000 the first year and $1,300,000 the second year from the general fund shall be deposited to the Virginia Economic Development Incentive Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment performance grants in accordance with § 2.2-5102.1, Code of Virginia.

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2. Consideration should be given to economic development projects that 1) are in areas of high unemployment; 2) link commercial development along existing transportation/transit corridors within regions; and 3) are located near existing public infrastructure.

I. Out of the appropriation for this Item, $5,000,000 the first year and $5,000,000 the second year from the general fund shall be deposited to the Advanced Shipbuilding Training Facility Fund to be used to pay grants in accordance with § 59.1-284.23, F., Code of Virginia.

J. Out of the appropriation for Item 470 K.1. of House Bill 1300, Special Session I, 2012 Session of the General Assembly, $2,000,000 the first year shall be deposited to the site planning fund created pursuant to § 2.2-2240.2, Code of Virginia, to assist political subdivisions in the performance of site and site development work for prospective Major Employment and Investment (MEI) Projects, as defined in § 2.2-2260, Code of Virginia *or in the performance of site and site development work in communities that are not tobacco-dependent communities eligible for assistance from the Tobacco Indemnification and Community Revitalization Commission, to accommodate a project anticipated to have a capital investment in real and tangible personal property exceeding $50,000,000, create more than 100 full-time jobs, and likely have a substantial direct and indirect economic impact on surrounding communities.* Grants allocated from this appropriation shall be approved by the Governor and made in accordance with procedures and guidelines established by the Virginia Economic Development Partnership. The guidelines and procedures shall give consideration in order to (i) ensure geographical representation of awards, (ii) limit the amount of annual recipients, (iii) identify strategic targets and select sites that are compatible with the strategic targets, and (iv) promote regional revenue sharing. This appropriation is contingent upon the conditions established in Item 470 K. 5. of House Bill 1300, Special Session I, 2012 Session of the General Assembly.

K. Out of the appropriation for Item 470 K.1. of House Bill 1300, Special Session I, 2012 Session of the General Assembly, $2,000,000 the second year shall be provided to the Commonwealth Center for Advanced Manufacturing for workforce development. Upon request filed with the Director, Department of Planning and Budget, by the Commonwealth Center for Advanced Manufacturing, the director is authorized to provide these funds to the center. This appropriation is contingent upon the conditions established in Item 470 K. 5. of House Bill 1300, Special Session I, 2012 Session of the General Assembly.

L. Out of the appropriation for this Item, $8,000,000 the first year and $8,000,000 the second year from the general fund, shall be utilized for the purposes set forth in Chapter 816 and Chapter 874, 2011 Acts of Assembly, as follows: $3,200,000 the first year and $3,200,000 the second year shall be deposited into the Center for Innovative Technology's GAP Funds and $4,800,000 the first year and $4,800,000 the second year shall be deposited into the Commonwealth Research Commercialization Fund created pursuant to § 2.2-2233.1, Code of Virginia. Of the amounts provided for the Commonwealth Research Commercialization Fund, up to $1,500,000 the first year and $1,500,000 the second year shall be used for a Small Business Innovation Research Matching Fund Program for Virginia-based technology businesses and, for matching funds for recipients of federal Small Business Technology Transfer (STTR) awards for Virginia-based small businesses. Any monies from these amounts that have not been allocated at the end of each fiscal year shall not revert to the general fund but shall be distributed for other purposes designated by the Research and Technology Investment Advisory Committee and aligned with the Research and Technology Roadmap.

Businesses meeting the following criteria shall be eligible to apply for an award to be administered by the Research and Technology Investment Advisory Committee:

1. The applicant has received an STTR award targeted at the development of qualified research or technologies;

2. At least 51 percent of the applicant's employees reside in Virginia; and

3. At least 51 percent of the applicant's property is located in Virginia.

Applicants shall be eligible for matching grants of up to $100,000 for Phase I awards and up to $500,000 for Phase II awards. All applicants shall be required to submit a commercialization plan with their application. Any unused funds shall not revert to the general fund but shall remain in the Commonwealth Research and Commercialization Fund. Notwithstanding the

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provisions of § 2.2-2233.1 D.6 ~~no funding provided for the Fund shall be used to fund an eminent researcher recruitment program~~ *unused funding from the Fund shall be awarded as originally intended by the Research and Technology Investment Advisory Committee and only reallocated if sufficient demand does not exist for the original allocation.*

M.1. Out of the appropriation for this Item, $2,500,000 the first year and $2,500,000 the second year from the general fund shall be provided for a non-stock corporation research consortium initially comprised of the University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, George Mason University and the Eastern Virginia Medical School. The consortium will contract with private entities, foundations and other governmental sources to capture and perform research in the biosciences. Initial exclusive focus will be around the Virginia core strength areas of Bio-Informatics and Medical Informatics, Point of Care Diagnostics and Drug Discovery and Delivery. The funding to be provided for research under this Item must be matched at least dollar-for-dollar by funding provided by such private entities, foundations and other governmental sources. The Director, Department of Planning and Budget, is authorized to provide these funds to the non-stock corporation research consortium referenced in this paragraph upon request filed with the Director, Department of Planning and Budget by the non-stock corporation research consortium.

2. Other publicly-supported institutions of higher education in the Commonwealth may choose to join the consortium. Participation in the consortium by the five founding institutions and by other institutions choosing to join will require a cash contribution from each institution in each of the first and second years of at least $50,000, or a larger amount to be determined by the consortium.

3. No research will be funded by the consortium unless at least two of the participating institutions are actively and significantly involved in collaborating on the research. No research will be funded by the consortium unless the research topic has been vetted by a scientific advisory board and holds potential for high impact near-term success in generating other sponsored research, creating spin-off companies or otherwise creating new jobs. The consortium will set guidelines to disburse research funds based on advisory board findings. The consortium will have near-term sustainability as a goal, along with corporate-sponsored research gains, new Virginia company start-ups, and job creation milestones.

4. Of these funds, up to $250,000 the first year and $250,000 the second year may be used to pay the administrative, promotional and legal costs of establishing and administering the consortium, including the creation of intellectual property protocols, and the publication of research results.

5. The Virginia Economic Development Partnership, in consultation with the publicly-supported institutions of higher education in the Commonwealth participating in the consortium, shall provide to the Governor, and the Chairmen of the Senate Finance and House Appropriations committees, by November 1 of each year a written report summarizing the activities of the consortium, including, but not limited to, a summary of how any funds disbursed to the consortium during the previous fiscal year were spent, and the consortium's progress during the fiscal year in expanding upon existing research opportunities and stimulating new research opportunities in the Commonwealth.

N.1. Out of this appropriation, $175,361 the first year and $175,361 the second year from the general fund shall be provided to the Virginia-Israel Advisory Board.

2. The Virginia-Israel Advisory Board shall seek prior approval of all travel and related expenditures from the Secretary of Commerce and Trade.

3. The Virginia-Israel Advisory Board shall report by January 15 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the board's activities and expenditure of state funds.

Total for Economic Development Incentive Payments.....			~~$55,536,745~~	~~$58,283,955~~
			$54,986,745	*$56,833,955*

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	Fund Sources: General	~~$55,001,745~~	~~$57,908,955~~		
		$54,451,745	*$56,458,955*		
	Dedicated Special Revenue	$535,000	$375,000		
	Grand Total for Secretary of Commerce and Trade			**~~$56,168,466~~**	**~~$58,916,368~~**
				$55,618,466	***$57,466,368***
	General Fund Positions	7.00	7.00		
	Position Level	7.00	7.00		
	Fund Sources: General	~~$55,633,466~~	~~$58,541,368~~		
		$55,083,466	*$57,091,368*		
	Dedicated Special Revenue	$535,000	$375,000		
	§ 1-39. BOARD OF ACCOUNTANCY (226)				
106.	Regulation of Professions and Occupations (56000)			$1,589,773	~~$1,377,629~~
					$1,648,384
	Accountant Regulation (56001)	$1,589,773	~~$1,377,629~~		
			$1,648,384		
	Fund Sources: Dedicated Special Revenue	$1,589,773	~~$1,377,629~~		
			$1,648,384		
	Authority: Title 54.1, Chapter 44, Code of Virginia.				
	Total for Board of Accountancy			**$1,589,773**	**~~$1,377,629~~**
					$1,648,384
	Nongeneral Fund Positions	8.00	~~8.00~~		
			12.00		
	Position Level	8.00	~~8.00~~		
			12.00		
	Fund Sources: Dedicated Special Revenue	$1,589,773	~~$1,377,629~~		
			$1,648,384		
	§ 1-40. DEPARTMENT OF BUSINESS ASSISTANCE (325)				
107.	Economic Development Services (53400)			$13,329,505	~~$13,332,727~~
					$13,140,670
	Virginia Jobs Investment Program (53403)	$7,867,220	~~$7,870,442~~		
			$7,713,643		
	Business Information Services (53418)	$1,445,299	~~$1,445,299~~		
			$1,411,681		
	Administrative Services (53422)	$703,660	~~$703,660~~		
			$702,020		
	Financial Services for Economic Development (53423)	$3,313,326	$3,313,326		
	Fund Sources: General	$11,670,375	~~$11,673,597~~		
			$11,481,540		
	Special	$883,192	$883,192		
	Dedicated Special Revenue	$775,938	$775,938		

Authority: Title 2.2, Chapter 9; Chapter 22, Article 7; and Chapter 24, Article 7, Code of Virginia.

~~A.1. Out of this appropriation, $7,867,220 the first year and $7,870,442 the second year from the general fund is provided for the Virginia Jobs Investment Program at the Department of Business Assistance. Of this amount, $1,570,628 the first year and $1,570,628 the second year may be used for operating expenses. The remaining $6,296,592 the first year and $6,299,814 the second year shall be available for eligible businesses. It is the intent of the General Assembly that a minimum of 10 percent of the amounts provided for the Virginia Jobs Investment Program each year shall be transferred to the Small Business Jobs Grant Fund~~

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~~established pursuant to § 2.2-904.2, Code of Virginia, and shall only be used for the purposes of that section.~~

A.1. Out of this appropriation, $7,867,220 the first year and $7,713,643 the second year from the general fund is provided for the Virginia Jobs Investment Program at the Department of Business Assistance. Of this amount, $1,570,628 the first year and $1,413,829 the second year may be used for operating expenses. The remaining $6,296,592 the first year and $6,299,814 the second year shall be available for eligible businesses. Except as provided for in § 2.2-904.2, beginning in the second year, the appropriation provided for the Virginia Jobs Investment Program for eligible businesses shall be deposited to the Virginia Jobs Investment Program Fund, pursuant to § 2.2-903.1 D., Code of Virginia. It is the intent of the General Assembly that a minimum of 10 percent of the amounts provided for the Virginia Jobs Investment Program each year shall be transferred to the Small Business Jobs Grant Fund established pursuant to § 2.2-904.2, Code of Virginia, and shall only be used for the purposes of that section.

2. Periodically, the agency shall report to the Governor and the Secretary of Commerce and Trade the expenditures of the Small Business Jobs Grant Fund and anticipated needs for small business development in order to monitor the effective use of funds and provide additional funding as needed for small businesses.

3. Any moneys remaining in the Virginia Jobs Investment Program *Fund* at the end of fiscal years 2013 and 2014 shall not revert to the general fund. ~~but shall be deposited to the Workforce Retraining Fund and be available for allocation in the ensuing fiscal years.~~

B.1. The Virginia Small Business Financing Authority is authorized to withdraw revenues of up to $50,000 the first year and $50,000 the second year from the accrued interest balances of the Virginia Small Business Growth Fund in order to cover the costs of administering the Virginia Capital Access Program.

2. Also included in this appropriation is $154,196 the first year and $154,196 the second year from the general fund to support the operating expenses of the Virginia Small Business Financing Authority.

3. To meet changing financing needs of small businesses, the Executive Director, Virginia Small Business Financing Authority, with the approval of the Director, Department of Business Assistance, may transfer moneys between funds managed by the authority. These include the Virginia Small Business Growth Fund (§ 2.2-2310, Code of Virginia); the Virginia Export Fund (§ 2.2-2309, Code of Virginia); and the Insurance or Guarantee Fund (§ 2.2-2290, Code of Virginia). The Executive Director, Virginia Small Business Financing Authority, shall report, by fund, the transfers made by January 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees.

4. The Virginia Small Business Finance*ing* Authority is authorized to insure additional loans for eligible small businesses, pursuant to § 2.2-2290, Code of Virginia, up to an aggregate amount not to exceed four times the principal amount in the Insurance or Guarantee Fund, or up to an aggregate amount of ~~$10,000,000~~ *$15,000,000*, whichever is less. In the event that the authority is called upon to pay on guaranties of loans of more than 10 percent of the aggregate amount of all outstanding insured loans, the authority shall not insure any further loans and shall immediately notify the Governor and the Chairmen of the House Appropriations and Senate Finance Committees. Pursuant to § 4-1.03.5 of this act, the Director, Department of Planning and Budget, is authorized to transfer a sum sufficient to the Insurance or Guarantee Fund in the event the amount in the fund falls below the amount needed to honor any guarantee.

5. For the I-95 HOV/HOT Lanes project as evidenced by the Comprehensive Agreement approved pursuant to the Public-Private Transportation Act of 1995, the maximum fee and/or premium charged by the Virginia Small Business Financing Authority pursuant to §§ 2.2-2291 and 2.2-2285, Code of Virginia, for acting as the conduit issuer for any bond financing is not to exceed $25,000 per annum.

C. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund is provided to support the Business One-Stop Program at the Department of Business Assistance.

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D. Out of this appropriation, $875,464 the first year and ~~$945,299~~ *$911,681* the second year from the general fund is provided for the business information services operating expenses.				
E. Out of this appropriation, $682,487 the first year and $682,652 the second year from the general fund is provided for agency administration.				
F. Out of this appropriation, $1,500,000 the first year and $1,500,000 the second year from the general fund is provided to establish the Small Business Investment Grant Fund, pursuant to the provisions of Senate Bill 344, 2012 Session of the General Assembly.				
Total for Department of Business Assistance.....			**$13,329,505**	**~~$13,332,727~~** ***$13,140,670***
General Fund Positions.....	34.00	34.00		
Nongeneral Fund Positions.....	7.00	7.00		
Position Level	41.00	41.00		
Fund Sources: General.....	$11,670,375	~~$11,673,597~~ *$11,481,540*		
Special.....	$883,192	$883,192		
Dedicated Special Revenue.....	$775,938	$775,938		
§ 1-41. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)				
108. Housing Assistance Services (45800).....			$41,549,112	~~$47,049,112~~ *$49,249,112*
Housing Assistance (45801).....	$17,573,222	~~$24,573,222~~ *$25,773,222*		
Homeless Assistance (45804).....	$19,690,890	~~$18,190,890~~ *$19,190,890*		
Financial Assistance for Housing Services (45805).....	$4,285,000	$4,285,000		
Fund Sources: General.....	$13,942,796	~~$19,442,796~~ *$21,642,796*		
Special.....	$344,537	$344,537		
Dedicated Special Revenue.....	$100,000	$100,000		
Federal Trust.....	$27,161,779	$27,161,779		

Authority: Title 36, Chapters 1.4, 8, 9, and 11; and Title 58.1, Chapter 3, Articles 4 and 13, Code of Virginia.

A. The amounts for Housing Assistance Services include $3,982,705 from the general fund, $100,000 from dedicated special revenue, and $3,427,000 from the federal trust fund the first year and ~~$2,982,705~~ *$3,482,705* from the general fund, $100,000 from dedicated special revenue, and $3,427,000 from the federal trust fund the second year to support services for persons at risk of or experiencing homelessness and housing for populations with special needs, and $4,050,000 the first year and $4,050,000 the second year from the general fund for homeless prevention. Of the general fund amount provided, the department is authorized to use up to two percent in each year for program administration. The amounts allocated for services for persons at risk of or experiencing homelessness shall be matched through local or private sources. Any balances for the purposes specified in this paragraph which are unexpended at the close of business on June 30, 2013, and June 30, 2014, shall not revert to the general fund, but shall be carried forward and reappropriated.

B. The amounts for Housing Assistance Services include $15,800,000 the first year and $15,800,000 the second year from federal funds to support Virginia affordable housing programs and the Indoor Plumbing Program.

C. Out of the amounts in this Item shall be provided $330,453 the first year and $330,453 the second year from the general fund for a child service coordinator referral system in homeless service programs serving minor children.

D. Out of the amounts in this Item shall be provided $500,000 the first year *and $500,000 the second year* from the general fund for a rapid re-housing program.

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E. The department shall report to the Chairmen of the Senate Finance, the House Appropriations Committees, and the Director, Department of Planning and Budget by November 4 of each year on the state's homeless programs, including, but not limited to, the number of (i) emergency shelter beds, (ii) transitional housing units, (iii) single room occupancy dwellings, (iv) homeless intervention programs, (v) homeless prevention programs, and (vi) the number of homeless individuals supported by the permanent housing state funding on a locality and statewide basis and the accomplishments achieved by the additional state funding provided to the program in the first year. The report shall also include the number of Virginians served by these programs, the costs of the programs, and the financial and in-kind support provided by localities and nonprofit groups in these programs. In preparing the report, the department shall consult with localities and community-based groups.

F. Out of the amounts for this Item, $50,000 the first year and $50,000 the second year from the general fund and one position are provided to support the administrative costs associated with administering the tax credits authorized pursuant to the provisions of Chapter 520, 2010 Acts of Assembly.

G.1. There is hereby created the Virginia Housing Trust Fund, hereafter referred to as "the Fund." Out of the amounts in this appropriation, ~~$7,000,000~~ *$8,000,000* the second year from the general fund shall be deposited into the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. The Department shall work in collaboration with the Virginia Housing Development Authority (VHDA) to provide loan origination and servicing activities as needed to carry-out the provisions of this Fund. The costs of such services will be considered an eligible use of the Fund.

2. The Department, through VHDA, shall use at least 80 percent of the moneys from the Fund to provide flexible financing for low-interest loans through eligible organizations. Such loans shall be structured to maximize leveraging opportunities. All such funds shall be repaid to the credit of the Fund. Loans may be provided for:

a. Affordable rental housing to include new construction, rehabilitation, repair, or acquisition of housing to assist low or moderate income citizens, including land and land improvements;

b. Down payment and closing cost assistance for homebuyers; and,

c. Short, medium and long term loans to reduce the cost of homeownership and rental housing;

3. The Department may use up to 20 percent of the moneys from the Fund to provide grants through eligible organizations for targeted efforts to reduce homelessness, including:

a. Temporary rental assistance, not to exceed one year;

b. Housing stabilization services in permanent supportive housing for homeless individuals and families;

c. Mortgage foreclosure counseling targeted at localities with the highest incidence of foreclosure activity; and,

d. Pre-development assistance for permanent supportive housing and other long term housing options for the homeless.

4. Organizations eligible for funding from the Fund shall include the following: (i) localities; (ii) local government housing authorities; (iii) regional or statewide housing assistance organizations that provide assistance to low and moderate income or low-income citizens of Virginia, and (iv) limited liability companies expressly created for the purpose of owning and operating affordable housing.

5. Prior to the expenditure of any funds appropriated for the Virginia Housing Trust Fund the department, in conjunction with the Virginia Housing Development Authority, shall submit a plan outlining its proposed uses of the funds to the General Assembly. Such plan shall be provided to the Chairmen of the House Appropriations Committee and the Senate Finance Committee no later than November 1, 2012.

ITEM 108.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
109.	Community Development Services (53300)			~~$47,039,152~~ *$45,529,173*	~~$40,175,178~~ *$45,540,328*
	Community Development and Revitalization (53301)	~~$6,531,528~~ *$5,021,549*	~~$7,531,528~~ *$12,846,678*		
	Financial Assistance for Regional Cooperation (53303)	$2,104,076	$2,104,076		
	Financial Assistance for Community Development (53305)	$38,403,548	~~$30,539,574~~ *$30,589,574*		
	Fund Sources: General	~~$18,031,140~~ *$16,521,161*	~~$12,667,166~~ *$18,032,316*		
	Special	$212,012	$212,012		
	Dedicated Special Revenue	$2,000,000	$500,000		
	Federal Trust	$26,796,000	$26,796,000		

Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and 11; and Title 59.1, Chapter 22, Code of Virginia.

A. This appropriation includes annual membership dues to the Appalachian Regional Commission, $351,930 the first year and $351,930 the second year, from the general fund. These dues are payable from the amounts for Community Development and Revitalization.

B. The department and local program administrators shall make every reasonable effort to provide participants basic financial counseling to enhance their ability to benefit from the Indoor Plumbing Program and to foster their movement to economic self-sufficiency.

C. Out of the amounts for Community Development Services shall be paid from the general fund in four equal quarterly installments each year:

1. To the Lenowisco Planning District Commission, $75,971 the first year and $75,971 the second year, which includes $38,610 the first year and $38,610 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

2. To the Cumberland Plateau Planning District Commission, $75,971 the first year and $75,971 the second year, which includes $42,390 the first year and $42,390 the second year for responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia, and the Virginia Coalfield Economic Development Authority.

3. To the Mount Rogers Planning District Commission, $75,971 the first year and $75,971 the second year.

4. To the New River Valley Planning District Commission, $75,971 the first year and $75,971 the second year.

5. To the Roanoke Valley-Alleghany Regional Commission, $75,971 the first year and $75,971 the second year.

6. To the Central Shenandoah Planning District Commission, $75,971 the first year and $75,971 the second year.

7. To the Northern Shenandoah Valley Regional Commission, $75,971 the first year and $75,971 the second year.

8. To the Northern Virginia Regional Commission, $151,943 the first year and $151,943 the second year.

9. To the Rappahannock-Rapidan Regional Commission, $75,971 the first year and $75,971 the second year.

10. To the Thomas Jefferson Planning District Commission, $75,971 the first year and $75,971 the second year.

11. To the Region 2000 Local Government Council, $75,971 the first year and $75,971 the

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second year.

12. To the West Piedmont Planning District Commission, $75,971 the first year and $75,971 the second year.

13. To the Southside Planning District Commission, $75,971 the first year and $75,971 the second year.

14. To the Commonwealth Regional Council, $75,971 the first year and $75,971 the second year.

15. To the Richmond Regional Planning District Commission, $113,957 the first year and $113,957 the second year.

16. To the George Washington Regional Commission, $75,971 the first year and $75,971 the second year.

17. To the Northern Neck Planning District Commission, $75,971 the first year and $75,971 the second year.

18. To the Middle Peninsula Planning District Commission, $75,971 the first year and $75,971 the second year.

19. To the Crater Planning District Commission, $75,971 the first year and $75,971 the second year.

20. To the Accomack-Northampton Planning District Commission, $75,971 the first year and $75,971 the second year.

21. To the Hampton Roads Planning District Commission $151,943 the first year, and $151,943 the second year.

D. Out of the amounts provided to the department shall be provided $968,442 the first year and $968,442 the second year from the general fund for the Southeast Rural Community Assistance Project (formerly known as the Virginia Water Project) operating costs and water and wastewater grants. The department shall disburse the total payment each year in twelve equal monthly installments.

E. 1. Out of the amounts in this Item shall be provided $95,000 the first year and $95,000 the second year from the general fund for the Center for Rural Virginia. The department shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the status, needs and accomplishments of the center.

2. As part of its mission, the Center for Rural Virginia shall monitor the implementation of the budget initiatives approved by the 2005 Session of the General Assembly for rural Virginia and shall report periodically to the Chairmen of the Senate Finance and House Appropriations Committees on the effectiveness of these various programs in addressing rural economic development problems.

F. The department shall leverage any appropriation provided for the capital costs for safe drinking water and wastewater treatment in the Lenowisco, Cumberland Plateau, or Mount Rogers planning districts with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources.

G. Out of the amounts for Community Development Services shall be provided $71,250 the first year and $71,250 the second year from the general fund to support The Crooked Road: Virginia's Heritage Music Trail.

H.1. Out of the amounts in this Item shall be provided ~~$6,226,474~~ *$4,716,495* the first year *and $5,065,150 the second year* from the general fund for the Commonwealth's share of the estimated operating expenses of the Fort Monroe Authority (FMA). This appropriation represents the Commonwealth's share of the authority's estimated operating expenses. These expenses may not be reimbursed by the federal government and shall be reduced by any federal funding the authority may receive for expenditures funded through the Commonwealth's

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contribution that ultimately qualify for federal reimbursement. Any such reimbursements shall be repaid to the general fund. Amounts for this purpose shall be paid from the general fund in no more than four quarterly installments.

2. All moneys of the FMA, from whatever source derived, shall be paid to the treasurer of the FMA. The Auditor of Public Accounts or his legally authorized representatives, shall annually examine the accounts of the books of the FMA.

3. Employees of the FMA shall be eligible for membership in the Virginia Retirement System and participation in all of the health and related insurance and other benefits, including premium conversion and flexible benefits, available to state employees as provided by law.

4. For the purposes of § 2.2-2708, the board of trustees of the Fort Monroe Authority created pursuant to § 15.2-7301 shall be deemed a state public body and may meet by electronic communication means in accordance with the requirements set forth in § 2.2-3708. Electronic communication shall mean the same as that term is defined in § 2.2-3701.

5. Notwithstanding any other provision of law or agreement, the amount paid from all sources of funds by the Fort Monroe Authority to the City of Hampton pursuant to § 2.2-2342, Code of Virginia, shall not exceed $562,540 in FY 2013 and $983,960 in FY 2014.

I. Included in this appropriation is $2,000,000 the first year and $500,000 the second year from the Water Quality Improvement Fund for grants to communities located outside the Chesapeake Bay watershed for: 1) the construction of mandated water quality improvement facilities at publicly owned treatment works for projects that would otherwise result in a financial hardship for the residential users of the facilities; 2) the design and construction of managed on-site community wastewater treatment systems in isolated areas that cannot be addressed through active treatment facilities; and 3) planning grants to develop regional or county wide wastewater treatment strategies in areas that have not previously completed planning and engineering studies. Priority will be given to the elimination of straight piping of household wastewater into the Commonwealth's waterways. The department shall leverage the appropriation with other state moneys, federal grants or loans, local contributions, and private or nonprofit resources.

J. Out of the amounts in this Item, $1,000,000 the first year and $2,000,000 the second year from the general fund shall be deposited to the Virginia Removal or Rehabilitation of Derelict Structures Fund to support industrial site revitalization.

K. Out of the amounts in this Item, $500,000 the first year and $500,000 the second year from the general fund shall be provided for the Virginia Main Street Program. This amount shall be in addition to other appropriations for this activity.

L. Out of the amounts in this item, $50,000 the second year from the general fund shall be provided to the City of Falls Church for a community revitalization effort for the Tinner Hill Historic Park and Creative Cauldron.

110. Economic Development Services (53400)			$14,423,354	$14,423,354
Financial Assistance for Economic Development (53410)	$14,423,354	$14,423,354		
Fund Sources: General	$14,423,354	$14,423,354		

Authority: Title 59.1, Chapter 22, Code of Virginia.

This Item includes $14,150,000 the first year and $14,150,000 the second year from the general fund to carry out the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, related to the Enterprise Zone Grant Act. Notwithstanding the provisions of §§ 59.1-547 and 59.1-548, Code of Virginia, the department is authorized to prorate, with no payment of the unpaid portion of the grant necessary in the next fiscal year, the amount of awards each business receives to match the appropriation for this Item. Should actual grants awarded in each fiscal year be less than the amounts provided in this item, the excess shall not revert to the general fund but shall ~~remain available to~~ be *deposited to the Virginia Removal or Rehabilitation of Derelict Structures Fund* ~~used by the department~~ for revitalization purposes.

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111.	Regulation of Structure Safety (56200)			$2,773,534	$2,773,534
	State Building Code Administration (56202)	$2,773,534	$2,773,534		
	Fund Sources: General	$483,706	$483,706		
	Special	$1,989,828	$1,989,828		
	Dedicated Special Revenue	$300,000	$300,000		
	Authority: Title 15.2, Chapter 9; Title 27, Chapters 1, 6, and 9; Title 36, Chapters 4, 4.1, 4.2, 6, and 8; Title 58.1, Chapter 36, Article 5; and Title 63.2, Chapter 17, Code of Virginia.				
	The Department of Housing and Community Development shall recover from the Virginia Department of Health all costs associated with federal life safety code inspections and enforcement services.				
112.	Governmental Affairs Services (70100)			$352,033	~~$352,033~~ *$339,624*
	Intergovernmental Relations (70101)	$352,033	~~$352,033~~ *$339,624*		
	Fund Sources: General	$352,033	~~$352,033~~ *$339,624*		
	Authority: Title 15.2, Subtitle III, Code of Virginia.				
113.	Administrative and Support Services (59900)			$2,542,737	~~$2,548,385~~ *$2,515,522*
	General Management and Direction (59901)	$2,542,737	~~$2,548,385~~ *$2,515,522*		
	Fund Sources: General	$1,999,280	~~$2,004,928~~ *$1,972,065*		
	Special	$543,457	$543,457		
	Authority: Title 36, Chapter 8, Code of Virginia.				
	The Commission on Local Government shall convene a task force to determine a process for the preparation of fiscal impact estimates for bills and budget items anticipated to require a net additional expenditure, or a net reduction of revenue, by a county, city, or town as a result of implementation of such bill or budget item. As part of this effort, the task force shall examine how bills and budget items will be identified and referred for analysis, and determine the feasibility of using outside consultant or policy analysis experts to prepare the fiscal impact estimates. The task force shall include representatives from the Virginia Association of Counties, the Virginia Municipal League, the Virginia Association of School Business Officials, city managers and county administrators, local government and school finance directors, and local commissioners of revenue and treasurers. The Commission shall provide a report on the task force's work to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2013.				
	Total for Department of Housing and Community Development			~~**$108,679,922**~~ ***$107,169,943***	~~**$107,321,596**~~ ***$114,841,474***
	General Fund Positions	55.90	55.90		
	Nongeneral Fund Positions	51.10	51.10		
	Position Level	107.00	107.00		
	Fund Sources: General	~~$49,232,309~~ *$47,722,330*	~~$49,373,983~~ *$56,893,861*		
	Special	$3,089,834	$3,089,834		
	Dedicated Special Revenue	$2,400,000	$900,000		
	Federal Trust	$53,957,779	$53,957,779		

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	§ 1-42. DEPARTMENT OF LABOR AND INDUSTRY (181)				
114.	Economic Development Services (53400)			$894,546	$894,546
	Apprenticeship Program (53409)	$894,546	$894,546		
	Fund Sources: General	$894,546	$894,546		
	Authority: Title 40.1, Chapter 6, Code of Virginia.				
115.	Regulation of Business Practices (55200)			$547,416	~~$459,416~~ *$767,622*
	Labor Law Services (55206)	$547,416	~~$459,416~~ *$767,622*		
	Fund Sources: General	$547,416	~~$459,416~~ *$767,622*		
	Authority: Title 40.1, Chapters 1, 3, 4, and 5, Code of Virginia.				
	It is the intent of the General Assembly that the Commissioner shall, immediately upon final passage of the 2013 Appropriation Act, reconstitute the Payment of Wage Section of the Labor and Employment Law Division, and beginning on July 1, 2013 reinstate the investigation and resolution of any and all complaints filed as provided by Chapter 3 of Title 40.1, Code of Virginia.				
116.	Regulation of Individual Safety (55500)			$9,095,591	~~$9,095,591~~ *$9,229,729*
	Virginia Occupational Safety and Health Services (55501)	$9,095,591	~~$9,095,591~~ *$9,229,729*		
	Fund Sources: General	$2,988,888	$2,988,888		
	Special	$807,219	$807,219		
	Federal Trust	$5,299,484	~~$5,299,484~~ *$5,433,622*		
	Authority: Title 40.1, Chapters 1, 3, 3.2, and 3.3; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.				
	Notwithstanding § 40.1-49.4 D, Code of Virginia, and § 4-2.02 of this act, the Department of Labor and Industry may retain up to $481,350 in civil penalties assessed pursuant to § 40.1-49.4 as the required federal grant match for voluntary protection and voluntary compliance programs.				
117.	Regulation of Structure Safety (56200)			$486,805	$486,805
	Boiler and Pressure Vessel Safety Services (56201)	$486,805	$486,805		
	Fund Sources: General	$486,805	$486,805		
	Authority: Title 40.1, Chapter 3.1, Code of Virginia.				
118.	Administrative and Support Services (59900)			$3,133,668	~~$3,225,714~~ *$2,930,532*
	General Management and Direction (59901)	$3,133,668	~~$3,225,714~~ *$2,930,532*		
	Fund Sources: General	$2,409,546	~~$2,501,592~~ *$2,206,410*		
	Special	$724,122	$724,122		
	Authority: Title 40.1, Chapters 1, 3, 3.1, 3.2, 3.3, 4, 5, and 6; Title 54.1, Chapter 5; Title 59.1, Chapter 30, Code of Virginia.				

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	Total for Department of Labor and Industry			**$14,158,026**	**~~$14,162,072~~** ***$14,309,234***
	General Fund Positions	113.51	~~113.51~~ *119.51*		
	Nongeneral Fund Positions	71.49	71.49		
	Position Level	185.00	~~185.00~~ *191.00*		
	Fund Sources: General	$7,327,201	~~$7,331,247~~ *$7,344,271*		
	Special	$1,531,341	$1,531,341		
	Federal Trust	$5,299,484	~~$5,299,484~~ *$5,433,622*		

§ 1-43. DEPARTMENT OF MINES, MINERALS AND ENERGY (409)

119.	Minerals Management (50600)			$27,389,986	~~$27,389,986~~ *$27,239,986*
	Geologic and Mineral Resource Investigations, Mapping, and Utilization (50601)	$1,044,591	$1,044,591		
	Mineral Mining Environmental Protection, Worker Safety and Land Reclamation (50602)	$2,554,389	~~$2,554,389~~ *$2,504,389*		
	Gas and Oil Environmental Protection, Worker Safety and Land Reclamation (50603)	$1,578,884	$1,578,884		
	Coal Environmental Protection and Land Reclamation (50604)	$17,561,186	~~$17,561,186~~ *$17,511,186*		
	Coal Worker Safety (50605)	$4,650,936	~~$4,650,936~~ *$4,600,936*		
	Fund Sources: General	$8,563,612	~~$8,563,612~~ *$8,413,612*		
	Special	$5,650,695	$5,650,695		
	Trust and Agency	$525,000	$525,000		
	Dedicated Special Revenue	$173,000	$173,000		
	Federal Trust	$12,477,679	$12,477,679		

Authority: Title 45.1, Code of Virginia.

A. Out of this appropriation, $31,224 the first year and $31,224 the second year from special funds shall be provided for annual membership dues to the Interstate Mining Compact Commission.

B. Out of this appropriation shall be provided reimbursement for expenses associated with administrative and judicial review when so ordered by a court of competent jurisdiction.

C. Out of this appropriation, $6,119 the first year and $6,119 the second year from the general fund shall be provided for annual membership dues to the Interstate Oil and Gas Compact Commission.

D. The application fee for a coal mine license or a renewal or transfer of a license pursuant to § 45.1-161.58, Code of Virginia, shall be in the amount of $350.

E. The application fee for a mineral mine license or a renewal or transfer of a license pursuant to § 45.1-161.292:31, Code of Virginia, shall be in the amount of $400, except applications submitted electronically, which shall be accompanied by a fee of $330. However, the fee for any person engaged in mining sand or gravel on an area of five acres or less shall be required to pay a fee of $100, except applications submitted electronically, which shall be accompanied by a fee of $80.

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F. The application fee for a new oil or gas well permit pursuant to § 45.1-361.29, Code of Virginia, shall be in the amount of $600 and the application fee for permit modifications shall be $300.				
120. Resource Management Research, Planning, and Coordination (50700)			$2,912,973	~~$2,412,973~~ *$3,412,973*
Energy Conservation and Alternative Energy Supply Programs (50705)	$2,912,973	~~$2,412,973~~ *$3,412,973*		
Fund Sources: General	$861,101	~~$361,101~~ *$1,361,101*		
Special	$95,978	$95,978		
Federal Trust	$1,955,894	$1,955,894		
Authority: Title 45.1, Chapter 26, Code of Virginia.				
A. Out of this appropriation, $38,362 the first year and $38,362 the second year from the general fund shall be provided for dues and expenses for the Southern States Energy Board.				
B. To defray the costs of implementing the Virginia Energy Management Program, the Department of Mines, Minerals and Energy is authorized to have included in state fuel oil, natural gas, electricity, and similar energy contracts a provision for suppliers to collect from using agencies and remit to the department an administrative surcharge. The surcharge shall reflect the department's actual costs to administer the program. Additionally, the department is authorized, consistent with federal funding rules, to distribute energy-related federal funds as grants or as loans to other state or nonstate agencies for use in financing energy-related projects, and to recover from the recipient an administrative service charge to recover the department's costs of administering such grant or loan programs.				
C. Out of this appropriation, $500,000 the first year from the general fund shall be provided for research and development to accelerate and assist private development of the Virginia Wind Energy Area.				
121. Administrative and Support Services (59900)			$3,804,803	~~$3,807,749~~ *$3,796,974*
General Management and Direction (59901)	$3,804,803	~~$3,807,749~~ *$3,796,974*		
Fund Sources: General	$2,331,405	~~$2,334,351~~ *$2,214,279*		
Special	$1,181,698	~~$1,181,698~~ *$1,290,995*		
Dedicated Special Revenue	$291,700	$291,700		
Authority: Title 45.1, Chapter 14.1, Code of Virginia.				
Total for Department of Mines, Minerals and Energy			**$34,107,762**	~~**$33,610,708**~~ ***$34,449,933***
General Fund Positions	154.03	154.03		
Nongeneral Fund Positions	78.97	78.97		
Position Level	233.00	233.00		
Fund Sources: General	$11,756,118	~~$11,259,064~~ *$11,988,992*		
Special	$6,928,371	~~$6,928,371~~ *$7,037,668*		
Trust and Agency	$525,000	$525,000		
Dedicated Special Revenue	$464,700	$464,700		
Federal Trust	$14,433,573	$14,433,573		

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	§ 1-44. DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL REGULATION (222)				
122.	Regulation of Professions and Occupations (56000)			$22,112,574	$22,153,069
	Licensure, Certification, and Registration of Professions and Occupations (56046).....	$6,878,855	$6,900,699		
	Enforcement of Licensing, Regulating and Certifying Professions and Occupations (56047).....	$6,927,875	$6,927,875		
	Administrative Services (56048)	$8,305,844	$8,324,495		
	Fund Sources: Special.....	$1,249,589	$1,249,589		
	Dedicated Special Revenue.....	$20,527,985	$20,568,480		
	Federal Trust.....	$335,000	$335,000		
	Authority: Title 54.1, Chapters 1, 2, 3, 4, 5, 6, 7, 8.1, 9, 11, 14, 15, 17, 18, 20.1, 21, 22, 22.1, 23, 23.1, and 23.2; Title 55, Chapters 4.1, 4.2, 19, 21, 24, 26, 27, 28, and 29; and Title 36, Chapter 5.1, Code of Virginia.				
	Costs for professional and occupational regulation may be met by fees paid by the respective professions and occupations.				
	Total for Department of Professional and Occupational Regulation.....			**$22,112,574**	**$22,153,069**
	Nongeneral Fund Positions.....	203.00	203.00		
	Position Level	203.00	203.00		
	Fund Sources: Special.....	$1,249,589	$1,249,589		
	Dedicated Special Revenue.....	$20,527,985	$20,568,480		
	Federal Trust.....	$335,000	$335,000		
	§ 1-45. VIRGINIA ECONOMIC DEVELOPMENT PARTNERSHIP (310)				
123.	Economic Development Services (53400).....			$17,849,466	~~$18,044,466~~ *$17,343,246*
	Economic Development Services (53412).....	$17,849,466	~~$18,044,466~~ *$17,343,246*		
	Fund Sources: General.....	$17,849,466	~~$18,044,466~~ *$17,343,246*		
	Authority: Title 2.2, Chapter 22, Article 4 and Chapter 51; and § 15.2-941, Code of Virginia.				
	A. Upon authorization of the Governor, the Virginia Economic Development Partnership may transfer funds appropriated to it by this act to a nonstock corporation.				
	B. Prior to July 1 of each fiscal year, the Virginia Economic Development Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the Partnership shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all partnership employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.				
	C. In developing the criteria for any pay for performance plan, the board shall include, but not be limited to, these variables: 1) the number of economic development prospects committed to move to or expand operations in Virginia; 2) dollar investment made in Virginia for land acquisition, construction, buildings, and equipment; 3) number of full-time jobs directly related to an economic development project; and 4) location of the project. To that end, the pay for performance plan shall be weighted to recognize and reward employees who successfully recruit new economic development prospects or cause existing prospects to expand operations in localities with fiscal stress greater than the statewide average. Fiscal Stress shall be based on the Index published by the Commission on Local Government. If a prospect is physically				

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located in more than one contiguous locality, the highest Fiscal Stress Index of the participating localities will be used.

D.1. The Virginia Economic Development Partnership shall report before the General Assembly convenes in January of each year on the status of the implementation of the state's comprehensive economic development strategy, and shall recommend legislative actions related to the implementation of the comprehensive economic development strategy. The report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, and shall include the number of site visits made by employees of the Virginia Economic Development Partnership with potential economic development prospects.

2. The Virginia Economic Development Partnership shall identify and target industries suited for location in the southside and southwest regions of the state.

E. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

F. The Virginia Economic Development Partnership shall provide administrative and support services for the Virginia Tourism Authority as prescribed in the Memorandum of Agreement until July 1, 2014, or until the authority is able to provide such services.

G. The Virginia Economic Development Partnership shall report one month after the close of each quarter to the Chairmen of the Senate Finance and House Appropriations Committees on the Governor's Development Opportunity Fund. The report shall include, but not be limited to, total appropriations made or transferred to the fund, total grants awarded, cash balances, and balances available for future commitments.

H. The Virginia Coalfield Economic Development Authority is authorized to spend funds provided by Chapters 91 and 1066 of the Acts of Assembly of 2000, which extended the coalfield employment enhancement tax credit, for workforce development and training.

I. Prior to purchasing airline and hotel accommodations related to overseas trade shows, the Virginia Economic Development Partnership shall provide an itemized list of projected costs for review by the Secretary of Commerce and Trade.

J. The amounts for Economic Development Services include $500,000 the first year and $500,000 the second year from the general fund to market distressed areas of the Commonwealth.

K. Out of the amounts for Economic Development Services shall be provided $215,000 the first year and $215,000 the second year from the general fund to assist small manufacturers with the export of advanced manufacturing products.

L. Out of the amounts for economic development services shall be provided $500,000 the first year and $500,000 the second year from the general fund for an expanded international and domestic marketing campaign to market Virginia to attract additional businesses to the Commonwealth.

M. Out of this appropriation, $195,000 in the second year from the general fund shall be provided to assist in the establishment of a Center for Manufacturing in the Shenandoah Valley region of Virginia. Of this amount, $150,000 shall be used to fund the costs of a director and administrative assistant for the Center and $45,000 shall be used for operating expenses. Additional funding to support this effort shall be provided by private and local government entities participating in this consortium.

N. The Virginia Economic Development Partnership shall investigate additional ways in which it might encourage the export of products and services from the Commonwealth to international markets, including researching potential methods through which to support broader availability of bridge loans and shipment insurance for Virginia exporters.

O. The Department of Business Assistance (DBA), the Innovative and Entrepreneurship Investment Authority (IEIA), the Virginia Tourism Authority (VTA), and the Virginia Economic

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Development Partnership (VEDP) shall cooperatively develop a marketing campaign to attract and recognize entrepreneurs, small businesses, and emerging industry businesses. This campaign shall include developing (i) a welcome program to facilitate speedy completion of necessary business start-up functions, including licensing, facilities location, employee relocation guides, and business support services; (ii) a recruitment campaign to target industry segments for pursuit, to identify potential incentives for the establishment, location, or relocation of these companies, and to showcase assets such as economic incentives and regional living condition profiles and asset profiles, including universities, technology councils, venture firms, and research institutes; and (iii) an operational plan and schedule to carry out such a campaign. The DBA, IEIA, VTA, and VEDP shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2013 on any recommendations to implement such a program and enumerate any impediments or costs associated with these activities.				
Total for Virginia Economic Development Partnership....			**$17,849,466**	**~~$18,044,466~~** ***$17,343,246***
Fund Sources: General.....	$17,849,466	~~$18,044,466~~ *$17,343,246*		
§ 1-46. VIRGINIA EMPLOYMENT COMMISSION (182)				
124. Workforce Systems Services (47000).....			$719,873,520	$609,247,894
Job Placement Services (47001).....	$34,724,500	$34,724,500		
Unemployment Insurance Services (47002).....	$683,648,397	$573,022,771		
Workforce Development Services (47003).....	$1,500,623	$1,500,623		
Fund Sources: Special.....	$16,395,500	$5,545,500		
Trust and Agency.....	$703,478,020	$603,702,394		
Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.				
A. Revenues deposited into the Special Unemployment Compensation Administration Fund shall be used for the purposes set out in the following order of priority: 1) to make payment of any interest owed on loans from the U.S. Treasury for payment of unemployment compensation benefits; 2) to support essential services of the Commission, particularly in the event of reductions in federal funding; 3) to finance the cost of capital projects; and 4) to fund the discretionary fund established in § 60.2-315, Code of Virginia. Funding may be transferred from the capital budget to the operating budget consistent with this language.				
B. Reed Act funds distributed by the Balanced Budget Act of 1997 and credited to the unemployment trust fund with respect to federal fiscal years 2000, 2001, and 2002, under § 1103 of the Social Security Act (42 U.S.C.), as amended, shall be used only for the administration of the unemployment compensation program, under the direction of the Virginia Employment Commission and shall not be subject to the requirements of § 60.2-305, Code of Virginia.				
C. There is hereby appropriated out of the funds made available to this state under § 1103 of the Social Security Act (42 U.S.C.) as amended, the balance of the $51,067,866 of Reed Act funds, if any, provided in Item 120 E. of Chapter 847, 2007 Acts of Assembly, for upgrading obsolete information technology systems, to include staff costs. This appropriation is subject to the provisions of § 60.2-305, Code of Virginia. Savings as a result of the new systems shall be retained by the commission.				
D. As a result of the Commonwealth borrowing from the Federal Unemployment Account to make mandatory unemployment benefit payments to individuals, the state must make a payment estimated at $6,700,000 by September 30, 2012, to the federal government for interest owed on outstanding loan balances. The Virginia Employment Commission is hereby authorized to make the required interest payment from available nongeneral fund balances in the Special Unemployment Compensation Administration Fund.				
125. Economic Development Services (53400).....			$3,487,809	$3,487,809
Economic Information Services (53402).....	$3,487,809	$3,487,809		

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	Fund Sources: Special	$529,000	$529,000		
	Trust and Agency	$2,958,809	$2,958,809		
	Authority: Title 60.2, Chapters 1 through 6, Code of Virginia.				
126.	For payment to the Secretary of the Treasury of the United States to the credit of the federal unemployment trust fund established by the Social Security Act, to be held for the state upon the terms and conditions provided in the said Social Security Act, there is hereby appropriated the amount remaining in the clearing account of the Unemployment Compensation Fund created by § 60.2-301, Code of Virginia, after deducting the refunds payable therefrom pursuant to § 60.2-301, Code of Virginia, a sum sufficient.				
	Total for Virginia Employment Commission			**$723,361,329**	**$612,735,703**
	Nongeneral Fund Positions	865.00	865.00		
	Position Level	865.00	865.00		
	Fund Sources: Special	$16,924,500	$6,074,500		
	Trust and Agency	$706,436,829	$606,661,203		
	§ 1-47. VIRGINIA RACING COMMISSION (405)				
127.	Economic Development Services (53400)			$1,500,000	$1,500,000
	Financial Assistance to the Horse Breeding Industry (53411)	$1,500,000	$1,500,000		
	Fund Sources: Special	$1,500,000	$1,500,000		
	Authority: Title 59.1, Chapter 29, Code of Virginia.				
128.	Regulation of Horse Racing and Pari-Mutuel Betting (55800)			$1,917,726	$1,917,726
	License and Regulate Horse Racing and Pari-Mutuel Wagering (55801)	$1,917,726	$1,917,726		
	Fund Sources: Special	$1,917,726	$1,917,726		
	Authority: Title 59.1, Chapter 29, Code of Virginia.				

A. Out of this appropriation, the members of the Virginia Racing Commission shall receive compensation and reimbursement for their reasonable expenses in the performance of their duties, as provided in § 2.2-2104, Code of Virginia.

B. Notwithstanding the provisions of § 59.1-392, Code of Virginia, up to $255,000 the first year and $255,000 the second year shall be transferred to Virginia Polytechnic Institute and State University to support the Virginia-Maryland Regional College of Veterinary Medicine.

C. Any revenues received during the biennium and which are due to the commission pursuant to § 59.1-364 et seq., Code of Virginia, shall be used first to fund the operating expenses of the commission as appropriated in this Item. Any change in operating expenses as herein appropriated requires the approval of the Department of Planning and Budget. Any revenues in excess of amounts required for commission operations as appropriated under the provisions of this act and amounts payable to specific entities pursuant to § 59.1-392 and appropriated in paragraphs B and D of this Item, shall revert to the general fund.

D. Out of these amounts, the obligations set out in § 59.1-392 D. 5., D. 6., G. 5., G. 6., K. 3., K. 4., K. 5., N. 3., N. 4., and N. 5., Code of Virginia, shall be fully funded.

E. In the event revenues exceed the appropriated amounts in this Item, the Virginia Racing Commission is authorized to seek an administrative appropriation, up to $700,000, from the Director, Department of Planning and Budget, to develop programs or award grants for the promotion and marketing, sustenance and growth of the Virginia horse industry, including

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	horse breeding. In no event, however, shall any funds be expended for that purpose that would cause the reversion to the general fund required by Paragraph C above to fall below $734,356 the first year and $734,356 the second year.				
	Total for Virginia Racing Commission.....			**$3,417,726**	**$3,417,726**
	Nongeneral Fund Positions.....	10.00	10.00		
	Position Level	10.00	10.00		
	Fund Sources: Special.....	$3,417,726	$3,417,726		
	§ 1-48. VIRGINIA TOURISM AUTHORITY (320)				
129.	Tourist Promotion (53600)			$19,385,930	~~$19,313,612~~ *$19,363,612*
	Financial Assistance for Tourist Promotion (53606)	$72,500	$0		
	Tourist Promotion Services (53607)	$19,313,430	~~$19,313,612~~ *$19,363,612*		
	Fund Sources: General.....	$19,385,930	~~$19,313,612~~ *$19,363,612*		

Authority: Title 2.2, Chapter 22, Article 8, Code of Virginia.

A.1. The Department of Transportation shall pay to the Virginia Tourism Authority $1,100,000 each year for continued operation of the Welcome Centers. The Department of Transportation shall fund maintenance at each facility based on the agreed-upon service levels contained in the Memorandum of Agreement between the Virginia Tourism Authority and the Department of Transportation. Included in the amounts in this paragraph is $100,000 each year for maintenance of the Danville Welcome Center.

2. To the extent necessary to fund the operations of the Welcome Centers, the Virginia Tourism Authority is authorized to collect fees paid by businesses for display space at the Welcome Centers.

B. Upon authorization of the Governor, the Virginia Tourism Authority may transfer funds appropriated to it by this act to a nonstock corporation.

C. Prior to July 1 of each fiscal year, the Virginia Tourism Authority shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a report of its operating plan. Prior to September 1 of each fiscal year, the authority shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget a detailed expenditure report and a listing of the salaries and bonuses for all authority employees for the prior fiscal year. All three reports shall be prepared in the formats as previously approved by the Department of Planning and Budget.

D. The State Comptroller shall disburse the first and second year appropriations in twelve equal monthly installments. The Director, Department of Planning and Budget may authorize an increase in disbursements for any month, not to exceed the total appropriation for the fiscal year, if such an advance is necessary to meet payment obligations.

E. Out of the amounts for Tourist Promotion shall be provided $1,700,000 the first year and $1,700,000 the second year from the general fund to promote the Virginia tourism industries. These funds shall be used, among other purposes, to initiate strategies to expand growth tourism industries such as Virginia history tours, wine and epicurean tours and other packaged travel itineraries.

F. Out of the amounts for Tourist Promotion shall be provided $1,700,000 the first year and $1,700,000 the second year from the general fund for grants to regional and local tourism authorities and other tourism entities to support their efforts. From the grants provided from the amounts included in this paragraph, priority consideration shall be given to funding for up to $500,000 *each year* for the City of Portsmouth for a regional tourism entity, and funding for the Coalfield Regional Tourism Authority, the Daniel Boone Visitor Center, and events

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sponsored by Special Olympics Virginia.

G. The Virginia Tourism Authority shall place a high priority on marketing rural areas of the state.

H. Out of the amounts for Tourist Promotion shall be provided $22,500 the first year from the general fund for the Coalfield Regional Tourism Authority.

I. Out of the amounts for Tourist Promotion shall be provided $50,000 the first year from the general fund for the Daniel Boone Visitor Center.

J. Out of the amounts for Tourist Promotion, $500,000 the first year and $500,000 the second year from the general fund shall be used to expand electronic marketing of Virginia tourism and conduct major media events with travel industry partners and maintain Welcome Center operations.

K. Out of the amounts provided for Tourist Promotion shall be provided $3,100,000 in the first year and $3,100,000 in the second year from the general fund to supplement appropriations to promote Virginia's tourism industries through an enhanced advertising campaign. Of these amounts, at least $1,000,000 the first year and $1,000,000 the second year shall be used to establish and implement a cooperative advertising program to partner with private sector tourism businesses and regional tourism entities to advertise Virginia as a tourism destination. The state dollars shall be used to incentivize private and regional tourism marketing funds on a $1.00 for $1.00 basis whereby the Virginia Tourism Corporation shall enter into agreements to undertake joint advertising purchases to promote Virginia and specific facilities with private sector and regional partners.

L. Out of the amounts provided for Tourist Promotion shall be provided $877,556 the first year and ~~$877,556~~ *$405,012* the second year from the general fund to promote and advertise tourism in Virginia through a competitively awarded public-private partnership program, matched on at least a three to one basis by each recipient. These amounts include $577,556 in the first year and ~~$577,556~~ *$130,012* in the second year for "See Virginia First," a partnership operated by the Virginia Association of Broadcasters to advertise Virginia Tourism, provided the Association contributes a total of at least $1,732,668 in television and radio advertising value to promote tourism in Virginia in ~~each fiscal~~ *the first* year *and $240,036 in the second year*. Also included in these amounts is $100,000 the first year and $100,000 the second year to promote Virginia Parks, $100,000 the first year and $100,000 the second year to promote Virginia's wineries, and $75,000 in the first year and $75,000 in the second year for outdoor advertising.

M. Of the amounts provided for Tourism Promotion shall be provided $497,544 the second year from the general fund to purchase media in the Washington, D.C., Virginia, and Baltimore, Maryland markets through the "See Virginia First," a partnership operated by the Virginia Association of Broadcasters, in association with its affiliates in other states in the region, provided that the Association can obtain contributions of at least $1,492,632 in television, radio and station-related internet advertising value to promote tourism in Virginia..

Total for Virginia Tourism Authority.....			**$19,385,930**	**~~$19,313,612~~** ***$19,363,612***
Fund Sources: General.....	$19,385,930	~~$19,313,612~~ *$19,363,612*		
TOTAL FOR OFFICE OF COMMERCE AND TRADE.....			**~~$1,014,160,479~~** ***$1,012,100,500***	**~~$904,385,676~~** ***$910,869,419***
General Fund Positions.....	364.44	~~364.44~~ *370.44*		
Nongeneral Fund Positions.....	1,294.56	~~1,294.56~~ *1,298.56*		
Position Level	1,659.00	~~1,659.00~~ *1,669.00*		

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Fund Sources: General	~~$172,854,865~~	~~$175,537,337~~		
	$170,794,886	*$181,506,890*		
Special	$34,024,553	~~$23,174,553~~		
		$23,283,850		
Trust and Agency	$706,961,829	$607,186,203		
Dedicated Special Revenue	$26,293,396	~~$24,461,747~~		
		$24,732,502		
Federal Trust	$74,025,836	~~$74,025,836~~		
		$74,159,974		

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OFFICE OF EDUCATION				
§ 1-49. SECRETARY OF EDUCATION (185)				
130. Administrative and Support Services (79900).....			$1,206,508	~~$607,073~~ *$1,207,073*
General Management and Direction (79901).....	$1,206,508	~~$607,073~~ *$1,207,073*		
Fund Sources: General.....	$1,206,508	~~$607,073~~ *$1,207,073*		

Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.

A. The Secretary of Education is hereby authorized to make allocations to qualified zone academies of the portion of the national zone academy bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to Section 1397E of the Internal Revenue Code of 1986, as amended, and to provide for carryovers of any unused limitation amount. In making such allocations, the Secretary of Education is directed to give priority to allocation requests for qualified zone academies having at least 35 percent free lunch participation or either located in federal enterprise communities or located in cities and counties within which federal enterprise communities are located.

B. The Secretary of Education is hereby authorized to make allocations of the portion of the tax-exempt private activity bond limitation amount to be allocated annually to the Commonwealth of Virginia pursuant to the Economic Growth and Tax Relief Reconciliation Act of 2001 (PL 107-16)(Section 142(k)(5) of the Internal Revenue Code of 1986, as amended) for the development of education facilities using public-private partnerships, and to provide for carryovers of any unused limitation amount. In making such allocations, the Secretary is directed to give priority to public-private partnership proposals that will serve as demonstration projects concerning the leveraging of private sector contributions and resources, the achievement of economies or efficiencies associated with private sector innovation, and other benefits that are or may be derived from public-private partnerships in contrast to more traditional approaches to public school construction and renovation. The Secretary is directed to report annually not later than August 31 to the Chairmen of the Senate Finance and House Appropriations Committees regarding any guidelines implemented and any allocations made pursuant to this paragraph.

C. Out of this appropriation, $600,000 the first year *and $600,000 the second year* from the general fund is designated to plan for the development and ~~establishment~~ *implementation* of innovative education programs and to promote greater cooperation and coordination among institutions of higher education in developing programs for students in preschool to grade 12 through the establishment of College Partnership Laboratory Schools pursuant to Chapter 871 of the 2010 Acts of Assembly. The Secretary of Education is authorized to select institutions of higher education to receive funding provided in this Item.

D. It is the goal of the Commonwealth to become a leader in the modeling and simulation arena. To that end, the Secretary of Education with the cooperation of the Secretaries of Finance, Commerce and Trade, and Technology, their associated agencies, and the Innovation and Entrepreneurship Investment Authority, shall convene a workgroup consisting of representatives from both Virginia's public and private higher education institutions and private industry to determine the methodology upon which the following desired outcomes may be achieved: capitalization and expansion of the Commonwealth's current modeling and simulation assets, identification of collaborative opportunities for applied research and commercialization throughout Virginia, leveraging of multiple resources supporting modeling and simulation efforts through a single source, and the flexibility to accommodate rapid scenario development and teamwork among the academic and business arenas. The Secretary shall report the status of the workgroup's modeling and simulation activities and the resulting outcomes to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by October 1 of each year.

E. Notwithstanding any other provision of law, the expiration date for the Commission on Civics Education is hereby extended to June 30, 2013.

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F. For the funds identified for reallocation in each of the higher education institutions' educational and general programs, each respective institution shall report the amounts and the specific purposes for which they were used in its six-year academic plans finalized in the fall of 2012 and the fall of 2013.

G. The Secretary of Education, in consultation with the Higher Education Advisory Committee, Secretary of Finance, Director of the Department of Planning and Budget, Executive Director of the State Council of Higher Education for Virginia, Staff Director of the House Committee on Appropriations, and Staff Director of the Senate Committee on Finance, or their designees, shall present to the Governor and the Chairmen of House Appropriations and Senate Finance Committees, no later than September 15, 2013, a long-term funding policy for higher education in Virginia consistent with the goals and guidelines set forth in the Virginia Higher Education Opportunity Act of 2011.

H. The Secretary of Education, in consultation with the Virginia Community College System and the Board of Education, is authorized to coordinate with other stakeholders from school divisions, higher education institutions, and the private business sector to consider and review potential planning steps necessary to develop and implement a conceptual model for an Integrated School of the Future. Elements of the new blended model for a school campus would include, but not be limited to, a cohesive approach to learning that infuses engineering and mathematical principles across all curriculum areas and a focus on providing state-of-the-art technology learning opportunities that ensure both secondary and post-secondary students will be equipped for the demands of the current and future workplace.

Total for Secretary of Education			**$1,206,508**	**~~$607,073~~**
				$1,207,073
General Fund Positions	5.00	5.00		
Position Level	5.00	5.00		
Fund Sources: General	$1,206,508	~~$607,073~~		
		$1,207,073		

§ 1-50. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)

131. Instructional Services (18100)			~~$20,282,491~~	~~$20,282,491~~
			$18,235,009	*$18,559,953*
Public Education Instructional Services (18101)	~~$11,846,286~~	~~$11,846,286~~		
	$9,880,173	*$9,984,926*		
Program Administration and Assistance for Instructional Services (18102)	$6,775,334	~~$6,775,334~~		
		$6,995,525		
Adult Education and Literacy (18104)	~~$1,660,871~~	~~$1,660,871~~		
	$1,579,502	*$1,579,502*		
Fund Sources: General	$5,346,019	~~$5,346,019~~		
		$5,670,963		
Special	~~$1,341,376~~	~~$1,341,376~~		
	$300,000	*$300,000*		
Commonwealth Transportation	$243,919	$243,919		
Trust and Agency	$5,000	$5,000		
Federal Trust	~~$13,346,177~~	~~$13,346,177~~		
	$12,340,071	*$12,340,071*		

Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code.

Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code.

Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code.

Adult Education and Literacy: §§ 2.2-2670, 22.1-223-226, 22.1-253.13:1, 22.1-254.2, Code of

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Virginia; P.L. 105-220, Federal Code.

A. The Superintendent of Public Instruction is encouraged to implement school/community team training.

B. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices.

C. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce.

D. Notwithstanding § 4-1.04 a 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards.

E. Out of the amounts for Public Education Instructional Services, $100,000 the first year and $100,000 the second year from the general fund is provided for the Career Pathways Program.

F. 1. Out of the appropriations in this item, $1,500,000 the first year and $1,500,000 the second year from the general fund is provided to support students and teachers pursuing information technology industry certifications through an information technology academy model. The funding is provided for the information technology academy model and shall be used to provide outreach, training, instructional resources, industry recognized certification opportunities for teachers and students enrolled in Virginia public high schools and regional career and technical education programs, and information technology curriculum resources for use by students' parents.

2. The funds provided in this initiative shall be used to support the following priority objectives: a) increase the percentage of students enrolled in career and technical education courses who receive instruction in the information technology academy program leading to an increased number of students achieving industry recognized certifications in information technology; b) increase the number of high schools and regional career and technical education programs that receive the training and technical support to be ready to implement the information technology academy model leading to increased statewide implementation and use; c) increase the number of teachers teaching targeted career and technical education courses and other high school teachers who receive training in the information technology academy program and in industry recognized certifications leading to an increased number of teachers achieving industry recognized certifications in information technology; and, d) support implementation of the information technology academy program in school divisions in Southside and Southwest Virginia so that implementation in those regions is at least comparable to implementation in other regions of Virginia.

G. Out of this appropriation, $220,191 the second year from the general fund is provided to establish the Virginia Center for Excellence in Teaching. The Department of Education will solicit competitive proposals for funding from institutions of higher education to create and operate the Center. The Center will offer a series of residential summer professional development academies for exemplary teachers. The curriculum developed for the academies will incorporate national issues, current research, and trends in education aligned with the focus areas of instructional supervision, strategies for school improvement, addressing the learning needs of diverse populations, assessment practices and use of data to drive instructional decision making, grant utilization and partnership opportunities, and community outreach. The Center will incorporate experiential learning through exploration of case studies on educational policy and instructional leadership. To be eligible to attend the Center, teachers must meet the following criteria: 1) hold a teaching license issued by the Virginia Department of Education; 2) have a minimum of 5 years of successful teaching experience; 3) a consistent record of effective instruction; and 4) demonstrated leadership ability. The institution of higher education selected to create and operate the Center will be responsible for the selection of teachers to attend the academies.

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132.	Special Education and Student Services (18200)			~~$13,211,784~~ *$12,825,359*	~~$13,211,784~~ *$13,102,359*
	Special Education Instructional Services (18201)	~~$8,342,014~~ *$8,000,000*	~~$8,342,014~~ *$8,000,000*		
	Special Education Administration and Assistance Services (18202)	$510,001	$510,001		
	Special Education Compliance and Monitoring Services (18203)	$2,528,393	$2,528,393		
	Student Assistance and Guidance Services (18204)	~~$1,831,376~~ *$1,786,965*	~~$1,831,376~~ *$2,063,965*		
	Fund Sources: *General*	*$0*	*$277,000*		
	Special	~~$164,411~~ *$120,000*	~~$164,411~~ *$120,000*		
	Federal Trust	~~$13,047,373~~ *$12,705,359*	~~$13,047,373~~ *$12,705,359*		

Authority: Special Education Instructional Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Administration and Assistance Services: §§ 22.1-253.13:1 through 22.1-253.13:8, Code of Virginia; P.L. 108-446, Federal Code.

Special Education Compliance and Monitoring Services: §§ 22.1-213 through 22.1-221, 22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L. 108-446, Federal Code.

Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ 22.1-16.2, 22.1-17.1, 22.1-17.2, 22.1-199.4, 22.1-206, 22.1-207.1, 22.1-208.01, 22.1-209.1, 22.1-209.2, Code of Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.

A. The Department of Education, in collaboration with the Office of Comprehensive Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the special education services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local school divisions. In addition, the Department of Education shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B. The Board of Education shall consider the caseload standards for speech-language pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.

C. The Board of Education shall consider the inclusion of instructional positions needed for blind and visually impaired students enrolled in public schools and shall consider developing a caseload requirement for these instructional positions as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of Virginia.

D. Out of this appropriation, $277,000 the second year from the general fund is provided to the Department of Education to develop and conduct statewide training for public school teachers and administrators on implementation of an effective schoolwide discipline system that reduces disruptive behavior in the classroom.

133.	Pupil Assessment Services (18400)			~~$37,862,844~~ *$39,950,255*	~~$37,862,844~~ *$39,950,255*
	Test Development and Administration (18401)	~~$37,862,844~~ *$39,950,255*	~~$37,862,844~~ *$39,950,255*		
	Fund Sources: General	$29,254,449	$29,254,449		
	Special	~~$251,750~~ *$250,000*	~~$251,750~~ *$250,000*		

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Federal Trust	~~$8,356,645~~ *$10,445,806*	~~$8,356,645~~ *$10,445,806*		

Authority: § 22.1-253.13:3, sections C and E, Code of Virginia; P.L. 107-110, Federal Code.

A. Out of this appropriation, $28,080,678 the first year and $28,080,678 the second year from the general fund is provided to support the costs of contracts for test development, administration, scoring, and reporting as well as other program-related costs of the Standards of Learning testing program.

B. Notwithstanding any contrary provisions of law, the Department of Education shall not be required to administer the Stanford 9 norm-referenced test.

134. School and Division Assistance (18500)			~~$2,855,605~~ *$2,855,169*	~~$2,355,828~~ *$3,005,392*
School Improvement (18501)	$999,136	~~$499,359~~ *$1,149,359*		
School Nutrition (18502)	$1,532,843	$1,532,843		
Pupil Transportation (18503)	~~$323,626~~ *$323,190*	~~$323,626~~ *$323,190*		
Fund Sources: General	$1,414,503	~~$914,726~~ *$1,564,726*		
Special	~~$31,436~~ *$31,000*	~~$31,436~~ *$31,000*		
Federal Trust	$1,409,666	$1,409,666		

Authority: School Improvement: §22.1-253.13:1 et seq., Code of Virginia; P. L. 107-110, Federal Code.

School Nutrition: §§ 22.1-24, 22.1-89.1, and 22.1-207.3, Code of Virginia; P.L. 79-396, P.L. 89-642, P.L. 108-265, Federal Code.

Pupil Transportation: Title 22.1, Chapter 12, and Title 46.2, Code of Virginia; P. L. 103-272 and P.L. 109-20, Federal Code.

A. This appropriation includes $790,280 the first year and ~~$290,503~~ *$790,503* the second year from the general fund for contractual services related to assisting schools that do not meet the Standards of Accreditation as prescribed by the Board of Education.

B. Notwithstanding the provisions of § 2.2-1502.1, Code of Virginia, the Board of Education, in cooperation with the Department of Planning and Budget, is authorized to invite a school division to participate in the school efficiency review program described in § 2.2-1502.1, Code of Virginia, as a component of a division level academic review pursuant to § 22.1-253.13:3, Code of Virginia. Commencing in FY 2006, when a school division elects to undergo a school efficiency review pursuant to this provision, the school division shall not be charged the 50 percent for the costs of such review commencing with FY 2012. However, a school division shall pay a separate 25 percent of the total costs of such review if the school division's superintendent or superintendent's designee has not certified that at least half of the recommendations have been initiated within 24 months after the completion of the review.

C.1. Out of this appropriation, $150,000 the second year from the general fund is provided to the Department of Education to support implementation of the Opportunity Educational Institution. The Institution shall be established to provide an appropriate education for children attending any public elementary or secondary school that has been transferred to the Institution pursuant to § 22.1-27.2, Code of Virginia. The Institution shall be administered and supervised by the Opportunity Educational Institution Board, as established in § 22.1-27.1, Code of Virginia. The Board, in administering and supervising the Institution, shall be vested with all of the powers and duties of a local school board that are set forth in the Constitution of Virginia and Code of Virginia. The accounts of the Opportunity Educational Institution shall be audited annually by the Auditor of Public Accounts, or his legally authorized representative.

2. Any school that has been denied accreditation for the previous two school years shall be

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transferred to the Opportunity Educational Institution.

3. The Board shall supervise and operate schools in the Opportunity Educational Institution in whatever manner that it determines to be most likely to achieve full accreditation for each school in the Institution, including the utilization of charter schools and college partnership laboratory schools.

4. Each school transferred to the Opportunity Educational Institution shall be eligible to return to the local school division upon achieving full accreditation.

5. At the end of each school year, the Board shall make a report to the Governor and the General Assembly and the resident local school division setting forth the status of each school in the Institution, the nature of its faculty and administration, the size of its student body, its organizational and management structure, and the levels of improvement in student academic performance.

6. No later than six months prior to the expiration of a school's fifth year in the Institution, the Board shall decide whether to retain the school in the Institution for a specified number of additional school years or transfer the school back to its previous local school division.

7. Each student enrolled in a school under the supervision of the Institution shall have his proportionate state, local, and federal shares of per pupil funding transferred from the local school division of residence to the Institution. The proportional share of such per pupil funding transferred shall consist of (i) any accounts paid on the basis of student enrollment, including fall membership, March 31 average daily membership, and school-aged population; (ii) the proportionate share of applicable federal aid programs allocated for students and teachers in the Institution, including Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 et seq.), Title I of the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 et seq.), and the Teacher Training Grant Program pursuant to part A of Title II of the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 et seq.); (iii) the proportionate share of state monies that are allocated under other applicable Direct Aid to Public Education programs and that are not included in subpart (i) of this subsection; (iv) the per pupil required local effort for the Standards of Quality programs; (v) the per pupil required local match for any optional direct aid programs in which the school division participates that are applicable to the enrollment of the Institution; and (vi) any other proportionate share of local funding not included in subparts (iv) and (v) of this subsection that would otherwise be provided for such students enrolled in the school if the school had remained under the supervision of the local school board.

8. The Institution and the local school division of residence shall take all actions necessary to facilitate transfer of funding as prescribed in subsection A on a schedule that is sufficient for the operation of the Institution. For any school under the supervision of the Institution, the Institution shall certify to the applicable local school division of residence the enrollment of any such school on a schedule that is sufficient for the timely transfer of such payments. The Institution shall also be responsible for submitting to the resident school division any data necessary to meet any local, state, and federal reporting requirements.

9. Students enrolled in a school under the supervision of the Institution shall be included in all applicable enrollment counts of the local school division of residence. Such students shall be counted in the required local effort of Standards of Quality programs and any required local match for optional programs applicable to the local school division of residence.

135. Technology Assistance Services (18600).....			~~$1,465,944~~	~~$1,465,944~~
			$1,482,944	*$1,482,944*
Instructional Technology (18601)	~~$350,654~~	~~$350,654~~		
	$367,654	*$367,654*		
Distance Learning and Electronic Classroom (18602).....	$1,115,290	$1,115,290		
Fund Sources: General.....	$1,083,372	$1,083,372		
Special.....	$105,000	$105,000		
Trust and Agency	$274,663	$274,663		
Federal Trust.....	~~$2,909~~	~~$2,909~~		
	$19,909	*$19,909*		

Authority: Instructional Technology: §§ 2.2-2426, 22.1-70.2, 22.1-199.1, 22.1-253.13:1 through

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22.1-253.13:8, Code of Virginia; P.L. 107-110, Federal Code.

Distance Learning and Electronic Classroom: § 22.1-212.2, Code of Virginia.

This appropriation includes $500,000 the first year and $500,000 the second year from the general fund for statewide digital content development, online learning, and related support services, as prescribed through contract with the Department of Education. All digital content produced and delivery of online learning shall meet criteria established by the Department of Education, meet or exceed applicable Standards of Learning, and be correlated to such state standards.

In developing the deliverables for each contract, the Department of Education shall consult with division superintendents or their designated representatives to assess school divisions' needs for digital content, online learning, teacher training, and support services that advance technology integration into the K-12 classroom, as well as for additional educational resources that may be made available to school divisions throughout the Commonwealth.

136. Teacher Licensure and Education (56600)			~~$2,953,072~~	~~$2,953,072~~
			$2,044,993	*$2,044,993*
Teacher Licensure and Certification (56601)	~~$2,597,912~~	~~$2,597,912~~		
	$1,693,493	*$1,693,493*		
Teacher Education and Assistance (56602)	~~$355,160~~	~~$355,160~~		
	$351,500	*$351,500*		
Fund Sources: General	$194,993	$194,993		
Special	~~$2,758,079~~	~~$2,758,079~~		
	$1,850,000	*$1,850,000*		

Authority: Teacher Licensure and Certification: §§ 22-1.16, 22.1-298, 22.1-299, 299.2, 22.1-299.3, 22.1-302, 22.1-303, 22.1-305.2, 22.1-316 to 22.1-318, Code of Virginia; P.L. 107-110, Federal Code.

Teacher Education and Assistance: §§ 22.1-290; 22.1-290.01; 22.1-290.1, 22.1-298, 22.1-305.2, 22.1-305.1, 23-9.2:3.4, Code of Virginia; P. L. 108-446 and P. L. 107-110, Federal Code.

A. Proceeds from the fee schedule for the issuance of teaching certificates shall be utilized to defray all, or any part of, the expenses incurred by the Department of Education in issuing or accounting for teaching certificates. The fee schedule shall take into account the actual costs of issuing certificates. Any portion of the general fund appropriation for this Item may be supplemented by such fees.

B. The Board of Education is authorized to approve changes in the licensure fee amounts charged to school personnel pursuant to 8VAC20-22-40 A.2.

137. Administrative and Support Services (19900)			~~$17,750,986~~	~~$17,554,406~~
			$16,341,391	*$16,786,615*
General Management and Direction (19901)	~~$3,572,480~~	~~$3,460,900~~		
	$3,740,818	*$3,729,238*		
Information Technology Services (19902)	~~$9,802,732~~	~~$9,902,732~~		
	$8,204,065	*$8,667,063*		
Accounting and Budgeting Services (19903)	~~$2,920,042~~	~~$2,735,042~~		
	$2,940,942	*$2,934,748*		
Policy, Planning, and Evaluation Services (19929)	~~$1,455,732~~	~~$1,455,732~~		
	$1,455,566	*$1,455,566*		
Fund Sources: General	$13,884,701	~~$13,688,121~~		
		$14,329,925		
Special	~~$1,857,007~~	~~$1,857,007~~		
	$1,806,690	*$1,806,690*		
Federal Trust	~~$2,009,278~~	~~$2,009,278~~		
	$650,000	*$650,000*		

Authority: Article VIII, Sections 2, 4, 5, 6, 8, Constitution of Virginia; Title 2.2, Chapters 10, 12, 29, 30, 31, and 32; Title 22.1, 22.1-8 through 20, 22.1-21 through 24; Title 51.1, Chapters

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4, 5, 6.1, and 11; Title 60.2, Chapters 60.2-100, 60.2-106; Title 65.2, Chapters 1, 6, and 9, Code of Virginia; P.L. 108-446, P.L. 107-110, Federal Code.

A. Out of this appropriation, $90,500 the first year and $90,500 the second year from the general fund is designated to support annual membership dues to the Education Commission of the States.

In addition, $5,000 the first year and $5,000 the second year from the general fund is designated to pay registration and travel expenses of citizens appointed as either Virginia commissioners for the Education Commission of the States or to the Southern Regional Education Board.

B. Out of this appropriation, $9,000 the first year and $9,000 the second year from the general fund, is designated to support annual membership dues to the Southern Regional Education Board.

C. Out of this appropriation $70,000 the first year and $70,000 the second year from the general fund is provided for the ~~personnel,~~ fees and travel expenses associated with the Interstate Compact on Educational Opportunity for Military Children, established pursuant to Chapter 187, of the 2009 Acts of Assembly.

D. The Department of Education is authorized to collect proceeds from the sale of educational resources it has developed, such as technology applications, on-line course content, assessments, and other educational content, to out-of-state individuals or entities and to in-state, for-profit entities. The Department of Education is further authorized to deposit such proceeds in a non-reverting special fund account established in its financial records for this purpose. Proceeds from such sales shall be expended by the Department of Education to further develop existing educational resources or to create new educational resources for the benefit of the commonwealth's public schools and which may also be sold under the provisions of this paragraph. Proceeds from the sale of any educational resources sold under the provisions of this paragraph that were developed using general funds shall be deposited to the general fund until the general fund cost of development is recovered. The Secretary of Administration shall authorize any licensing agreements executed by the Department of Education pursuant to this paragraph.

E. Out of this appropriation, $100,812 the first year and ~~$100,812~~ *$200,812* the second year from the general fund is provided to support the Innovative Education Technical Advisory Group to assist new applicants seeking to establish charter, college laboratory, or virtual schools*, or other instructional delivery or school governance models* in Virginia.

F. Out of this appropriation, $277,000 the first year and $138,500 the second year from the general fund shall be used to provide performance evaluation training to teachers, principals, division superintendents, and other affected school division personnel in support of the transition from continuing employment contracts to annual employment contracts for teachers and principals.

Total for Department of Education, Central Office Operations			~~$96,382,726~~ *$93,735,120*	~~$95,686,369~~ *$94,932,511*
General Fund Positions	136.00	136.00		
Nongeneral Fund Positions	178.50	178.50		
Position Level	314.50	314.50		
Fund Sources: General	$51,178,037	~~$50,481,680~~ *$52,375,428*		
Special	~~$6,509,059~~ *$4,462,690*	~~$6,509,059~~ *$4,462,690*		
Commonwealth Transportation	$243,919	$243,919		
Trust and Agency	$279,663	$279,663		
Federal Trust	~~$38,172,048~~ *$37,570,811*	~~$38,172,048~~ *$37,570,811*		

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Direct Aid to Public Education (197)				
138. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			~~$10,067,652~~ *$9,982,652*	~~$9,127,137~~ *$11,330,677*
Financial Assistance for Supplemental Education (14304)	~~$10,067,652~~ *$9,982,652*	~~$9,127,137~~ *$11,330,677*		
Fund Sources: General.....	~~$10,067,652~~ *$9,982,652*	~~$9,127,137~~ *$11,330,677*		

Authority: Discretionary Inclusion.

A. Out of this appropriation, the Department of Education shall provide $373,776 the first year and $373,776 the second year from the general fund for the Jobs for Virginia Graduates initiative.

B. Out of this appropriation, the Department of Education shall provide $124,011 the first year and $124,011 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. An additional $71,849 the first year and $71,849 the second year from the general fund is provided to the Consortium to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.

C. This appropriation includes $58,905 the first year and $58,905 the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.

D. An additional state payment of $145,896 the first year and $145,896 the second year from the general fund is provided as a Small School Division Assistance grant for the City of Norton. To receive these funds, the local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more educational, administrative or support service cost-sharing arrangements with another local school division.

E. Out of this appropriation, $298,021 the first year and $298,021 the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions.

F. It is the intent of the General Assembly that the Department of Education provide bonuses from state funds to classroom teachers in Virginia's public schools who hold certification from the National Board of Professional Teaching Standards. Such bonuses shall be $5,000 the first year of the certificate and $2,500 annually thereafter for the life of the certificate. This appropriation includes an amount estimated at ~~$5,185,000~~ *$5,100,000* the first year and ~~$5,185,000~~ *$5,310,000* the second year from the general fund for the purpose of paying these bonuses. By ~~September 30~~ *October 15* of each year, school divisions shall notify the Department of Education of the number of classroom teachers under contract for that school year that hold such certification.

G.1.*a.* This appropriation includes $708,000 the first year ~~and $708,000 the second year~~ from the general fund for the Virginia Teaching Scholarship Loan Program. These scholarships shall be for undergraduate students at or beyond the sophomore year in college with a cumulative grade point average of at least 2.7 who are nominated by their college and students at the graduate level and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for (i) critical teacher shortage disciplines, such as special education, chemistry, physics, earth and space science, foreign languages, or technology education or (ii) as students meeting the qualifications in § 22.1-290.01, Code of Virginia, who have been identified by a local school board to teach in any discipline or at any grade level in which the school board has determined that a shortage of teachers exists; however, such persons shall meet the qualifications for awards granted pursuant to this item; or (iii) those students seeking degrees in Career and Technical education.

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Minority students may be enrolled in any content area for teacher preparation and male students may be enrolled in any approved elementary or middle school teacher preparation program; therefore, this provision shall satisfy the requirements for the Diversity in Teaching Initiative and Fund, pursuant to Chapters 570, 597, 623, 645, and 719 of the Acts of Assembly of 2000. Scholarship recipients may fulfill the teaching obligation by accepting a teaching position (i) in one of the critical teacher shortage disciplines; or (ii) regardless of teaching discipline, in a school with a high concentration of students eligible for free or reduced price lunch; or (iii) in any discipline or at grade levels with a shortage of teachers; or (iv) in a rural or urban region of the state with a teacher shortage. For the purposes of this item, "critical teacher shortage area and discipline" means subject areas and grade levels identified by the Board of Education in which the demand for classroom teachers exceeds the supply of teachers, as defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship amounts are based on $3,720 per year for full-time students, and shall be prorated for part-time students based on the number of credit hours. The Board of Education is authorized to recover total funds awarded as scholarships or the appropriate proportion thereof in the event that scholarship recipients fail to honor the stipulated teaching obligation. The Department of Education shall report annually on the critical shortage teaching areas in Virginia.

b. This appropriation includes $708,000 the second year from the general fund for the Virginia Teaching Scholarship Loan Program. These scholarships shall be for undergraduate students at or beyond the sophomore year in college with a cumulative grade point average of at least 2.7, who were in the top 10 percent of their high school class, who are nominated by their college and students at the graduate level, and who meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia. Awards shall be made to students who are enrolled full-time or part-time in approved undergraduate or graduate teacher education programs for (i) critical teacher shortage disciplines, such as special education, chemistry, physics, earth and space science, foreign languages, or technology education or (ii) as students meeting the qualifications in § 22.1-290.01, Code of Virginia, who have been identified by a local school board to teach in any discipline or at any grade level in which the school board has determined that a shortage of teachers exists; however, such persons shall meet the qualifications for awards granted pursuant to this item; or (iii) those students seeking degrees in Career and Technical education. Minority students may be enrolled in any content area for teacher preparation and male students may be enrolled in any approved elementary or middle school teacher preparation program; therefore, this provision shall satisfy the requirements for the Diversity in Teaching Initiative and Fund, pursuant to Chapters 570, 597, 623, 645, and 719 of the Acts of Assembly of 2000. Scholarship recipients may fulfill the teaching obligation by accepting a teaching position (i) in one of the critical teacher shortage disciplines; or (ii) regardless of teaching discipline, in a school with a high concentration of students eligible for free or reduced price lunch; or (iii) in any discipline or at grade levels with a shortage of teachers; or (iv) in a rural or urban region of the state with a teacher shortage. For the purposes of this item, "critical teacher shortage area and discipline" means subject areas and grade levels identified by the Board of Education in which the demand for classroom teachers exceeds the supply of teachers, as defined in the Board of Education's Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship amounts are based on $10,000 per year for full-time students, and shall be prorated for part-time students based on the number of credit hours. The Board of Education is authorized to recover total funds awarded as scholarships or the appropriate proportion thereof in the event that scholarship recipients fail to honor the stipulated teaching obligation. The Department of Education shall report annually on the critical shortage teaching areas in Virginia.

2. The Department of Education shall make payments on behalf of the scholarship recipients directly to the Virginia institution of higher education where the scholarship recipient is enrolled full-time or part-time in an approved undergraduate or graduate teacher education program.

3. The Board of Education is authorized to recover total funds awarded as scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated teaching obligation. Any funds collected by the Board on behalf of this program shall revert to the general fund on June 30 each year. Such reversion shall be the net of any administrative or legal fees associated with the collection of these funds.

H. Out of the amounts for this Item, shall be provided $31,003 the first year and $31,003 the second year from the general fund for the Virginia Career Education Foundation.

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I. Out of this appropriation, $212,500 the first year and $212,500 the second year from the general fund shall be distributed to the Greater Richmond Area Scholarship Program, Incorporated (GRASP) to provide students and families in need access to financial aid, scholarships, and counseling to maximize educational opportunities for students.

J. Out of this appropriation, the Department of Education shall provide $525,000 the first year and $525,000 the second year from the general fund to Communities in Schools.

K. This appropriation includes $100,000 the first year *and $100,000 the second year* from the general fund for the Superintendent of Public Education to award supplemental grants to charter schools.

L. Out of this appropriation, $80,000 the first year from the general fund is provided for one-time planning and implementation grants to support the establishment of Governor's Health Sciences Academies. In spring 2012, the Department of Education will solicit competitive proposals for funding from school divisions in each of the eight superintendents' planning regions. The Department of Education will award eight planning grants of $5,000 each during the first semester of the 2012-2013 school year to support the program development process. Upon approval by the Board of Education to implement an Academy in the second half of FY 2013, the Department of Education will award eight implementation grants of $5,000 to each of the approved Academies.

M. This appropriation includes $203,691 the first year and $543,176 the second year from the general fund to support implementation of the Youth Development Academy pilot program for rising 9th and 10th grade students. The local applicant(s) selected to conduct a pilot academy, in consultation with the Department of Education, will develop the curriculum and content for the pilot academy to include a focus on civics education, financial literacy, community service, preventive health, character education, and leadership skills. Each of the eight superintendents' planning regions will be invited to apply to host a pilot academy the first year and each of the eight regional superintendent regions will host an academy the second year. The Department of Education will make the final determination on which regions will implement a pilot academy based on the proposals received the first year and which division or divisions in the case of a joint application, in each of the eight regions will host an academy the second year.

N. Out of this appropriation, $500,000 the first year and ~~$100,000~~ *$808,000* the second year from the general fund is provided to fund a pilot initiative to attract, recruit, and retain high-quality diverse individuals to teach science, technology, engineering, or mathematics (STEM) subjects in Virginia's middle and high schools. A ~~new~~ teacher with ~~no~~ *up to three years of* teaching experience employed full-time in a Virginia school division who has been issued a five-year Virginia teaching license with an endorsement in *Middle Education 6-8: Mathematic, Mathematics-Algebra-I,* mathematics, *Middle Education 6-8: Science, Biology, Chemistry, Earth and Space Science,* physics, or technology education and assigned to a teaching position in a corresponding STEM subject area is eligible to receive a $5,000 initial incentive award after the completion of the first, *second, or third* year of teaching with a satisfactory performance evaluation and a signed contract for the following school year. *A teacher, holding one or more of the aforementioned endorsements and assigned to a teaching position in a corresponding STEM subject area and regardless of teaching experience, who is reassigned from a fully accredited school in a Virginia school division to a hard-to-staff school or a school that is not fully accredited and receives a satisfactory performance evaluation and a signed contract for the following year is also eligible to receive an initial incentive award of $5,000.* An additional $1,000 incentive award may be granted for each year the eligible teacher receives a satisfactory evaluation and teaches a *qualifying* STEM subject *in which the teacher has an endorsement* for up to three years in a Virginia school division *following the year in which the teacher receives the initial incentive award*. The maximum incentive award for each eligible teacher is $8,000. Funding will be awarded on a first-come, first-served basis with preference to teachers assigned to teach in hard-to-staff schools or *low-performing* schools ~~*in improvement*~~ *not fully accredited*.

O. This appropriation includes $200,000 the first year from the general fund to support the feasibility of establishing the Virginia Science, Technology, Engineering, and Applied Mathematics (STEAM) Academy.

P. Out of this appropriation, the Department of Education shall provide ~~*$350,000 each year*~~ *$350,000 the first year and $425,000 the second year* from the general fund for Project

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Discovery. These funds are towards the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland, Danville/Pittsylvania, Fairfax, Franklin/Patrick, Goochland/Powhatan, Lynchburg, Newport News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell, Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery. The Department of Education shall determine the Project Discovery funding distributions to each community action agency. The contract with Project Discovery should specify the allocations to each local program and require the submission of a financial and budget report and program evaluation performance measures. Allocations shall be on a per pupil basis.

Q. Out of this appropriation, $175,000 the first year *and $87,500 the second year* from the general fund is provided for a pilot program in one public local school division for a College Readiness Center as selected by the Superintendent of Public Instruction from submitted proposals. The Center would provide an extended school calendar in grades six through eight for selected students. The goals of the program shall be to increase the number of students who attain a college degree without the need for remedial services at the college level. The local school division shall provide an evaluation of initial outcomes related to the Center by June 30, 2013.

R. Out of this appropriation, the Department of Education shall provide $425,000 the first year *and $225,000 the second year* from the general fund for the Virginia Student Training and Refurbishment Program.

S. Out of this appropriation, $300,000 the first year and $400,000 the second year from the general fund is provided to establish a comprehensive pilot initiative to recruit students to major in the fields of mathematics and science to help alleviate the shortage of qualified teachers in these fields.

T. Out of this appropriation, $341,040 the second year from the general fund is provided to expand the number of schools implementing an effective school-wide discipline system that reduces disruptive behavior in the classroom. Any school division which desires to apply for this competitive grant must submit a proposal to the Department of Education by August 1, 2013. The proposal must define student outcome objectives including, but not limited to, reductions in disciplinary referrals and out-of-school suspension rates. In making the competitive grant awards, the Department of Education shall give priority to school divisions proposing to serve schools identified by the Department as having high suspension rates. School divisions currently implementing Effective School-wide Discipline in one or more schools shall be eligible to apply for grants to support expansion of the program to additional schools. No funds awarded to a school division under this grant may be used to supplant funding for schools already implementing the program.

U. Out of this appropriation, $412,500 the second year from the general fund is provided for planning grants of no more than $50,000 each for local school divisions pursuing the creation of new year-round school programs for divisions or individual schools in support of the findings from the 2012 JLARC review. School divisions must submit applications to the Department of Education by August 1, 2013. Applications shall include evidence of commitment to pursue implementation in the 2014-15 school year. If balances exist, existing extended school year programs may be eligible to apply for remaining funds.

V. Out of this appropriation, $129,500 the second year from the general fund is provided for the Fairfax and Loudoun school divisions to support the development of a STEM model program for pre-kindergarten and kindergarten students. Each developed model will focus on enhancing the children's learning experiences through the arts.

139.	State Education Assistance Programs (17800)		~~$5,822,357,300~~	~~$5,855,463,662~~
			$5,805,208,720	*$5,931,901,606*
	Standards of Quality for Public Education (SOQ) (17801)	~~$5,236,037,427~~	~~$5,262,888,479~~	
		$5,178,177,305	*$5,262,718,866*	
	Financial Incentive Programs for Public Education (17802)	~~$72,834,139~~	~~$71,895,749~~	
		$72,087,786	*$148,861,610*	
	Financial Assistance for Categorical Programs (17803) ...	~~$56,185,734~~	~~$58,679,434~~	

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	$55,483,629	*$58,321,130*		
Distribution of Lottery Funds (17805)	~~$457,300,000~~	$462,000,000		
	$499,460,000			
Fund Sources: General	~~$5,230,502,872~~	~~$5,259,209,234~~		
	$5,162,194,292	*$5,329,142,893*		
Special	$895,000	$895,000		
Commonwealth Transportation	$2,173,000	$2,173,000		
Trust and Agency	~~$588,786,428~~	~~$593,186,428~~		
	$639,946,428	*$599,690,713*		

Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2, Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ 22.1-176 through 22.1-198, 22.1-199.1, 22.1-199.2, 22.1-213 through 22.1-221, 22.1-227 through 22.1-237, 22.1-253.13:1 through 22.1-253.13:8, 22.1-254.01, Code of Virginia; Title 51.1, Chapters 1, 5, 6.2, 7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 98-524, as amended, Federal Code.

Financial Incentive Programs for Public Education (17802): §§ 22.1-24, 22.1-289.1 through 22.1-318, Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642, as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.

Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of 1677 between Virginia and the Indians; §§ 22.1-3.4, 22.1-101, 22.1-108, 22.1-199 through 22.1-212.2:3, 22.1-213 through 22.1-221, 22.1-223 through 22.1-237, 22.1-254, Code of Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L. 98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L. 105-220, as amended, Federal Code.

Distribution of Lottery Funds (17805): §§ 58.1-4022 and 58.1-4022.1, Code of Virginia

Appropriation Detail of Education Assistance Programs (17800)

Standards of Quality (17801)	**FY 2013**	**FY 2014**
Basic Aid	~~$2,934,735,312~~	~~$2,907,065,363~~
	$2,922,926,071	*$2,898,507,568*
Sales Tax	~~$1,202,500,000~~	~~$1,249,150,000~~
	$1,211,600,000	*$1,257,500,000*
Textbooks ~~(split funded)~~	~~$46,533,525~~	~~$50,186,324~~
	$0	*$45,846,044*
Vocational Education	~~$53,911,839~~	~~$53,923,423~~
	$53,785,080	*$53,823,405*
Gifted Education	~~$32,144,905~~	~~$32,279,510~~
	$32,083,080	*$32,245,796*
Special Education	~~$362,637,788~~	~~$363,858,944~~
	$362,234,349	*$366,787,264*
Prevention, Intervention, and Remediation	~~$85,231,165~~	~~$85,348,642~~
	$85,106,596	*$85,280,308*
Remedial Summer School *(split funded)*	~~$22,343,995~~	~~$23,148,237~~
	$15,329,431	*$23,435,017*
VRS Retirement (includes RHCC)	~~$303,033,955~~	~~$304,210,356~~
	$302,492,718	*$304,272,866*
Social Security	~~$181,541,945~~	~~$182,250,984~~
	$181,217,441	*$182,252,781*
Group Life	~~$11,422,998~~	~~$11,466,696~~
	$11,402,539	*$11,467,817*
Total	~~**$5,236,037,427**~~	~~**$5,262,888,479**~~
	$5,178,177,305	***$5,261,418,866***

Incentive Programs (17802)

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Governor's School	~~$14,676,661~~		~~$15,088,271~~	
	$14,382,635		*$14,958,873*	
Governor's School Planning and Startup/ Expansion Grants	$100,000		$100,000	
Governor's School Planning Grant - Hampton Roads Site	$100,000		$0	
Clinical Faculty	$318,750		$318,750	
Career Switcher Mentoring Grants	$279,983		$279,983	
Special Education Endorsement Program	$600,000		$600,000	
Special Education - Vocational Education	$200,089		$200,089	
Virginia Workplace Readiness Skills Assessment	$308,655		$308,655	
EpiPen Grants	$200,000		$0	
Additional Assistance with Retirement, Inflation and Preschool Costs	$55,000,000		$55,000,000	
Performance Pay Incentive	~~*$1,050,000*~~		$0	
	$597,673			
Compensation Supplement	*$0*		*$70,164,391*	
Early Reading Specialists Initiative	*$0*		*$1,430,868*	
Strategic Compensation Grants Initiative	*$0*		*$5,500,000*	
Total	~~**$72,834,138**~~		~~**$71,895,748**~~	
	$72,087,785		***$148,861,609***	
Categorical Programs (17803)				
Adult Education	$1,051,800		$1,051,800	
Adult Literacy	$2,480,000		$2,480,000	
Virtual Virginia	$4,347,808		$4,347,808	
American Indian Treaty Commitment	$61,531		$63,446	
School Lunch Program	$5,801,932		$5,801,932	
Special Education - Homebound	~~$5,407,613~~		~~$5,717,015~~	
	$5,224,513		$5,605,452	
Special Education - Jails	~~$3,822,080~~		~~$4,062,660~~	
	$3,544,117		*$3,815,919*	
Special Education - State Operated Programs	~~$33,212,970~~		$35,154,773	
	$32,971,928			
Total	~~**$56,185,734**~~		~~**$58,679,434**~~	
	$55,483,629		***$58,321,130***	
Lottery (17805)				
Foster Care	~~$9,999,435~~		~~$10,458,297~~	
	$9,016,406		*$9,413,338*	
At-Risk Add-On	~~$78,811,642~~		~~$78,656,877~~	
	$78,734,853		*$78,626,984*	
Virginia Preschool Initiative	~~$68,169,246~~		~~$68,509,739~~	
	$64,953,097		*$68,569,714*	
Early Reading Intervention	~~$18,309,597~~		~~$18,379,414~~	
	$15,332,606		*$14,972,241*	
Mentor Teacher	$1,000,000		$1,000,000	
K-3 Primary Class Size Reduction	~~$105,054,875~~		~~$105,175,012~~	
	$102,671,654		*$106,431,479*	
School Breakfast Program	~~$3,330,678~~		~~$3,767,599~~	
	$3,693,543		*$3,837,586*	
SOL Algebra Readiness	~~$11,261,046~~		~~$11,278,855~~	
	$11,173,155		*$11,352,196*	
Regional Alternative Education	~~$7,812,845~~		~~$7,805,134~~	
	$7,802,104		*$8,061,000*	
ISAEP	$2,247,581		$2,247,581	
Special Education - Regional Tuition	~~$72,629,098~~		~~$77,657,798~~	
	$72,429,258		*$77,703,941*	
Career and Technical Education - Categorical	$10,400,829		$10,400,829	
Project Graduation	$2,774,478		$2,774,478	

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Virginia Teacher Corps (NCLB/EFAL)	$415,000		$415,000	
Race to GED (NCLB/EFAL)	$2,485,988		$2,410,988	
Path to Industry Certification (NCLB/EFAL)	$1,065,133		~~$1,065,133~~ *$1,331,464*	
Supplemental Basic Aid	~~$901,087~~ *$892,395*		~~$878,801~~ *$878,076*	
English as a Second Language	~~$45,787,607~~ *$44,675,649*		~~$47,687,950~~ *$45,863,224*	
Textbooks (split funded)	~~$14,843,835~~ *$61,262,666*		~~$11,430,515~~ *$15,709,881*	
Remedial Summer School (split funded)	*$6,433,605*		*$0*	
Total	**~~$457,300,000~~** ***$499,460,000***		**$462,000,000**	
Technology - VPSA	~~$58,338,000~~ *$59,846,000*		~~$58,104,000~~ *$59,612,000*	

Payments out of the above amounts shall be subject to the following conditions:

A. Definitions

1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school division's average daily membership for grades K-12 including (1) handicapped students ages 5-21 and (2) students for whom English is a second language who entered school for the first time after reaching their twelfth birthday, and who have not reached twenty-two years of age on or before August 1 of the school year, for the first seven (7) months (or equivalent period) of the school year through March 31 in which state funds are distributed from this appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.

a. School divisions shall take a count of September 30 fall membership and report this information to the Department of Education no later than October 15 of each year.

b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the Department of Education shall be calculated using March 31 ADM unadjusted for half-day kindergarten programs, estimated at ~~1,222,669.04~~ *1,221,485.85* the first year and ~~1,229,799.85~~ *1,228,510.35* the second year.

c. March 31 ADM adjusted for half-day kindergarten at 85 percent of March 31 ADM, is estimated at ~~1,221,935.84~~ *1,220,774.28* the first year and ~~1,229,039.40~~ *1,227,769.61* the second year.

d. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis in any mathematics, science, English, history, social science, vocational education, health education or physical education, fine arts or foreign language course, or receiving special education services required by a student's individualized education plan, shall be counted in the funded fall membership and March 31 ADM of the responsible school division. Each course shall be counted as 0.25, up to a cap of 0.5 of a student.

e. Students enrolled in an Individualized Student Alternative Education Program (ISAEP) pursuant to § 22.1-254 D shall be counted in the March 31 Average Daily Membership of the responsible school division. School divisions shall report these students separately in their March 31 reports of Average Daily Membership.

2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as prescribed by the Board of Education subject to revision by the General Assembly.

3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of instructional personnel required by the Standards of Quality for each school division with a minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and including provision for driver, gifted, occupational-vocational, and special education, library materials and other teaching materials, teacher sick leave, general administration, division

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superintendents' salaries, free textbooks (including those for free and reduced price lunch pupils), school nurses, operation and maintenance of school plant, transportation of pupils, instructional television, professional and staff improvement, remedial work, fixed charges and other costs in programs not funded by other state and/or federal aid.

b. ~~*For the 2012-2014 biennium, The the*~~ state and local shares of funding resulting from the support cost calculation for school nurses shall be specifically identified as such and reported to school divisions annually. School divisions ~~shall~~ *may* spend these funds for licensed school nurse positions employed by the school division or for licensed nurses contracted by the local school division to provide school health services. ~~*For purposes of calculating rebenchmarking costs for school nurses funded in Basic Aid for the 2014-2016 biennium, the Department of Education shall include a minimum of one school nurse position per school with fall membership less than 1,500 students, with one additional school nurse position recognized for any school with fall membership greater than or equal to 1,500 students. The Board of Education is encouraged to consider adopting a staffing standard for school nurses in the Standards of Quality consistent with this funding methodology.*~~

4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality. The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March 31 ADM reported for the first seven (7) months of the 2009-2010 school year and 1/3 of the index of wealth per capita (population estimates for 2009 as determined by the Weldon Cooper Center for Public Service of the University of Virginia) multiplied by the local nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are determined by combining the following constituent index elements with the indicated weighting: (1) true values of real estate and public service corporations as reported by the State Department of Taxation for the calendar year 2009 - 50 percent; (2) adjusted gross income for the calendar year 2009 as reported by the State Department of Taxation - 40 percent; (3) the sales for the calendar year 2009 which are subject to the state general sales and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent index element for a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state average per March 31 ADM, or per capita, for the same element. A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing all payments based on the composite index of local ability-to-pay. Each constituent index element for a locality used to determine the composite index of local ability-to-pay for the current biennium shall be the latest available data for the specified official base year provided to the Department of Education by the responsible source agencies no later than November 15, 2011.

b. For any locality whose total calendar year 2009 Virginia Adjusted Gross Income is comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident income shall be excluded in computing the composite index of ability-to-pay. The Department of Education shall compute the composite index for such localities by using adjusted gross income data which exclude nonresident income, but shall not adjust the composite index of any other localities. The Department of Taxation shall furnish to the Department of Education such data as are necessary to implement this provision.

c.1) In the event that two or more school divisions become one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, which shall include the transition of a city to town status, all state payments from this item adjusted by the composite index of local ability to pay to such resulting division or interest rates on approved Literary Fund loans shall be made on the basis of a composite index established by the Board of Education, which shall equal the ~~lowest composite index~~ *no lower than the lowest nor higher than the highest composite index* of any of the individual school divisions involved in such consolidation. In addition, the local share of state payments adjusted by the composite index shall also be based on the same ~~lowest~~ composite index of any of the individual school divisions involved in such consolidation. This index shall remain in effect for a period of ~~fifteen years~~ *no less than five nor more than fifteen years*, unless a lower composite index is calculated for the combined division through the process for computing an index figure as set forth above. The Governor shall approve the composite index determined by the Board of Education prior to disbursement of funds under such index. The department shall report to the Chairmen of the House Appropriations and Senate Finance Committees the composite indices approved by the Governor and the board in the event this provision is implemented.

2) In the case of the consolidation of Clifton Forge and Alleghany County school divisions, the

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fifteen year period for the application of a new composite index ~~pursuant to paragraph c.1) above~~ shall apply beginning with the fiscal year that starts on July 1, 2004. *Notwithstanding the provisions of paragraph c.1) the composite index established by the Board of Education shall equal the lowest composite index that was in effect prior to July 1, 2004, of any individual localities involved in such consolidation, and this index shall remain in effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index as set forth above.*

3) Pursuant to paragraph c.1) above, if the composite index of a consolidated school division is reduced during the course of the fifteen year period to a level that would entitle the school division to a lower interest rate for a Literary Fund loan than it received when the loan was originally released, the Board of Education shall reduce the interest rate of such loan for the remainder of the period of the loan. Such reduction shall be based on the interest rate that would apply at the time of such adjustment. This rate shall remain in effect for the duration of the loan and shall apply only to those years remaining to be paid.

4) In the case of the consolidation of Bedford County and Bedford City school divisions, the fifteen year period for the application of a new composite index ~~pursuant to paragraph c.1) above~~ shall apply beginning with the fiscal year that starts on July 1, 2013. Notwithstanding the provisions of paragraph c.1) the composite index established by the Board of Education shall equal the lowest composite index that was in effect prior to July 1, 2013, of any individual localities involved in such consolidation, and this index shall remain in effect for a period of fifteen years, unless a lower composite index is calculated for the combined division through the process for computing an index as set forth above.

Bedford County Public Schools shall undergo a School Efficiency Review pursuant to Item 271, 4.a. Such review shall include division administration; human resources; finance; purchasing; educational service delivery costs, including school size; special education; facilities; transportation; technology management; and food service.

5) JLARC is hereby directed, with assistance from the Commission on Local Government, to analyze and make recommendations going forward regarding the most effective balance between the costs of incentives for government and school consolidations with the expected resulting savings and operational benefits, and how best to structure such state incentives to achieve both clarity for localities as well as justification that incentives are adequate, but not more than necessary. JLARC shall complete its study and submit a final report no later than October 1, 2014.

d. When it is determined that a substantial error exists in a constituent index element, the Department of Education will make adjustments in funding for the current school year only in the division where the error occurred. The composite index of any other locality shall not be changed as a result of the adjustment. No adjustment during the biennium will be made as a result of updating of data used in a constituent index element.

e. In the event that any school division consolidates two or more small schools, the division shall continue to receive Standards of Quality funding and provide for the required local expenditure for a period of five years as if the schools had not been consolidated. Small schools are defined as any elementary, middle, or high school with enrollment below 200, 300 and 400 students, respectively.

5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on the composite index of local ability-to-pay of the cost required by all the Standards of Quality minus its estimated revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item, collected by the Department of Education and distributed to school divisions in the fiscal year in which the school year begins.

6. "Required Local Match" - The locality's required share of program cost based on the composite index of local ability-to-pay for all Lottery and Incentive programs, where required, in which the school division has elected to participate in a fiscal year.

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7. "Planning District Eight" - The nine localities which comprise Planning District Eight are Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.

8. "State Share of the Standards of Quality" - The state share of the Standards of Quality (SOQ) shall be equal to the total funded SOQ cost for a school division less the school division's estimated revenues from the state sales and use tax dedicated to public education based on the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, adjusted for the state's share of the composite index of local ability to pay.

9. In the event that the general fund appropriations in this item are not sufficient to meet the entitlements payable to school divisions pursuant to the provisions of this Item, the Department of Education is authorized to transfer any available general fund funds between these Items to address such insufficiencies. If the total general fund appropriations after such transfers remain insufficient to meet the entitlements of any program funded with general fund dollars, the Department of Education is authorized to prorate such shortfall proportionately across all of the school divisions participating in any program where such shortfall occurred. In addition, the Department of Education is authorized each year to temporarily suspend textbook payments made to school divisions from Lottery funds to ensure that any shortfall in Lottery revenue can be accounted for in the remaining textbook payments to be made for the year.

10. The Department of Education is directed to apply a cap on inflation rates in the same manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school divisions during the biennial rebenchmarking process.

11. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to combine the end-of-year Average Daily Membership (ADM) for those school divisions who have partnered together as a fiscal agent division and a contractual division for the purposes of calculating prevailing costs included in the Standards of Quality (SOQ).

12. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to include zeros in the linear weighted average calculation of support non-personal costs for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

13. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported travel expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

14. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to eliminate the corresponding and appropriate object code(s) related to reported leases and rental and facility expenditures included the linear weighted average non-personal cost calculations for the purpose of calculating prevailing costs included in the Standards of Quality (SOQ).

15. Notwithstanding any other provision in statute or in this Item, the Department of Education is directed to fund transportation costs using a 15 year replacement schedule, which is the national standard guideline, for school bus replacement schedule for the purpose of calculating funded transportation costs included in the Standards of Quality (SOQ).

16. To provide temporary flexibility, notwithstanding any other provision in statute or in this Item, school divisions may elect to increase the teacher to pupil staffing ratios in kindergarten through grade 7 and English classes for grades 6 through twelve by one additional student; the teacher to pupil staffing ratio requirements for Elementary Resource teachers, Prevention, Intervention and Remediation, English as a Second Language, Gifted and Talented, Career and Technical funded programs (other than on Career and Technical courses where school divisions will have to maintain a maximum class size based on federal Occupational Safety & Health Administration safety requirements) are waived; and the instructional and support technology positions, librarians and guidance counselors staffing ratios for new hires are waived.

17. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1 of the Code of Virginia, any school division that was granted a waiver regarding the opening date of the

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school year for the 2011-12 school year under the good cause requirements shall continue to be granted a waiver for the 2012-13 school year *and the 2013-2014 school year*.

B. General Conditions

1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for instructional staff members to the employer's cost for a number not exceeding the number of instructional positions required by the Standards of Quality for each school division and for their salaries at the statewide prevailing salary levels as printed below.

Instructional Position	First Year Salary	Second Year Salary
Elementary Teachers	$45,118	$45,118
Elementary Assistant Principals	$63,824	$63,824
Elementary Principals	$78,510	$78,510
Secondary Teachers	$47,267	$47,267
Secondary Assistant Principals	$67,824	$67,824
Secondary Principals	$86,464	$86,464
Instructional Aides	$16,223	$16,223

a.1) Payment by the state to a local school division shall be based on the state share of fringe benefit costs of 55 percent of the employer's cost distributed on the basis of the composite index.

2) A locality whose composite index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of distributing fringe benefit funds under this provision.

3) The state payment to each school division for retirement, social security, and group life insurance costs for non-instructional personnel is included in and distributed through Basic Aid.

b. Payments to school divisions from this Item shall be calculated using March 31 Average Daily Membership adjusted for half-day kindergarten programs.

c. Payments for health insurance fringe benefits are included in and distributed through Basic Aid.

2. Each locality shall offer a school program for all its eligible pupils which is acceptable to the Department of Education as conforming to the Standards of Quality program requirements.

3. In the event the statewide number of pupils in March 31 ADM results in a state share of cost exceeding the general fund appropriation in this Item, the locality's state share of Basic Aid shall be reduced proportionately so that this general fund appropriation will not be exceeded. In addition, the required local share of Basic Aid shall also be reduced proportionately to the reduction in the state’s share.

4. The Department of Education shall make equitable adjustments in the computation of indices of wealth and in other state-funded accounts for localities affected by annexation, unless a court of competent jurisdiction makes such adjustments. However, only the indices of wealth and other state-funded accounts of localities party to the annexation will be adjusted.

5. In the event that the actual revenues from the state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item (both of which are returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service) for sales in the fiscal year in which the school year begins are different from the number estimated as the basis for this appropriation, the estimated state sales and use tax revenues shall not be adjusted.

6. This appropriation shall be apportioned to the public schools with guidelines established by the Department of Education consistent with legislative intent as expressed in this act.

7.a. Appropriations of state funds in this Item include the number of positions required by the Standards of Quality. This Item includes a minimum of 51 professional instructional positions and aide positions (C 2); Education of the Gifted, 1.0 professional instructional position (C 3); Occupational-Vocational Education Payments and Special Education Payments; a minimum of

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6.0 professional instructional positions and aide positions (C 4 and C 5) for each 1,000 pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in support of one hour of additional instruction per day based on the percent of students eligible for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending upon a school division's combined failure rate on the English and Math Standards of Learning, is included in Remedial Education Payments (C 8).

b. No actions provided in this section signify any intent of the General Assembly to mandate an increase in the number of instructional personnel per 1,000 students above the numbers explicitly stated in the preceding paragraph.

c. Appropriations in this Item include programs supported in part by transfers to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this Act. These transfers combined together with other appropriations from the general fund in this Item funds the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support technology position per 1,000 students; one instructional technology position per 1,000 students; and a full daily planning period for teachers at the middle and high school levels in order to relieve the financial pressure these education programs place on local real estate taxes.

d. To provide flexibility, school divisions may use the state and local funds for instructional technology resource teachers required by the Standards of Quality to employ a data coordinator position, an instructional technology resource teacher position, or a data coordinator/instructional resource teacher blended position. The data coordinator position is intended to serve as a resource to principals and classroom teachers in the area of data analysis and interpretation for instructional and school improvement purposes, as well as for overall data management and administration of state assessments. School divisions using these SOQ funds in this manner shall only employ instructional personnel licensed by the Board of Education.

e. To provide flexibility in the provision of reading intervention services, school divisions may use the state Early Reading Intervention initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ reading specialists to provide the required reading intervention services. School divisions using the Early Reading Intervention Initiative funds in this manner shall only employ instructional personnel licensed by the Board of Education.

f. To provide flexibility in the provision of mathematics intervention services, school divisions may use the state Standards of Learning Algebra Readiness initiative funding provided from the Lottery Proceeds Fund and the required local matching funds to employ mathematics teacher specialists to provide the required mathematics intervention services. School divisions using the Standards of Learning Algebra Readiness initiative funding in this manner shall only employ instructional personnel licensed by the Board of Education.

8.a.*1) Pursuant to § 22.1-97, Code of Virginia,* ~~T~~the Department of Education ~~shall~~ *is required to* make calculations at the start of the school year to ensure that school divisions have appropriated adequate funds to support their estimated required local expenditure *for the corresponding state fiscal year. In an effort to reduce the administrative burden on school divisions resulting from state data collections, such as the one needed to make the aforementioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining to the adequacy of estimated required local expenditures, shall be satisfied by signed certification by each division superintendent at the beginning of each school year that sufficient local funds have been budgeted to meet all state required local effort and required local match amounts. This provision shall only apply to calculations required of the Department of Education related to estimated required local expenditures and shall not pertain to the calculations associated with actual required local expenditures after the close of the school year.*

2) The Department of Education shall also make calculations after the close of the school year to verify that the required local effort level, based on actual March 31 Average Daily Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of Education shall report annually, no later than the first day of the General Assembly session, to the House Committees on Education and Appropriations and the Senate Committees on Finance and Education and Health, the results of such calculations *made after the close of the school year* and the degree to which each school division has met, failed to meet, or surpassed its required

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local expenditure. The Department of Education shall specify the calculations to determine if a school division has ~~appropriated and~~ expended its required local expenditure for the Standards of Quality. This calculation may include but is not limited to the following calculations:

b. The total expenditures for operation, defined as total expenditures less all capital outlays, expenditures for debt service, facilities, non-regular day school programs (such as adult education, preschool, and non-local education programs), and any transfers to regional programs will be calculated.

c. The following state funds will be deducted from the amount calculated in paragraph a. above: revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item) for sales in the fiscal year in which the school year begins; total receipts from state funds (except state funds for non-regular day school programs and state funds used for capital or debt service purposes); and the state share of any balances carried forward from the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal year will be added to the amount calculated in paragraph a. above.

d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also be deducted from the amount calculated in paragraph a above. Any federal funds that remain unspent at the end of the fiscal year and any capital expenditures paid from federal funds will be added to the amount calculated in paragraph a. above.

e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers will also be deducted from the amount calculated in paragraph a, then

f. The final amount calculated as described above must be equal to or greater than the required local expenditure defined in paragraph A. 5.

g. The Department of Education shall collect the data necessary to perform the calculations of required local expenditure as required by this section.

h. A locality whose expenditure in fact exceeds the required amount from local funds may not reduce its expenditures unless it first complies with all of the Standards of Quality.

9.a. Any required local matching funds which a locality, as of the end of a school year, has not expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into the general fund of the state treasury. Such payments shall be made not later than the end of the school year following that in which the under expenditure occurs.

b. Whenever the Department of Education has recovered funds as defined in the preceding paragraph a, the Secretary of Education is authorized to repay to the locality affected by that action, seventy-five percent (75%) of those funds upon his determination that:

1) The local school board agrees to include the funds in its June 30 ending balance for the year following that in which the under expenditure occurs;

2) The local governing body agrees to reappropriate the funds as a supplemental appropriation to the approved budget for the second year following that in which the under expenditure occurs, in an appropriate category as requested by the local school board, for the direct benefit of the students;

3) The local school board agrees to expend these funds, over and above the funds required to meet the required local expenditure for the second year following that in which the under expenditure occurs, for a special project, the details of which must be furnished to the Department of Education for review and approval;

4) The local school board agrees to submit quarterly reports to the Department of Education on the use of funds provided through this project award; and

5) The local governing body and the local school board agree that the project award will be cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of the second year following that in which the under expenditure occurs.

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c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient, not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding paragraph a.

10. The Department of Education shall specify the manner for collecting the required information and the method for determining if a school division has ~~appropriated and~~ expended the local funds required to support the actual local match based on all Lottery and Incentive programs in which the school division has elected to participate. Unless specifically stated otherwise in this Item, school divisions electing to participate in any Lottery or Incentive program that requires a local funding match in order to receive state funding, shall certify to the Department of Education its intent to participate in each program by ~~October~~ *July* 1 each fiscal year in a manner prescribed by the Department of Education. ~~Upon receipt of the certifications, the Department of Education shall make calculations to ensure~~ *As part of this certification process, each division superintendent must also certify* that ~~school divisions have~~ *adequate local funds have been* appropriated ~~adequate local funds~~, above the required local effort for the Standards of Quality, to support the projected required local match based on the Lottery and Incentive programs in which the school division has elected to participate. ~~If the Department of Education's calculations indicate that insufficient local funds are appropriated to meet the required local funding match for one or more programs, s~~State funding for such program(s) shall not be made until such time that the school division can certify that sufficient local funding has been appropriated to meet required local match. The Department of Education shall ~~also~~ make calculations after the close of the fiscal year to verify that the required local match was met based on the state funds that were received.

11. Any sum of local matching funds for Lottery and Incentive program which a locality has not expended as of the end of a fiscal year in support of the required local match pursuant to this Item shall be paid by the locality into the general fund of the state treasury unless the carryover of those unspent funds is specifically permitted by other provisions of this act. Such payments shall be made no later than the end of the school year following that in which the under expenditure occurred.

12. The Superintendent of Public Instruction shall provide a report annually, no later than the first day of the General Assembly session, on the status of teacher salaries, by local school division, to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees. In addition to information on average salaries by school division and statewide comparisons with other states, the report shall also include information on starting salaries by school division and average teacher salaries by school.

13. All state and local matching funds required by the programs in this Item shall be appropriated to the budget of the local school board.

14. By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Education, shall prepare and submit a preliminary forecast of Standards of Quality expenditures, based upon the most current data available, to the Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast for the current and subsequent fiscal year shall be provided. The forecast shall detail the projected March 31 Average Daily Membership and the resulting impact on the education budget.

15. School divisions may choose to use state payments provided for Standards of Quality Prevention, Intervention, and Remediation in both years as a block grant for remediation purposes, without restrictions or reporting requirements, other than reporting necessary as a basis for determining funding for the program.

16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall provide guidelines for the distribution and expenditure of general fund appropriations and such additional federal, private and other funds as may be made available to aid in the establishment and maintenance of the public schools.

17. At the Department of Education's option, fees for audio-visual services may be deducted from state Basic Aid payments for individual local school divisions.

18. For distributions not otherwise specified, the Department of Education, at its option, may

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use prior year data to calculate actual disbursements to individual localities.

19. Payments for accounts related to the Standards of Quality made to localities for public education from the general fund, as provided herein, shall be payable in twenty-four semi-monthly installments at the middle and end of each month.

20. Notwithstanding §22.1-638 D., Code of Virginia, and other language in this item, the Department of Education shall, for purposes of calculating the state and local shares of the Standards of Quality, apportion state sales and use tax dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2010, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2011, estimate of school age population provided by the Weldon Cooper Center for Public Service.

Notwithstanding §22.1-638 D., Code of Virginia, and other language in this item, the State Comptroller shall distribute the state sales and use tax revenues dedicated to public education and those sales tax revenues transferred to the general fund from the Public Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1, 2010, estimate of school age population provided by the Weldon Cooper Center for Public Service and, in the second year, based on the July 1, 2011, estimate of school age population provided by the Weldon Cooper Center for Public Service.

21. The school divisions within the Tobacco Region, as defined by the Tobacco Indemnification and Community Revitalization Commission, shall jointly explore ways to maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.

22. This Item includes appropriations totaling an estimated ~~$457,300,000~~ *$499,460,000* the first year and $462,000,000 the second year from the revenues deposited to the Lottery Proceeds Fund. These amounts are appropriated for distribution to counties, cities, and towns to support public education programs pursuant to Article X, Section 7-A Constitution of Virginia. Any county, city, or town which accepts a distribution from this fund shall provide its portion of the cost of maintaining an educational program meeting the Standards of Quality pursuant to Section 2 of Article VIII of the Constitution without the use of distributions from the fund.

23. For reporting purposes, the Department of Education shall include Lottery Proceeds Funds as state funds.

24.a. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2013 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2013 may carry over into fiscal year 2014 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2014 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2014.

b. Any locality that has met its required local effort for the Standards of Quality accounts for FY 2014 and that has met its required local match for incentive or Lottery-funded programs in which the locality elected to participate in FY 2014 may carry over into FY 2015 any remaining state Direct Aid to Public Education fund balances available to help minimize any FY 2015 revenue adjustments that may occur in state funding to that locality. Localities electing to carry forward such unspent state funds must appropriate the funds to the school division for expenditure in FY 2015.

25. Localities are encouraged to allow school boards to carry over any unspent local allocations into the next fiscal year. Localities are also encouraged to provide increased flexibility to school boards by appropriating state and local funds for public education in a lump sum.

26. The Department of Education shall include in the annual School Performance Report Card for school divisions the percentage of each division's annual operating budget allocated to instructional costs. For this report, the Department of Education shall establish a methodology for allocating each school division's expenditures to instructional and non-instructional costs in a manner that is consistent with the funding of the Standards of Quality as approved by the General Assembly. Further, at the discretion of the Superintendent of Public Instruction, the

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Department of Education may also report on other methods of measuring instructional spending such as those used by the U.S. Census Bureau and the U.S. Department of Education.

27. By August 15, 2012, each superintendent is requested to submit to the Department of Education a brief description of the range of online learning opportunities currently underway in the school division and any being planned or under consideration in the future, if applicable.

28. By August 30, 2013, each school superintendent is requested to submit to the Department of Education a brief description of the division's interest in pursuing the development and implementation of year-round school to improve academic performance for those students who are at high risk of educational failure, minority, ESL or economically disadvantaged. Superintendents are encouraged to describe which students would benefit from year-round school and potential costs. The Department of Education shall take into consideration those submissions when developing the Direct Aid to Public Education proposed budget for the 2014 General Assembly Session.

C. Apportionment

1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each locality shall receive sums as listed above within this program for the basic operation cost and payments in addition to that cost. The apportionment herein directed shall be inclusive of, and without further payment by reason of, state funds for library and other teaching materials.

2. School Employee Retirement Contributions

a. This Item provides funds to each local school board for the state share of the employer's retirement cost incurred by it, on behalf of instructional personnel, for subsequent transfer to the retirement allowance account as provided by Title 51.1, Chapter 1, Code of Virginia.

b. Notwithstanding § 51.1-1401 of the Code of Virginia, the Commonwealth shall provide payments for only the state share of the Standards of Quality fringe benefit cost of the retiree health care credit. This Item includes payments in both years based on the state share of fringe benefit costs of 55 percent of the employer’s cost on funded Standards of Quality instructional positions, distributed based on the composite index of the local ability-to-pay.

3. School Employee Social Security Contributions

a. This Item provides funds to each local school board for the state share of the employer's Social Security cost incurred by it, on behalf of the instructional personnel for subsequent transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.

b. Appropriations for contributions in paragraphs 2 and 3 above include payments from funds derived from the principal of the Literary Fund in accordance with Article III, Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund for these purposes shall not exceed ~~$131,086,428~~ *$140,086,428* the first year and ~~$130,786,428~~ *$131,160,446* the second year.

4. School Employee Insurance Contributions

This Item provides funds to each local school board for the state share of the employer's Group Life Insurance cost incurred by it on behalf of instructional personnel who participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.

5. Basic Aid Payments

a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is established individually for each local school division based on the number of instructional personnel required by the Standards of Quality and the statewide prevailing salary levels (adjusted in Planning District Eight for the cost of competing) as well as recognized support costs calculated on a prevailing basis for an estimated March 31 ADM (adjusted for half-day kindergarten programs).

2) This appropriation includes funding to recognize the common labor market in the Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area.

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Standards of Quality salary payments for instructional positions in school divisions of the localities set out below have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to local school divisions in Planning District 8. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments have been increased by 25 percent each year of the COCA rates paid to school divisions in Planning District 8.

3) This appropriation includes funding for the Standards of Quality salary payments ~~*in the first year*~~ for support positions in school divisions of the localities set out below and have been adjusted for the equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to the local school divisions in Planning District 8 for SOQ Basic Aid support positions, which is 22.70 percent in the first year *and 6.98 percent in the second year* ~~and 9.83 percent in the second year~~. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments have been increased ~~each year~~ ~~*the first year*~~ *each year* by 25 percent of the COCA rates paid to school divisions in Planning District 8.

b. The state share for a locality shall be equal to the Basic Operation Cost for that locality less the locality's estimated revenues from the state sales and use tax (returned on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service, as specified in this Item), in the fiscal year in which the school year begins and less the required local expenditure.

c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax estimates are as cited in this Item.

d. 1) In accordance with the provisions of § 37.2-713, Code of Virginia, the Department of Education shall deduct the locality's share for the education of handicapped pupils residing in institutions within the Department of Behavioral Health and Developmental Services from the locality's Basic Aid payments.

2) The amounts deducted from Basic Aid for the education of intellectually disabled persons shall be transferred to the Department of Behavioral Health and Developmental Services in support of the cost of educating such persons; the amount deducted from Basic Aid for the education of emotionally disturbed persons shall be used to cover extraordinary expenses incurred in the education of such persons. The Department of Education shall establish guidelines to implement these provisions and shall provide for the periodic transfer of sums due from each local school division to the Department of Behavioral Health and Developmental Services and for Special Education categorical payments. The amount of the actual transfers will be based on data accumulated during the prior school year.

e. 1) The apportionment to localities of all driver education revenues received during the school year shall be made as an undesignated component of the state share of Basic Aid in accordance with the provisions of this Item. Only school divisions complying with the standardized program established by the Board of Education shall be entitled to participate in the distribution of state funds appropriated for driver education. The Department of Education will deduct a designated amount per pupil from a school division's Basic Aid payment when the school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will be computed by dividing the current appropriation for the Driver Education Fund by actual March 31 ADM.

2) Local school boards may charge a per pupil fee for behind-the-wheel driver education provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a pro rata reduction in Basic Aid payments to school divisions.

f. Textbooks

1) The appropriation in this Item includes ~~$46,533,525 the first year and $50,186,324~~ *$45,846,044* the second year from the general fund and ~~$14,843,835~~ *$61,262,666* the first year and ~~$11,430,515~~ *$15,709,881* the second year from the Lottery Proceeds Fund as the state's share of the cost of textbooks based on a per pupil amount of $89.73 the first year and $89.73 the second year. The state’s share of textbooks will be fund split between the general fund and Lottery Proceeds Fund. A school division shall appropriate these funds for textbooks or any

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other public education instructional expenditure by the school division. The state's distributions for textbooks shall be based on adjusted March 31 ADM. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

2) School divisions shall provide free textbooks to all students.

3) School divisions may use a portion of this funding to purchase Standards of Learning instructional materials. School divisions may also use these funds to purchase electronic textbooks or other electronic media resources integral to the curriculum and classroom instruction and the technical equipment required to read and access the electronic textbooks and electronic curriculum materials.

4) Any funds provided to school divisions for textbook costs that are unexpended as of June 30, 2013, or June 30, 2014, shall be carried on the books of the locality to be appropriated to the school division the following year to be used for same purpose. School divisions are permitted to carry forward any remaining balance of textbook funds until the funds are expensed for a qualifying purpose.

g. The one-cent state sales and use tax earmarked for education and the sales tax revenues transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item which are distributed to localities on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item shall be reflected in each locality's annual budget for educational purposes as a separate revenue source for the current fiscal year.

h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts estimated at ~~$226,100,000~~ *$222,800,000* the first year and ~~$233,900,000~~ *$230,400,000* the second year from the amounts transferred to the general fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this act which are derived from the 1/4 cent increase in the state sales and use tax levied pursuant to Chapter 3, 2004 Special Session I. These additional funds are provided to local school divisions and local governments in order to relieve the financial pressure education programs place on local real estate taxes.

i. From the total amounts in paragraph h. above, an amount estimated at ~~$108,900,000~~ *$105,300,000* the first year and ~~$112,700,000~~ *$108,300,000* the second year (approximately 1/8 cent of sales and use tax) is appropriated to support a portion of the cost of the state's share of the following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one instructional technology position per 1,000 students; a full daily planning period for teachers at the middle and high school levels in order to relieve the pressure on local real estate taxes and shall be taken into account by the governing body of the county, city, or town in setting real estate tax rates.

j. From the total amounts in paragraph h. above, an amount estimated at ~~$117,200,000~~ *$117,500,000* the first year and ~~$121,200,000~~ *$122,100,000* the second year (approximately 1/8 cent of sales and use tax) is appropriated in this Item to distribute the remainder of the revenues collected and deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund on the basis of the latest yearly estimate of school age population provided by the Weldon Cooper Center for Public Service as specified in this Item.

k. For the purposes of funding certain support positions in Basic Aid a funding ratio methodology is used based upon the prevailing ratio of support positions to SOQ funded instructional positions as established in Chapter 781, 2009 Acts of Assembly. For the purposes of making the required spending adjustments, the appropriation and distribution of Basic Aid shall reflect this methodology. Local school divisions shall have the discretion as to where the adjustment may be made, consistent with the Standards of Quality funded in this Act.

6. Education of the Gifted Payments

a. An additional payment shall be disbursed by the Department of Education to local school divisions to support the state share of one full-time equivalent instructional position per 1,000 students in adjusted March 31 ADM.

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b. Local school divisions are required to spend, as part of the required local expenditure for the Standards of Quality the established per pupil cost for gifted education (state and local share) on approved programs for the gifted.

7. Occupational-Vocational Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Vocational Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

b. An amount estimated at $107,592,002 the first year and $107,779,695 the second year from the general fund included in Basic Aid Payments relates to vocational education programs in support of the Standards of Quality.

8. Special Education Payments

a. An additional payment shall be disbursed by the Department of Education to the local school divisions to support the state share of the number of Special Education instructors required by the Standards of Quality. These funds shall be disbursed on the same basis as the payment is calculated.

b. Out of the amounts for special education payments, general fund support is provided to fund the caseload standards for speech pathologists at 68 students for each year of the biennium.

9. Remedial Education Payments

a. An additional payment estimated at ~~$85,231,165~~ *$85,106,596* the first year and ~~$85,348,642~~ *$85,280,308* the second year from the general fund shall be disbursed by the Department of Education to support the Board of Education's Standards of Quality Prevention, Intervention, and Remediation program adopted in June 2003.

b. The payment shall be calculated based on one hour of additional instruction per day for identified students, using the three year average percent of students eligible for the federal Free Lunch program as a proxy for students needing such services. Fall membership shall be multiplied by the three year average division-level Free Lunch eligibility percentage to determine the estimated number of students eligible for services. Pupil-teacher ratios shall be applied to the estimated number of eligible students to determine the number of instructional positions needed for each school division. The pupil-teacher ratio applied for each school division shall range from 10:1 for those divisions with the most severe combined three year average failure rates for English and math Standards of Learning test scores to 18:1 for those divisions with the lowest combined three year average failure rates for English and math Standards of Learning test scores.

c. Funding shall be matched by the local government based on the composite index of local ability-to-pay.

d. To provide flexibility in the instruction of English Language Learners who have limited English proficiency and who are at risk of not meeting state accountability standards, school divisions may use state and local funds from the SOQ Prevention, Intervention, and Remediation account to employ additional English Language Learner teachers to provide instruction to identified limited English proficiency students. Using these funds in this manner is intended to supplement the instructional services provided through the SOQ staffing standard of 17 instructional positions per 1,000 limited English proficiency students. School divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall only employ instructional personnel licensed by the Board of Education.

e. An additional state payment estimated at ~~$78,811,642~~ *$78,734,853* the first year and ~~$78,656,877~~ *$78,626,984* the second year from the Lottery Proceeds Fund shall be disbursed based on the estimated number of federal Free Lunch participants, in support of programs for students who are educationally at risk. The additional payment shall be based on the state share of:

1) A minimum one percent add-on, as a percent of the per pupil basic aid cost, for each child

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who qualifies for the federal Free Lunch Program; and

2) An addition to the add-on, based on the concentration of children qualifying for the federal Free Lunch Program. Based on its percentage of Free Lunch participants, each school division will receive between 1 and 12 percent in additional basic aid per Free Lunch participant. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.

3a) Local school divisions are required to spend the established at-risk payment (state and local share) on approved programs for students who are educationally at risk.

b) To receive these funds, each school division shall certify to the Department of Education that the state and local share of the at-risk payment will be used to support approved programs for students who are educationally at risk. These programs may include: Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Project Discovery, Reading Recovery, programs for students who speak English as a second language, or programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training. Further, any new funds a school division receives in excess of the amounts received in FY 2008 may be used first to provide data coordinators or to purchase similar services for schools that have not met Adequate Yearly Progress (AYP) under the federal No Child Left Behind Act or are not fully accredited under the Standards of Accreditation. The data coordinator position is intended to provide schools with needed support in the area of data analysis and interpretation for instructional purposes, as well as overall data management and the administration of state assessments. The position would primarily focus on data related to instruction and school improvement, including: student assessment, student attendance, student/teacher engagement, behavior referrals, suspensions, retention, and graduation rates.

f. Regional Alternative Education Programs

1) An additional state payment of ~~$7,812,845~~ *$7,802,104* the first year and ~~$7,805,134~~ *$8,061,000* the second year from the Lottery Proceeds Fund shall be disbursed for Regional Alternative Education programs. Such programs shall be for the purpose of educating certain expelled students and, as appropriate, students who have received suspensions from public schools and students returned to the community from the Department of Juvenile Justice.

2) Each regional program shall have a small student/staff ratio. Such staff shall include, but not be limited to education, mental health, health, and law enforcement professionals, who will collaborate to provide for the academic, psychological, and social needs of the students. Each program shall be designed to ensure that students make the transition back into the "mainstream" within their local school division.

3) a) Regional alternative education programs are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs. This incremental per pupil payment shall be adjusted for the composite index of local ability-to-pay of the school division that counts such students attending such program in its March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the regional programs for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the school day or school year that the student does not attend such program.

b) In the event a school division does not use all of the student slots it is allocated under this program, the unused slots may be reallocated or transferred to another school division.

1. A school division must request from the Department of Education the availability and possible use of any unused student slots. If any unused slots are available and if the requesting school division chooses to utilize any of the unused slots, the requesting school division shall only receive the state's share of tuition for the unused slot that was allocated in this Item for the originally designated school division.

2. However, no requesting school division shall receive more tuition funding from the state for

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any requested unused slot than what would have been the calculated amount for the requesting school division had the unused slot been allocated to the requesting school division in the original budget. Furthermore, the requesting school division shall pay for any remaining tuition payment necessary for using a previously unused slot.

3. The Department of Education shall provide assistance for the state share of the incremental cost of Regional Alternative Education program operations based on the composite index of local ability-to-pay.

g. Remedial Summer School

1) This appropriation includes ~~$22,343,995~~ *$15,329,431* the first year and ~~$23,148,237~~ *$23,435,017* the second year from the general fund *and $6,433,605 the first year from the Lottery Proceeds Fund* for the state's share of Remedial Summer School Programs. These funds are available to school divisions for the operation of programs designed to remediate students who are required to attend such programs during a summer school session or during an intersession in the case of year-round schools. These funds may be used in conjunction with other sources of state funding for remediation or intervention. School divisions shall have maximum flexibility with respect to the use of these funds and the types of remediation programs offered; however, in exercising this flexibility, students attending these programs shall not be charged tuition and no high school credit may be awarded to students who participate in this program.

2) For school divisions charging students tuition for summer high school credit courses, consideration shall be given to students from households with extenuating financial circumstances who are repeating a class in order to graduate.

10. K-3 Primary Class Size Reduction Payments

a. An additional payment estimated at ~~$105,054,875~~ *$102,671,654* the first year and ~~$105,175,012~~ *$106,431,479* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education as an incentive for reducing class sizes in the primary grades.

b. The Department of Education shall calculate the payment based on the incremental cost of providing the lower class sizes based on the lower of the division average per pupil cost of all divisions or the actual division per pupil cost.

c. Localities are required to provide a match for these funds based on the composite index of local ability-to-pay.

d. By October 15 of each year school divisions must provide data to the Department of Education that each participating school has a September 30 pupil/teacher ratio in grades K through 3 that meet the following criteria:

Qualifying School Percentage of Students Approved

Eligible for Free Lunch	Grades K-3 School Ratio	Maximum Individual K-3 Class Size
30% but less than 45%	19 to 1	24
45% but less than 55%	18 to 1	23
55% but less than 65%	17 to 1	22
65% but less than 70%	16 to 1	21
70% but less than 75%	15 to 1	20
75% or more	14 to 1	19

e. School divisions may elect to have eligible schools participate at a higher ratio, or only in a portion of grades kindergarten through three, with a commensurate reduction of state and required local funds, if local conditions do not permit participation at the established ratio and/or maximum individual class size. *In the event that a school division requires additional actions to ensure participation at the established ratio and/or maximum individual class size, such actions must be completed by December 1 of the impacted school year.* Special education teachers and instructional aides shall not be counted towards meeting these required pupil/teacher ratios in grades kindergarten through three.

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f. The Superintendent of Public Instruction may grant waivers to school divisions for the class size requirement in eligible schools that have only one class in an affected grade level in the school.

g. It is the intent of the General Assembly that for the first and second year only, school divisions may have the flexibility to be considered to meet the requirements of this program if the ratio for each school is no more than three students higher than those otherwise required for this program.

11. Literary Fund Subsidy Program Payments

a. The Board of Education and the Virginia Public School Authority (VPSA) shall provide a program of funding for school construction and renovation through the Literary Fund and through VPSA bond sales. The program shall be used to provide funds, through Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects on the First or Second Literary Fund Waiting List, or other critical projects which may receive priority placement on the First or Second Literary Fund Waiting List by the Board of Education. Interest rate subsidies will provide school divisions with the present value difference in debt service between a Literary Fund loan and a borrowing through the VPSA. To qualify for an interest rate subsidy, the school division's project must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with the Board of Education in selecting those projects to be funded through the interest rate subsidy/bond financing program, so as to ensure the maximum leverage of Literary Fund moneys and a minimum impact on the VPSA Bond Pool.

b. The Board of Education may offer Literary Fund loans from the uncommitted balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales and the amounts set aside from the Literary Fund for Debt Service Payments for Education Technology in this Item.

c. 1) In the event that on any scheduled payment date of bonds of the Virginia Public School Authority (VPSA) authorized under the provisions of a bond resolution adopted subsequent to June 30, 1997, issued subsequent to June 30, 1997, and not benefiting from the provisions of either § 22.1-168 (iii), (iv), and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the sum of (i) the payments on general obligation school bonds of cities, counties, and towns (localities) paid to the VPSA and (ii) the proceeds derived from the application of the provisions of § 15.2-2659, Code of Virginia, to such bonds of localities, is less than the debt service due on such bonds of the VPSA on such date, there is hereby appropriated to the VPSA, first, from available moneys of the Literary Fund and, second, from the general fund a sum equal to such deficiency.

2) The Commonwealth shall be subrogated to the VPSA to the extent of any such appropriation paid to the VPSA and shall be entitled to enforce the VPSA's remedies with respect to the defaulting locality and to full recovery of the amount of such deficiency, together with interest at the rate of the defaulting locality's bonds.

d. The chairman of the Board of Commissioners of the VPSA shall, on or before November 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds of the VPSA issued and projected to be issued during such biennium pursuant to the bond resolution referred to in paragraph a above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

12. Educational Technology Payments

a. Any unobligated amounts transferred to the educational technology fund shall be disbursed on a pro rata basis to localities. The additional funds shall be used for technology needs identified in the division's technology plan approved by the Department of Education.

b. The Board of Education shall authorize amounts estimated at $12,610,500 the first year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2008.

c. The Board of Education shall authorize amounts estimated at $12,156,000 the first year and

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$12,154,000 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2009.

d.1) The Board of Education shall authorize amounts estimated at $11,911,750 the first year and $11,907,250 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2010.

2) It is the intent of the General Assembly to authorize sufficient appropriate Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2014-16 biennial budget for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for this program in FY 2015.

e. 1) The Board of Education shall authorize amounts estimated at $11,666,600 the first year and $11,669,000 the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2011.

2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2014-16 biennial budget for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for this program in FY 2015 and FY 2016.

f.1) The Board of Education shall authorize amounts estimated at ~~$12,471,800~~ *$12,353,630* the first year and ~~$12,472,875~~ *$11,982,000* the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in 2012.

2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2014-16 and 2016-18 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for this program in fiscal years 2015, 2016, and 2017.

g. 1) An education technology grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at ~~$58,338,000~~ *$59,846,000* in FY 2013 and ~~$58,104,000~~ *$59,612,000* in FY 2014. Proceeds of the notes will be used to establish a computer-based instructional and testing system for the Standards of Learning (SOL) and to develop the capability for high speed Internet connectivity at high schools followed by middle schools followed by elementary schools. By FY 2011, high schools within the division shall administer 100 percent of SOL tests online; by FY 2012, middle and high schools shall administer 100 percent of SOL tests online; and by FY 2013, elementary, middle, and high schools shall administer 100 percent of SOL tests online. School divisions shall use these funds first to develop and maintain the capability to support the administration of online SOL testing for all students with the exception of students with a documented need for a paper SOL test.

2) The Board of Education shall authorize amounts estimated at ~~$12,883,498~~ *$12,512,675* the second year from the Literary Fund to provide debt service payments for the education technology grant program conducted through the Virginia Public School Authority in FY 2013.

3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for education technology grant programs in FY 2013 and in FY 2014. In developing the proposed 2014-16, 2016-2018, and 2018-2020 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2015, 2016, 2017, 2018, and 2019.

4) Grant funds from the issuance of ~~$58,338,000~~ *$59,846,000* in FY 2013 and ~~$58,104,000~~

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$59,612,000 in FY 2014 in equipment notes are based on a grant of $26,000 per school and $50,000 per school division. For purposes of this grant program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2012, for the FY 2013 issuance, and September 30, 2013, for the FY 2014 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the School for the Deaf and the Blind. Schools that serve only pre-kindergarten students shall not be eligible for this grant.

5) Supplemental grants shall be allocated to eligible divisions to support schools that are not fully accredited in accordance with this paragraph. Schools that administer SOL tests in Spring 2012 and that are not fully accredited based on school accreditation ratings in effect for FY 2013 will qualify for a supplemental grant of $26,000 per school in fiscal years 2013, 2014, and 2015. Schools that administer SOL tests in Spring 2013 and that are not fully accredited based on school accreditation ratings in effect for FY 2014 will qualify for a supplemental grant of $26,000 per school in fiscal years 2014, 2015, and 2016. Schools eligible to receive these three-year supplemental grants shall only receive them one time. Schools that are fully accredited or that are new schools with conditional accreditation in their first year shall not be eligible to receive this supplemental grant. Schools that qualify for three-year supplemental grants that close prior to completion of the three-year grant period shall no longer receive supplemental grant funding.

6) Required local match:

a) Localities are required to provide a match for these funds equal to 20 percent of the grant amount, including the supplemental grants provided pursuant to paragraph g. 5). At least 25 percent of the local match shall be used for teacher training in the use of instructional technology. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.

b) School divisions that administer 100 percent of SOL tests online in all elementary, middle, and high schools may use up to 75 percent of their required local match to purchase targeted technology-based interventions. Such interventions may include the necessary technology and software to support online learning, technology-based content systems, content management systems, technology equipment systems, information and data management systems, and other appropriate technologies that support the individual needs of learners. School divisions that receive supplemental grants of $26,000 per school pursuant to paragraph g. 5) and where 100 percent of SOL tests are administered online in the schools receiving the supplemental grants shall give first priority to purchasing these technology-based interventions as well as teacher training in the use of the interventions from their required local match.

7) The goal of the education technology grant program is to improve the instructional, remedial, and testing capabilities of the Standards of Learning for local school divisions and to increase the number of schools achieving full accreditation.

8) Funds shall be used in the following manner:

a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed access to the Internet. School connectivity (computers, LANs and network access) shall include sufficient download/upload capability to ensure that each student will have adequate access to Internet-based instructional, remedial and assessment programs.

b) When each high school in a division meets the goals established in paragraph a) above, the remaining funds shall be used to develop similar capability in first the middle schools and then the elementary schools.

c) For purposes of establishing or enhancing a computer-based instructional program supporting the Standards of Learning pursuant to paragraph g. 1) above, these grant funds may be used to purchase handheld multifunctional computing devices that support a broad range of applications and that are controlled by operating systems providing full multimedia support and mobile Internet connectivity. School divisions that elect to use these grant funds to purchase such qualifying handheld devices must continue to meet the on-line testing requirements stated in paragraph g. 1) above.

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d) School divisions shall be eligible to apply for and receive supplemental grants of $26,000 per qualifying school pursuant to paragraph g. 5). These supplemental grants shall be used first for the purpose of developing and maintaining capacity to support 100 percent online SOL testing of all students in qualifying schools and helping the schools achieve full accreditation with the assistance of targeted technology-based interventions. Any purchase of technology-based interventions as described in paragraph g. 6) b) with supplemental grant funds must be qualifying expenses under the technology notes program. Eligibility for these funds requires divisions to submit an application and plan that includes goals, objectives, strategies, and a timeline for implementation. Division plans will be reviewed and approved by the Superintendent of Public Instruction prior to disbursement of the supplemental grant funds.

e) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2000.

9) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.

h. The Department of Education shall maintain criteria to determine if high schools, middle schools, or elementary schools have the capacity to meet the goals of this initiative. The Department of Education shall be responsible for the project management of this program.

i.1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes of the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a sum equal to such deficiency.

2) The Chairman of the Board of Commissioners of the VPSA shall, on or before November 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes of the VPSA issued and projected to be issued during such biennium pursuant to the resolution referred to in paragraph 1) above. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

j. Unspent proceeds of the notes, including investment income derived from the proceeds of the notes may be used to pay interest on, or to decrease principal of the notes.

k.1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by a Telephone Company for the State Government" shall be deemed to include communications lines into public schools which are used for educational technology. The rate structure for such lines shall be negotiated by the Superintendent of Public Instruction and the Chief Information Officer of the Virginia Information Technologies Agency. Further, the Superintendent and Director are authorized to encourage the development of "by-pass" infrastructure in localities where it fails to obtain competitive prices or prices consistent with the best rates obtained in other parts of the state.

2) The State Corporation Commission, in its consideration of the discount for services provided to elementary schools, secondary schools, and libraries and the universal service funding mechanisms as provided under § 254 of the Telecommunications Act of 1996, is hereby encouraged to make the discounts for intrastate services provided to elementary schools, secondary schools, and libraries for educational purposes as large as is prudently possible and to fund such discounts through the universal fund as provided in § 254 of the Telecommunications Act of 1996. The commission shall proceed as expeditiously as possible in implementing these discounts and the funding mechanism for intrastate services, consistent with the rules of the Federal Communications Commission aimed at the preservation and advancement of universal service.

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13. Security Equipment Payments

1) A security equipment grant program shall be conducted through the Virginia Public School Authority, through the issuance of equipment notes in an amount estimated at up to $6,000,000 in fiscal year 2013 and $6,000,000 in fiscal year 2014 in conjunction with the Virginia Public School Authority technology notes program authorized in 139.C.12. above. Proceeds of the notes will be used to help offset the related costs associated with the purchase of appropriate security equipment that will improve and help ensure the safety of students attending public schools in Virginia.

2) The Board of Education shall authorize amounts estimated at $1,300,000 the second year from the Literary Fund to provide debt service payments for the security equipment grant program conducted through the Virginia Public School Authority in fiscal year 2013.

3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized for this program. In developing the proposed 2014-16, 2016-2018, and 2018-2020 biennial budgets for public education, the Board of Education shall include a recommendation to the Governor to authorize sufficient Literary Fund revenues to make debt service payments for these programs in fiscal years 2015, 2016, 2017, 2018, and 2019.

4) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public School Authority issued for the purpose described in § 22.1-166.2, Code of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the amounts authorized for debt service due on such bonds or notes on such date, there is hereby appropriated to the Virginia Public School Authority from the general fund a sum equal to such deficiency.

5) The Chairman of the Board of Commissioners of the Virginia Public School Authority shall, on or before November 1 of each year, deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds and notes issued and projected to be issued during such biennium. The Governor's budget submission each year shall include provisions for the payment of debt service pursuant to paragraph 1) above.

6) Grant award funds from the issuance of up to $6,000,000 in fiscal year 2013 and $6,000,000 in fiscal year 2014 in equipment notes shall be distributed to eligible school divisions. The grant awards will be based on a competitive grant basis of up to $100,000 per school division. School divisions will be permitted to apply annually for grant funding. For purposes of this program, eligible schools shall include schools that are subject to state accreditation and reporting membership in grades K through 12 as of September 30, 2012, for the fiscal year 2013 issuance, and September 30, 2013, for the fiscal year 2014 issuance, as well as regional vocational centers, special education centers, alternative education centers, regular school year Governor's Schools, and the Virginia School for the Deaf and the Blind.

7) School divisions would submit their application to Department of Education by August 1 of each year based on the criteria developed by the Department of Education in collaboration with the Department of Criminal Justice Services who will provide requested technical support. Furthermore, the Department of Education will have the authority to make such grant awards to such school divisions.

8) It is also the intent of the General Assembly that the total amount of the grant awards shall not exceed $30,000,000 over any ongoing revolving five year period.

9) Required local match:

a) Localities are required to provide a match for these funds equal to 25 percent of the grant amount. The Superintendent of Public Instruction is authorized to reduce the required local match for school divisions with a composite index of local ability-to-pay below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match requirement.

b) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school divisions became one school division, whether by consolidation of only the school divisions or

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by consolidation of the local governments, such resulting division shall be provided funding through this program on the basis of having the same number of school divisions as existed prior to September 30, 2012.

c) Local school divisions shall maximize the use of available federal funds, including E-Rate Funds, and to the extent possible, use such funds to supplement the program and meet the goals of this program.

~~13.~~ *14.* Virginia Preschool Initiative Payments

a.1) It is the intent of the General Assembly that a payment estimated at ~~$68,169,246~~ *$64,953,097* the first year and ~~$68,509,739~~ *$68,569,714* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds unserved by Head Start program funding. In no event shall distributions from the Lottery Proceeds Fund be made directly to community-based or private providers.

2) These state funds and required local matching funds shall be used to provide programs for at-risk four-year-old children, which include quality preschool education, health services, social services, parental involvement and transportation. It shall be the policy of the Commonwealth that state funds and required local matching funds for the Virginia Preschool Initiative not be used for capital outlay. Programs must provide full-day or half-day and, at least, school-year services.

3) The Department of Education, in cooperation with the Council on Child Day Care and Early Childhood Programs, shall establish academic standards that are in accordance with appropriate preparation for students to be ready to successfully enter kindergarten. These standards shall be established in such a manner as to be measurable for student achievement and success. Students shall be required to be evaluated in the fall and in the spring by each participating school division and the school divisions must certify that the Virginia Preschool Initiative program follows the established standards in order to receive the funding for quality preschool education and criteria for the service components. Such guidelines shall be consistent with the findings of the November 1993 study by the Board of Education, the Department of Education, and the Council on Child Day Care and Early Childhood Programs.

4)a) Grants shall be distributed based on an allocation formula providing the state share of a $6,000 grant for 100 percent of the unserved at-risk four-year-olds in each locality for a full-day program. The number of unserved at-risk four-year-olds in each locality shall be based on the projected number of kindergarten students, updated once each biennium for the Governor's introduced biennial budget. For FY 2013 and FY 2014 only, the number of slots funded in each school division shall be the higher of the calculated slots based on projected kindergarten enrollments or the lesser of either the calculated slots using projections of four-year-olds from the Virginia Employment Commission or the actual number of slots utilized in FY 2012. Programs operating half-day shall receive state funds based on a fractional basis determined by the pro-rata portion of a full-day, school year program provided. Half-day programs shall operate for a minimum of three hours of classroom instructional time per day, excluding breaks for lunch or recess, and grants to half-day programs shall be funded based on the state share of $3,000 per unserved at-risk four-year-old in each locality. Full-day programs shall operate for a minimum of five and one-half instructional hours, excluding breaks for meals and recess. No additional state funding is provided for programs operating greater than three hours per day but less than five and one-half hours per day. In determining the state and local shares of funding, the composite index of local ability-to-pay is capped at 0.5000.

b) For new programs in the first year of implementation only, programs operating less than a full school year shall receive state funds on a fractional basis determined by the pro-rata portion of a school year program provided. In determining the prorated state funds to be received, a school year shall be 180 days.

b.1) Any locality which desires to participate in this grant program must submit a proposal through its chief administrator (county administrator or city manager) by ~~May~~ *June* 15 of each year. The chief administrator, in conjunction with the school superintendent, shall identify a lead agency for this program within the locality. The lead agency shall be responsible for developing a local plan for the delivery of quality preschool services to at-risk children which

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demonstrates the coordination of resources and the combination of funding streams in an effort to serve the greatest number of at-risk four-year-old children.

2) The proposal must demonstrate coordination with all parties necessary for the successful delivery of comprehensive services, including the schools, child care providers, local social services agency, Head Start, local health department, and other groups identified by the lead agency.

3) A local match, based on the composite index of local ability-to-pay, shall be required. For purposes of meeting the local match, localities may use local expenditures for existing qualifying programs, however, at least seventy-five percent of the local match will be cash and no more than twenty-five percent will be in-kind. In-kind contributions are defined as cash outlays that are made by the locality that benefit the program but are not directly charged to the program. The value of fixed assets cannot be considered as an in-kind contribution. Localities shall also continue to pursue and coordinate other funding sources, including child care subsidies. Funds received through this program must be used to supplement, not supplant, any funds currently provided for programs within the locality. However, in the event a locality is prohibited from continuing the previous level of support to programs for at-risk four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the state and local funds provided in this grants program may be used to continue services to these Title I students. Such prohibition may occur due to amendments to the allocation formula in the reauthorization of ESEA as the No Child Left Behind Act of 2001 or due to a percentage reduction in a locality's Title I allocation in 20011-2012 or 2012-2013. Any locality so affected shall provide written evidence to the Superintendent of Public Instruction and request his approval to continue the services to Title I students.

c. Local plans must provide clear methods of service coordination for the purpose of reducing the per child cost for the service, increasing the number of at-risk children served and/or extending services for the entire year. Examples of these include:

1) "Wraparound Services" — methods for combining funds such as child care subsidy dollars administered by local social service agencies with dollars for quality preschool education programs.

2) "Wrap-out Services" - methods for using grant funds to purchase quality preschool services to at-risk four-year-old children through an existing child care setting by purchasing comprehensive services within a setting which currently provides quality preschool education.

3) "Expansion of Service" - methods for using grant funds to purchase slots within existing programs, such as Head Start, which provide comprehensive services to at-risk four-year-old children.

Local plans must indicate the number of at-risk four-year-old children to be served, and the criteria by which they will be determined to be at risk.

d.1) The Department of Education and the Council on Child Day Care and Early Childhood Programs shall provide technical assistance for the administration of this grant program to provide assistance to localities in developing a comprehensive, coordinated, quality preschool program for serving at-risk four-year-old children.

2) A pre-application session shall be provided by the Department and the Council on Child Day Care and Early Childhood Programs prior to the proposal deadline. The Department shall provide interested localities with information on models for service delivery, methods of coordinating funding streams, such as funds to match federal IV-A child care dollars, to maximize funding without supplanting existing sources of funding for the provision of services to at-risk four-year-old children. A priority for technical assistance in the design of programs shall be given to localities where the majority of the at-risk four-year-old population is currently unserved.

e. The Department of Education is authorized to expend unobligated balances in this program's adopted budget allocations for grants to qualifying school divisions for one-time expenses, other than capital, related to start-up or expansion of programs.

~~14.~~ *15.* Early Reading Intervention Payments

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a. An additional payment of ~~$18,309,597~~ *$15,332,606* the first year and ~~$18,379,414~~ *$14,972,241* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through 3 who demonstrate deficiencies based on their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests of any local school board which requests authority to use a test other than the state-provided test to ensure that such local test uses criteria for the early diagnosis of reading deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of five to one. The estimated number of students in each school division in each year shall be determined by multiplying the projected number of students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3 by the percent of students who are determined to need services based on diagnostic tests administered in the previous year in that school division and adjusted in the following manner:

	Year 1	**Year 2**
Kindergarten	100%	100%
Grade 1	100%	100%
Grade 2	100%	100%
Grade 3	100%	100%

c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. At the beginning of the school year, local school divisions shall partner with the parents of those third grade students in the division who demonstrate reading deficiencies, discussing with them a developed plan for remediation and retesting. Such intervention programs, at the discretion of the local school division, may include, but not be limited to, the use of: special reading teachers; trained aides; volunteer tutors under the supervision of a certified teacher; computer-based reading tutorial programs; aides to instruct in-class groups while the teacher provides direct instruction to the students who need extra assistance; or extended instructional time in the school day or year for these students. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

d. In the event that a school division does not use the diagnostic test provided by the Department of Education in the year that serves as the basis for updating the funding formula for this program but has used it in past years, the Department of Education shall use the most recent data available for the division for the state-provided diagnostic test.

e. The results of all reading diagnostic tests and reading remediation shall be discussed with the student and the student's parent prior to the student being promoted to grade four.

f. Funds appropriated for Standards of Quality Prevention, Intervention, and Remediation, Remedial Summer School, or At-Risk Add-On may also be used to meet the requirements of this program.

~~15.~~ *16.* Standards of Learning Algebra Readiness Payments

a. An additional payment of ~~$11,261,046~~ *$11,173,155* the first year and ~~$11,278,855~~ *$11,352,196* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions for the purposes of providing math intervention services to students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as demonstrated by their individual performance on diagnostic tests which have been approved by the Department of Education. The Department of Education shall review the tests to ensure that such local test uses state-provided criteria for diagnosis of math deficiencies which are similar to those criteria used in the state-provided test. The Department of Education shall make the state-provided diagnostic test used in this program available to local school divisions. School divisions shall report the results of the diagnostic tests to the

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Department of Education on an annual basis at a time to be determined by the Superintendent of Public Instruction.

b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of ten to one. The estimate number of students in each school division shall be determined by multiplying the projected number of students reported in each school division's fall membership by the percent of students that qualify for the federal Free Lunch Program.

c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.

~~16.~~ *17.* School Construction Grants Program Escrow

Notwithstanding the requirements of Section 22.1-175.5 of the Code of Virginia, school divisions are permitted to withdraw funds from local escrow accounts established pursuant to Section 22.1-175.5 to pay for recurring operational expenses incurred by the school division. Localities are not required to provide a local match of the withdrawn funds.

~~17.~~ *18.* English as a Second Language Payments

A payment of ~~$45,787,607~~ *$44,675,649* the first year and ~~$47,687,950~~ *$45,863,224* the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions to support the state share of 17 professional instructional positions per 1,000 students for whom English is a second language. Local school divisions shall provide a local match based on the composite index of local ability-to-pay.

~~18.~~ *19.* Special Education Instruction Payments

a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.

b. Out of the appropriations in this Item, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at ~~$72,629,098~~ *$72,429,258* the first year and ~~$77,657,798~~ *$77,703,941* the second year from the Lottery Proceeds Fund for the purpose of the state's share of the tuition rates for approved public school regional programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.

c. Out of the amounts for Financial Assistance for Categorical Programs, ~~$33,212,970~~ *$32,971,928* the first year and $35,154,773 the second year from the general fund is appropriated to permit the Department of Education to enter into agreements with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The selection and employment of instructional and administrative personnel under such agreements will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board. State payments for the first year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2012 and the first three quarters of FY 2013. State payments for the second year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2013 and the first three quarters of FY 2014.

~~19.~~ *20.* Vocational Education Instruction Payments

a. It is the intention of the General Assembly that the Department of Education explore initiatives that will encourage greater cooperation between jurisdictions and the Virginia Community College System in meeting the needs of public school systems.

b. This appropriation includes $1,800,000 the first year from the Lottery Proceeds Fund and $1,800,000 the second year from the Lottery Proceeds Fund for secondary vocational-technical

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equipment. A base allocation of $2,000 each year shall be available for all divisions, with the remainder of the funding distributed on the basis of student enrollment in secondary vocational-technical courses. State funds received for secondary vocational-technical equipment must be used to supplement, not supplant, any funds currently provided for secondary vocational-technical equipment within the locality. Local school divisions are not required to provide a local match in order to receive these state funds.

~~20.~~ *21.* Adult Education Payments

State funds shall be used to reimburse general adult education programs on a fixed cost per pupil or cost per class basis. No state funds shall be used to support vocational noncredit courses.

~~21.~~ *22.* General Education Payments

a. This appropriation includes $2,485,988 the first year and $2,410,988 the second year from the Lottery Proceeds Fund to support Race to GED. Out of this appropriation, $465,375 the first year and $465,375 the second year shall be used for PluggedIn VA.

b. This appropriation includes $2,774,478 the first year from the general fund and $2,774,478 the second year from the Lottery Proceeds Fund to support Project Graduation and any associated administrative and contractual service expenditures related to this initiative.

~~22.~~ *23.* Virtual Virginia Payments

a. From appropriations in this Item, the Department of Education shall provide assistance for the Virtual Virginia program.

b. The local share of costs associated with the operation of the Virtual Virginia program shall be computed using the composite index of local ability-to-pay.

~~23.~~ *24.* Individual Student Alternative Education Program (ISAEP) Payments

Out of this appropriation, $2,247,581 the first year from the Lottery Proceeds Fund and $2,247,581 in the second year from the Lottery Proceeds Fund shall be provided for the secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly.

~~24.~~ *25.* Foster Children Education Payments

a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's local operations costs, as determined by the Department of Education, for each pupil of school age as defined in § 22.1-1, Code of Virginia, not a resident of the school division providing his education (a) who has been placed in foster care or other custodial care within the geographical boundaries of such school division by a Virginia agency, whether state or local, which is authorized under the laws of this Commonwealth to place children; (b) who has been placed in an orphanage or children's home which exercises legal guardianship rights; or (c) who is a resident of Virginia and has been placed, not solely for school purposes, in a child-caring institution or group home.

b. This appropriation provides ~~$9,999,435~~ *$9,016,406* the first year and ~~$10,458,297~~ *$9,413,338* the second year from the Lottery Proceeds Fund to support children attending public school who have been placed in foster care or other such custodial care across jurisdictional lines, as provided by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not adequate to cover the full costs specified therein, the Department is authorized to expend unobligated balances in this Item for this support.

~~25.~~ *26.* Sales Tax Payments

a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion of net revenue from the state sales and use tax, in support of the Standards of Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).

b. Certification of payments and distribution of this appropriation shall be made by the State

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c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the middle and end of each month.

~~26.~~ *27.* Adult Literacy Payments

a. Appropriations in this Item include $125,000 the first year and $125,000 the second year from the general fund for the ongoing literacy programs conducted by Mountain Empire Community College.

b. Out of this appropriation, the Department of Education shall provide $100,000 the first year and $100,000 the second year from the general fund for the Virginia Literacy Foundation grants to support programs for adult literacy including those delivered by community-based organizations and school divisions providing services for adults with 0-9th grade reading skills.

~~27.~~ *28.* Governor’s School Payments

a. Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of regular school year Governor's Schools based on each participating locality's composite index of local ability-to-pay. Participating school divisions must certify that no tuition is assessed to students for participation in this program.

b. Out of the amounts for Governor's School Payments, the Department of Education shall provide assistance for the state share of the incremental cost of summer residential Governor's Schools and Foreign Language Academies to be based on the greater of the state's share of the composite index of local ability-to-pay or 50 percent. Participating school divisions must certify that no tuition is assessed to students for participation in this program if they are enrolled in a public school.

c. For the Summer Governor's Schools and Foreign Language Academies programs, the Superintendent of Public Instruction is authorized to adjust the tuition rates, types of programs offered, length of programs, and the number of students enrolled in order to maintain costs within the available state and local funds for these programs.

d. It shall be the policy of the Commonwealth that state general fund appropriations not be used for capital outlay, structural improvements, renovations, or fixed equipment costs associated with initiation of existing or proposed Governor's schools. State general fund appropriations may be used for the purchase of instructional equipment for such schools, subject to certification by the Superintendent of Public Instruction that at least an equal amount of funds has been committed by participating school divisions to such purchases.

e. The Board of Education shall not take any action that would increase the state's share of costs associated with the Governor's Schools as set forth in this Item. This provision shall not prohibit the Department of Education from submitting requests for the increased costs of existing programs resulting from updates to student enrollment for school divisions currently participating in existing programs or for school divisions that begin participation in existing programs.

f.1) Regular school year Governor's Schools are funded through this Item based on the state's share of the incremental per pupil cost for providing such programs for each student attending a Governor's School up to a cap of 1,650 students per Governor's School in the first year and a cap of ~~1,700~~ *1,725* students per Governor's School in the second year. This incremental per pupil payment shall be adjusted for the composite index of the school division that counts such students attending an academic year Governor's School in their March 31 Average Daily Membership. It is the intent of the General Assembly that this incremental per pupil amount be in addition to the basic aid per pupil funding provided to the affected school division for such students. Therefore, local school divisions are encouraged to provide the appropriate portion of the basic aid per pupil funding to the Governor's Schools for students attending these programs, adjusted for costs incurred by the school division for transportation, administration, and any portion of the day that the student does not attend a Governor's School.

2) Students attending a revolving Academic Year Governor’s School program for only one

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semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only fifty percent of the full-year funded per pupil amount. Funding for students attending a revolving Academic Year program will be adjusted based upon actual September 30thand January 30th enrollment each fiscal year. For purposes of this Item, revolving programs shall mean Academic Year Governor’s School programs that admit students on a semester basis.

3) Students attending a continuous, non-revolving Academic Year Governor’s School program shall be counted as a full-time equivalent student and will be funded for the full-year funded per pupil amount. Funding for students attending a continuous, non-revolving Academic Year Governor’s School program will be adjusted based upon actual September 30th student enrollment each fiscal year. For purposes of this Item, continuous, non-revolving programs shall mean Academic Year Governor’s School programs that only admit students at the beginning of the school year. Fairfax County Public Schools shall not reduce local per pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated for the 2003-2004 school year.

g. All regional Governor's Schools are encouraged to provide full-day grades 9 through 12 programs. Out of the amounts in this item, $100,000 the first year from the general fund is provided for existing Governor's Schools, as distributed by the Superintendent of Public Instruction, to plan for or study the feasibility of expanding, including via a merger with another Governor's School. Up to $100,000 the second year is provided as one-time start-up funding for such expansions.

h. Out of the amounts in this item, $100,000 the first year from the general fund is available towards planning for a full-day grades 9 through 12 regional science and technology Governor's School in the greater Hampton Roads area.

~~28.~~ *29.* School Nutrition Payments

It is provided that, subject to implementation by the Superintendent of Public Instruction, no disbursement shall be made out of the appropriation for school nutrition to any locality in which the schools permit the sale of competitive foods in food service facilities or areas during the time of service of food funded pursuant to this Item.

~~29.~~ *30.* School Breakfast Payments

a. Out of this appropriation, ~~$3,330,678~~ *$3,693,543* the first year and ~~$3,767,599~~ *$3,837,586* the second year from the Lottery Proceeds Fund is included for the purpose of establishing a state funded incentive program to maximize federal school nutrition revenues and increase student participation in the school breakfast program. These funds are available to any school division as a reimbursement for breakfast meals served that are in excess of the baseline established by the Department of Education. The per meal reimbursement shall be $0.22; however, the department is authorized, but not required to reduce this amount proportionately in the event that the actual number of meals to be reimbursed exceeds the number on which this appropriation is based so that this appropriation is not exceeded.

b. In order to receive these funds, school divisions must certify that these funds will be used to supplement existing funds provided by the local governing body and that local funds derived from sources that are not generated by the school nutrition programs have not been reduced or eliminated. The funds shall be used to improve student participation in the school breakfast program. These efforts may include, but are not limited to, reducing the per meal price paid by students, reducing competitive food sales in order to improve the quality of nutritional offerings in schools, increasing access to the school breakfast program, or providing programs to increase parent and student knowledge of good nutritional practices. In no event shall these funds be used to reduce local tax revenues below the level appropriated to school nutrition programs in the prior year. Further, these funds must be provided to the school nutrition programs and may not be used for any other school purpose.

~~30.~~ *31.* Clinical Faculty and Mentor Teacher Program Payments

This appropriation includes $1,000,000 the first year and $1,000,000 the second year from the Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor Teacher Programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. This appropriation also includes $318,750 the first year and $318,750

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the second year from the general fund for Clinical Faculty programs to assist pre-service teachers and beginning teachers to make a successful transition into full-time teaching. Such programs shall include elements which are consistent with the following:

a. An application process for localities and school/higher education partnerships that wish to participate in the programs;

b. For Clinical Faculty programs only, provisions for a local funding or institutional commitment of 50 percent, to match state grants of 50 percent;

c. Program plans which include a description of the criteria for selection of clinical faculty and mentor teachers, training, support, and compensation for clinical faculty and mentor teachers, collaboration between the school division and institutions of higher education, the clinical faculty and mentor teacher assignment process, and a process for evaluation of the programs;

d. The Department of Education shall allow flexibility to local school divisions and higher education institutions regarding compensation for clinical faculty and mentor teachers consistent with these elements of the programs; and

e. It is the intent of the General Assembly that no preference between pre-service or beginning teacher programs be construed by the language in this Item. School divisions operating beginning teacher mentor programs shall receive equal consideration for funding.

~~31.~~ *32.* Career Switcher/Alternative Licensure Payments

Appropriations in this Item include $279,983 the first year and $279,983 the second year from the general fund to provide grants to school divisions that employ mentor teachers for new teachers entering the profession through the alternative route to licensure as prescribed by the Board of Education.

~~32.~~ *33.* Performance Pay Pilots

Out of this appropriation, ~~*$1,050,000*~~ *$597,673* the first year from the general fund shall be used to provide competitive grants to school divisions to pilot models for awarding performance pay for instructional personnel in hard-to-staff schools as determined by the Department of Education, pursuant to grant proposals submitted pursuant to Item 132 C.34. Performance Pay Pilots, Chapter 890, 2011 Session.

~~33.~~ *34.* Virginia Workplace Readiness Skills Assessment

Appropriations in this Item include $308,655 the first year and $308,655 the second year from the general fund to provide support grants to school divisions for standard diploma graduates. *To provide flexibility, school divisions may use the state grants for the actual assessment or for other industry certification preparation and testing.*

~~34.~~ *35.* Out of this appropriation, $200,000 the first year from the general fund is allocated to support the purchase of EpiPens in the public schools in the Commonwealth.

~~35.~~ *36.* Additional Assistance with Retirement, Inflation, and Preschool Costs

Out of this appropriation, $55,000,000 each year as one-time allocations shall be provided to school divisions as specified below to assist with costs of inflation, payments for the increase in the retirement employer contribution rates, and any one-time costs associated with local Virginia Preschool Initiative programs. No local match is required.

School Division	FY 2013	FY 2014
Accomack	$333,821	$331,854
Albemarle	$346,469	$347,509
Alleghany	$79,620	$80,950
Amelia	$99,474	$100,579
Amherst	$267,829	$262,835
Appomattox	$127,682	$129,076
Arlington	$440,137	$443,434
Augusta	$482,561	$485,749

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1	Bath	$11,309		$10,709	
2	Bedford	$396,230		$393,920	
3	Bland	$51,189		$49,674	
4	Botetourt	$184,575		$185,535	
5	Brunswick	$172,639		$165,161	
6	Buchanan	$165,528		$162,632	
7	Buckingham	$116,568		$120,167	
8	Campbell	$464,221		$460,210	
9	Caroline	$241,094		$244,875	
10	Carroll	$141,860		$142,977	
11	Charles City	$38,416		$37,553	
12	Charlotte	$131,264		$134,202	
13	Chesterfield	$2,433,377		$2,461,414	
14	Clarke	$68,477		$67,502	
15	Craig	$38,923		$38,334	
16	Culpeper	$353,732		$361,755	
17	Cumberland	$102,456		$101,463	
18	Dickenson	$110,612		$108,805	
19	Dinwiddie	$231,651		$235,857	
20	Essex	$70,446		$71,304	
21	Fairfax	$4,075,421		$4,084,358	
22	Fauquier	$352,149		$356,247	
23	Floyd	$120,052		$120,843	
24	Fluvanna	$172,613		$173,291	
25	Franklin	$333,612		$332,655	
26	Frederick	$603,305		$609,929	
27	Giles	$148,501		$149,164	
28	Gloucester	$299,348		$298,736	
29	Goochland	$55,864		$56,323	
30	Grayson	$104,025		$102,767	
31	Greene	$152,824		$150,103	
32	Greensville	$88,186		$85,578	
33	Halifax	$277,003		$276,108	
34	Hanover	$729,463		$728,615	
35	Henrico	$2,244,737		$2,252,588	
36	Henry	$461,258		$452,295	
37	Highland	$12,510		$11,786	
38	Isle of Wight	$170,874		$180,398	
39	James City	$321,169		$332,798	
40	King George	$174,941		$180,273	
41	King & Queen	$42,983		$44,088	
42	King William	$109,481		$113,655	
43	Lancaster	$38,374		$39,462	
44	Lee	$212,928		$212,832	
45	Loudoun	$2,059,168		$2,141,738	
46	Louisa	$188,751		$191,830	
47	Lunenburg	$94,046		$97,009	
48	Madison	$69,818		$68,736	
49	Mathews	$38,058		$38,773	
50	Mecklenburg	$253,904		$250,370	
51	Middlesex	$28,483		$30,299	
52	Montgomery	$460,246		$464,146	
53	Nelson	$69,154		$69,859	
54	New Kent	$104,024		$105,214	
55	Northampton	$103,274		$103,811	
56	Northumberland	$46,726		$46,802	
57	Nottoway	$117,183		$117,181	
58	Orange	$222,910		$224,514	
59	Page	$187,900		$191,909	
60	Patrick	$128,565		$130,139	
61	Pittsylvania	$570,082		$567,604	
62	Powhatan	$196,224		$197,259	
63	Prince Edward	$130,404		$130,033	
64	Prince George	$374,834		$378,368	

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1	Prince William	$3,867,010	$3,924,140		
2	Pulaski	$297,708	$293,120		
3	Rappahannock	$14,611	$14,033		
4	Richmond	$39,627	$40,941		
5	Roanoke	$629,707	$630,559		
6	Rockbridge	$102,293	$102,122		
7	Rockingham	$558,249	$561,639		
8	Russell	$215,638	$214,436		
9	Scott	$148,203	$152,977		
10	Shenandoah	$316,165	$319,355		
11	Smyth	$307,294	$303,302		
12	Southampton	$119,910	$121,660		
13	Spotsylvania	$1,185,839	$1,197,347		
14	Stafford	$1,258,623	$1,271,531		
15	Surry	$25,378	$24,345		
16	Sussex	$93,740	$91,548		
17	Tazewell	$227,409	$238,435		
18	Warren	$284,035	$284,356		
19	Washington	$337,769	$338,131		
20	Westmoreland	$100,694	$99,648		
21	Wise	$357,801	$358,938		
22	Wythe	$218,460	$219,221		
23	York	$532,993	$532,416		
24	Alexandria	$748,551	$698,074		
25	Bristol	$102,102	$104,202		
26	Buena Vista	$53,168	$51,323		
27	Charlottesville	$224,089	$222,024		
28	Colonial Heights	$111,619	$110,181		
29	Covington	$44,260	$44,439		
30	Danville	$414,168	$416,652		
31	Falls Church	$26,408	$26,631		
32	Fredericksburg	$58,452	$52,707		
33	Galax	$56,672	$55,574		
34	Hampton	$1,291,315	$1,262,208		
35	Harrisonburg	$307,595	$318,329		
36	Hopewell	$234,149	$231,452		
37	Lynchburg	$468,992	$466,336		
38	Martinsville	$124,954	$123,959		
39	Newport News	$1,613,866	$1,572,192		
40	Norfolk	$2,089,089	$2,051,361		
41	Norton	$7,385	$6,928		
42	Petersburg	$324,722	$307,474		
43	Portsmouth	$812,752	$793,661		
44	Radford	$87,618	$86,400		
45	Richmond City	$1,651,427	$1,598,967		
46	Roanoke City	$563,065	$560,008		
47	Staunton	$103,500	$103,453		
48	Suffolk	$731,077	$762,901		
49	Virginia Beach	$3,479,228	$3,442,748		
50	Waynesboro	$150,816	$150,040		
51	Williamsburg	$12,926	$13,233		
52	Winchester	$150,492	$150,411		
53	Fairfax City	$63,875	$62,679		
54	Franklin City	$98,665	$92,009		
55	Chesapeake	$2,233,936	$2,231,102		
56	Lexington	$17,287	$17,175		
57	Emporia	$41,875	$36,966		
58	Salem	$134,631	$134,716		
59	Bedford City	$45,664	$45,270		
60	Poquoson	$75,891	$75,394		
61	Manassas City	$344,899	$344,710		
62	Manassas Park	$155,927	$155,981		
63	Colonial Beach	$26,129	$28,169		
64	West Point	$30,073	$31,240		

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Total	**$55,000,000**	**$55,000,000**		

~~36.~~ 37. Compensation Supplements

~~a.1) The appropriation in this Item includes $58,541,291 the second year from the general fund for the state share of a payment equivalent to a 2.0 percent salary increase, effective July 1, 2013, for funded SOQ instructional positions only. Funded SOQ instructional positions shall include the teacher, guidance counselor, librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in the biennium.~~

~~2) It is the intent of the General Assembly that the average instructional position salaries be improved throughout the state by at least 2.0 percent in the second year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 2.0 percent salary increase for funded SOQ instructional positions only, effective July 1, 2013, to school divisions which certify to the Department of Education that equivalent salary increases have been provided for the instructional positions indicated in paragraph C.36.a.1) in the second year.~~

~~b. These funds shall be matched by the local government, based on the composite index of local ability-to-pay.~~

~~c. This appropriation is contingent on passage of the Teaching Excellence Act, as proposed by the Governor and submitted to the 2013 Session of the General Assembly for approval.~~

~~d. This funding is not intended as a mandate to increase salaries.~~

a.1) The appropriation in this item includes $70,164,391 the second year from the general fund for the state share of a payment equivalent to a 2.0 percent salary incentive increase, effective August 1, 2013, for funded SOQ instructional and support positions. Funded SOQ instructional positions shall include the teacher, guidance counselor, librarian, instructional aide, principal, and assistant principal positions funded through the SOQ staffing standards for each school division in the biennium.

2) It is the intent of the General Assembly that the instructional and support position salaries be improved in school divisions throughout the state by at least 2.0 percent in the second year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state share of a 2.0 percent salary increase for funded SOQ instructional and support positions, effective August 1, 2013, to school divisions which certify to the Department of Education, by June 15, 2013, that salary increases of a minimum of 2.0 percent have been provided in the second year by January 1, 2014, to instructional and support personnel. In certifying that the salary increases have been provided, school divisions may not include any salary increases that were provided in the second year solely to offset the cost of required member contributions to the Virginia Retirement System under § 51.1-144, Code of Virginia.

3) It is the intent of the General Assembly that all school divisions annually provide their employees, upon request, with a user-friendly statement of total compensation, including contract duration if less than 12 months.

b. The state funds for which the division is eligible to receive shall be matched by the local government, based on the composite index of local ability-to-pay, which shall be calculated using an effective date of January 1, 2014, as the basis for the local match requirement for both funded SOQ instructional and support positions.

c. This funding is not intended as a mandate to increase salaries.

d. This appropriation is contingent on passage of House Bill 2151/ Senate Bill 1223, which passed the 2013 Session of the General Assembly.

e. The Governor is hereby authorized to allocate a sum of up to $70,164,391 from this appropriation to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2013 and 2014 after the enactment by the General Assembly of the 2012 Appropriation Act. If the general fund revenue estimates prepared subsequent to the 2012 General Assembly Session do not result in downward revisions and, if within five days of the preliminary close of the fiscal year ending on June 30, 2013, the

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Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used in the manner stated in paragraphs C.36.a.1) and 2), C.36.b.1) and 2), C.36.c., and C.36.d.1) and 2) and 3) above.

~~37.~~ 38. Strategic Compensation Grants Initiative

a. Out of this appropriation, ~~$15,000,000~~ $5,500,000 the second year from the general fund is provided to support implementation of the Strategic Compensation Grants (SCG) Initiative. This program will award competitive grants to school divisions for the design and implementation of compensation systems for teachers that provide incentives that are tailored to each participating school division's strategic goals and objectives.

b. Any locality which desires to apply for this grant program must submit a proposal to the Department of Education by July 15, 2013. The proposal must designate the groups or types of teachers targeted for incentives in the compensation system. Incentives may focus on all teachers where quantitative student achievement data are available or specific groups of teachers within a division or school. These proposals may include, but are not limited to, the following incentives: 1) rewarding teachers who help students make significant academic progress; 2) rewarding teachers who seek opportunities to assist in the leadership needs of the school division, such as serving as instructional coaches or professional developers; 3) providing pay incentives for effective teachers with needed expertise who are willing to transfer to hard-to-staff or low-performing schools; 4) providing incentives for team performance in schools that achieve student learning goals; or 5) rewarding effective teachers who are assigned to teach critical shortage areas, such as mathematics and special education.

c. In order to be eligible to receive a strategic compensation grant, a school division's proposal must meet the following criteria: 1) stakeholder involvement in the development and implementation of the strategic compensation model at the school division; 2) teachers in the initiative must be evaluated using an effective evaluation system with quality measure systems, consistent with the Board of Education's evaluation standards and criteria, including a weight of 40 percent on student academic progress for the summative evaluation; 3) a significant component of the model for awarding incentives must include measureable and appropriate achievement goals for student academic progress; and 4) professional development must be an integral component of the model, including how a teacher will be supported to develop a school culture of teaching and learning, to improve instruction, and to increase student achievement. The Department of Education may also consider the geographic distribution of school divisions and the percentage of students attending hard-to-staff schools in making the competitive grant awards.

d. In order to be eligible to receive an award from the incentive program administered by the local school division and supported by the state SCG initiative, a teacher must meet the following eligibility criteria as well as other requirements established by the school division to receive incentives: 1) the teacher must be licensed to teach in Virginia and endorsed in the subject or grade level of the assignment; 2) in the case of federal core areas, the teacher must be highly qualified; 3) the teacher must be employed under a teacher contract (substitute teachers, hourly employees, or teacher aides are not eligible for an award); 4) the teacher must be employed by the local school board and provide or support direct instruction; and 5) the teacher receiving the award must be rated as successful, which shall be defined as "proficient or above" in performance evaluation ratings.

e. Any incentive for teachers included in a compensation system developed and implemented by a local school division must meet the following criteria: 1) designate incentive payments as a range or tiers for target groups, such as differentiating between the teacher of record or teachers in support positions; 2) have a maximum payment to a teacher of $5,000 per year; 3) prorate payments for teachers who have taught for less than a full school year; and 4) performance evaluations for participating teachers must be completed in a timeline that provides sufficient time to distribute incentive funds to teachers and submit reimbursement requests to the Department of Education no later than June 1, 2014.

39. Reading Specialists Initiative

a. An additional payment of $1,430,868 the second year from the general fund shall be disbursed by the Department of Education to qualifying local school divisions for the purpose of providing a reading specialist for any school with a third grade that has a school-wide pass

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rate of less than 75 percent on the reading Standards of Learning (SOL) assessments.				
b. These payments shall be based on the state's share of the cost of providing one reading specialist per qualifying school based on the 2011-2012 SOL pass rates for reading.				
c. These payments are available to any school division with a qualifying school that (1) certifies to the Department of Education that the division has hired a reading specialist to provide direct services to children reading below grade level in the school to improve reading achievement and (2) applies and receives a waiver for up to two years from the Board of Education for the administration of third grade SOL assessments in science or history and social science or both for the purpose of creating additional instructional time for reading specialists to work with students reading below grade level to improve reading achievement.				
d. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.				
140. Federal Education Assistance Programs (17900)			~~$834,092,100~~ *$870,905,000*	~~$834,092,100~~ *$870,905,000*
Federal Assistance to Local Education Programs (17901)	~~$834,092,100~~ *$870,905,000*	~~$834,092,100~~ *$870,905,000*		
Fund Sources: Federal Trust	~~$834,092,100~~ *$870,905,000*	~~$834,092,100~~ *$870,905,000*		
Authority: PL 107-110, PL 108-446, PL 105-332, PL 105-220, PL 105-220, Federal Code.				
a. The appropriation to support payments to school divisions from federal program grant funds is contained in this Item.				
b. The Department of Education will encourage localities to apply for Medicaid reimbursements for eligible special education expenditures which will help to increase available state and local funding for other educational activities and expenditures.				
Total for Direct Aid to Public Education			~~**$6,666,517,052**~~ ***$6,686,096,372***	~~**$6,698,682,899**~~ ***$6,814,137,283***
Fund Sources: General	~~$5,240,570,524~~ *$5,172,176,944*	~~$5,268,336,371~~ *$5,340,473,570*		
Special	$895,000	$895,000		
Commonwealth Transportation	$2,173,000	$2,173,000		
Trust and Agency	~~$588,786,428~~ *$639,946,428*	~~$593,186,428~~ *$599,690,713*		
Federal Trust	~~$834,092,100~~ *$870,905,000*	~~$834,092,100~~ *$870,905,000*		
Virginia School for the Deaf and the Blind (218)				
141. Instruction (19700)			~~$5,069,510~~ *$5,183,312*	$4,770,652
Classroom Instruction (19701)	~~$4,792,189~~ *$4,905,991*	$4,493,331		
Occupational-Vocational Instruction (19703)	$153,121	$153,121		
Outreach and Community Assistance (19710)	$124,200	$124,200		
Fund Sources: General	~~$4,361,775~~ *$4,475,577*	$4,062,917		
Special	$82,005	$82,005		
Federal Trust	$625,730	$625,730		
Authority: §§ 22.1-346 through 22.1-349, Code of Virginia.				
142. Residential Support (19800)			$4,280,618	~~$4,280,618~~ *$4,466,454*

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	Food and Dietary Services (19801)	$192,903	$192,903		
	Medical and Clinical Services (19802)	$300,551	$300,551		
	Physical Plant Services (19803)	$1,530,822	~~$1,530,822~~ *$1,699,177*		
	Residential Services (19804)	$1,926,238	$1,926,238		
	Transportation Services (19805)	$330,104	~~$330,104~~ *$347,585*		
	Fund Sources: General	$3,799,130	~~$3,799,130~~ *$3,984,966*		
	Special	$242,995	$242,995		
	Federal Trust	$238,493	$238,493		
	Authority: Title 22.1, Chapter 19, Code of Virginia.				
	Included in the appropriation for this Item is $168,355 the second year from the general fund for increased security personnel to augment existing public safety staffing levels. The funding is not to be used to increase the number of law enforcement personnel at the Virginia School for the Deaf and Blind.				
143.	Administrative and Support Services (19900)			$1,020,433	~~$1,020,433~~ *$1,019,653*
	General Management and Direction (19901)	$1,020,433	~~$1,020,433~~ *$1,019,653*		
	Fund Sources: General	$970,419	~~$970,419~~ *$969,639*		
	Special	$25,000	$25,000		
	Federal Trust	$25,014	$25,014		
	Authority: Title 22.1, Chapter 19, Code of Virginia.				
	A. It is the intention of the General Assembly that student enrollment will remain at the October 9, 2008, level.				
	B. Notwithstanding any other provision of law, the Virginia School for the Deaf and Blind is authorized to retain the income generated by the rental of facilities on the Staunton campus to outside entities.				
	Total for Virginia School for the Deaf and the Blind			~~**$10,370,561**~~ ***$10,484,363***	~~**$10,071,703**~~ ***$10,256,759***
	General Fund Positions	181.50	~~181.50~~ *185.50*		
	Position Level	181.50	~~181.50~~ *185.50*		
	Fund Sources: General	~~$9,131,324~~ *$9,245,126*	~~$8,832,466~~ *$9,017,522*		
	Special	$350,000	$350,000		
	Federal Trust	$889,237	$889,237		
	Grand Total for Department of Education, Central Office Operations			~~**$6,773,270,339**~~ ***$6,790,315,855***	~~**$6,804,440,971**~~ ***$6,919,326,553***
	General Fund Positions	317.50	~~317.50~~ *321.50*		
	Nongeneral Fund Positions	178.50	178.50		
	Position Level	496.00	~~496.00~~ *500.00*		
	Fund Sources: General	~~$5,300,879,885~~ *$5,232,600,107*	~~$5,327,650,517~~ *$5,401,866,520*		

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	Special	~~$7,754,059~~ *$5,707,690*	~~$7,754,059~~ *$5,707,690*		
	Commonwealth Transportation	$2,416,919	$2,416,919		
	Trust and Agency	~~$589,066,091~~ *$640,226,091*	~~$593,466,091~~ *$599,970,376*		
	Federal Trust	~~$873,153,385~~ *$909,365,048*	~~$873,153,385~~ *$909,365,048*		

§ 1-51. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)

144.	Higher Education Student Financial Assistance (10800)			~~$70,271,415~~ *$66,500,632*	~~$70,271,415~~ *$69,457,665*
	Scholarships (10810)	~~$70,081,415~~ *$66,310,632*	~~$70,081,415~~ *$69,267,665*		
	Regional Financial Assistance for Education (10813)	$190,000	$190,000		
	Fund Sources: General	~~$70,011,415~~ *$66,240,632*	~~$70,011,415~~ *$69,197,665*		
	Special	$10,000	$10,000		
	Dedicated Special Revenue	$250,000	$250,000		

Authority: College Scholarship Assistance Program: Title 23, Chapter 4.4, Code of Virginia; Tuition Assistance Grant Program: Title 23, Chapter 4.1, Code of Virginia, Regional Grants and Contracts: Discretionary Inclusion; Undergraduate and Graduate Assistance: Discretionary Inclusion; § 23-38.19:1; § 23-31.1; and § 23-7.4:1.

A. Appropriations in this Item are subject to the conditions specified in paragraphs B, C, D, E, F, and G hereof.

B. Those private institutions which participate in the programs provided by the appropriations in this Item shall, upon request by the State Council of Higher Education, submit financial and other information which the Council deems appropriate.

C.1. Out of the amounts for Scholarships the following sums shall be made available for:

a.1) College Scholarship Assistance Program, $4,413,750 from the general fund the first year ~~and $4,413,750 the second year from the general fund~~.

~~2) Any general fund amounts designated for the College Scholarship Assistance Program not required for federal maintenance of effort dollars shall be used for Virginia's discretionary financial aid program. Allocations of the discretionary financial aid funds shall be based on the need-based model approved by the State Council of Higher Education for Virginia.~~

b. Tuition Assistance Grant Program, ~~$61,812,665~~ *$58,041,882* the first year and ~~$61,812,665~~ *$64,812,665* the second year from the general fund is designated for full-time undergraduate and graduate students.

c. Virginia Space Grant Consortium Scholarships, $695,000 the first year and $695,000 the second year from the general fund.

d. Out of this appropriation, $20,000 the first year and $20,000 the second year from the general fund is designated to provide grants of up to $5,000 per year for Virginia students who attend schools and colleges of optometry. Each student receiving a grant shall agree to set up practice in the Commonwealth for a period of not less than two years upon completion of instruction.

2. No amount, or part of an amount, listed for any program specified in paragraph C 1 above shall be expended for any other program in this appropriation except for the amounts identified in C 1 a2).

D. College Scholarship Assistance Program payments to students out of this appropriation shall not exceed $5,000 each year per undergraduate and graduate student.

E. Tuition Assistance Grant Program

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1. Payments to students out of this appropriation shall not exceed $3,200 for qualified undergraduate students and $2,200 for qualified graduate and medical students attending not-for-profit, independent institutions in accordance with §§ 23-38.12 through 23-38.19, Code of Virginia.

2. The private institutions which participate in this program shall, during the spring semester previous to the commencement of a new academic year or as soon as a student is admitted for that year, whichever is later, notify their enrolled and newly admitted Virginia students about the availability of tuition assistance awards under the program. The information provided to students and their parents must include information about the eligibility requirements, the application procedures, and the fact that the amount of the award is an estimate and is not guaranteed. The number of students applying for participation and the funds appropriated for the program determine the amount of the award. Conditions for reduction of award amount and award eligibility are described in this Item and in the regulations issued by the State Council of Higher Education. The institutions shall certify to the council that such notification has been completed and shall indicate the method by which it was carried out.

3. Institutions participating in this program must submit annually to the council copies of audited financial statements.

4. To be eligible for a fall or full-year award out of this appropriation, a student's application must have been received by a participating independent college or by the State Council of Higher Education by July 31. Returning students who received the award in the previous year will be prioritized with the July 31 award. Applications for a fall or full-year award received after July 31 but no later than September 14 will be held for consideration if funds are available after July 31 and returning student awards have been made. Applications for spring semester only awards must be received by December 1 and will be considered only if funds remain available.

5. No limitations shall be placed on the award of Tuition Assistance Grants other than those set forth herein or in the Code of Virginia.

6. All eligible institutions not previously approved by the State Council of Higher Education to participate in the Tuition Assistance Grant Program shall have received accreditation by a nationally recognized regional accrediting agency, prior to participation in the program or by the Commission on Osteopathic College Accreditation of the American Osteopathic Association in the case of freestanding institutions of higher education that offer the Doctor of Osteopathic Medicine as the sole degree program.

7. Payments to undergraduate students shall be greater than payments to graduate and medical students and shall be based on a differential established by the State Council of Higher Education for Virginia.

8. Beginning July 1, 2009, no new awards shall be provided to new graduate students except in health-related professional programs to include allied health, nursing, pharmacy, medicine, and osteopathic medicine. Notwithstanding application deadlines contained in the Virginia Administrative Code for the Tuition Assistance Grant program, provided that the institution has received accreditation by the Liaison Committee on Medical Education, the Virginia Tech - Carilion School of Medicine shall be deemed eligible to participate in the Tuition Assistance Grant program beginning with the 2010-2011 academic year.

9. Notwithstanding any other provisions of law, Eastern Virginia Medical School is not eligible to participate in the Tuition Assistance Grant Program.

F.1. Regional Grants and Contracts: Out of this appropriation, $170,000 the first year and $170,000 the second year from the general fund is designated to support Virginia's participation in the Southern Regional Education Board initiative to increase the number of minority doctoral graduates.

2. The amounts listed in paragraph 1 shall be expended in accordance with the agreements between the Commonwealth of Virginia and the Southern Regional Education Board.

G.1. Out of this appropriation, $1,250,000 the first year and ~~$1,250,000~~ *$1,850,000* the second year from the general fund is designated for the Virginia Military Survivors and Dependents

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program, § 23-7.4:1, Code of Virginia, to provide up to a ~~$1,500~~ *$1,800* annual stipend to offset the costs of room, board, books and supplies for qualified survivors and dependents of military service members.

2. The amount of the stipend is an estimate depending on the number of students eligible under § 23-7.4:1, Code of Virginia. Changes that increase or decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

3. The Director, State Council of Higher Education for Virginia, shall allocate these funds to public institutions of higher education on behalf of students qualifying under this provision.

4. Each institution of higher education shall report the number of recipients for this program to the State Council of Higher Education for Virginia by April 1 of each year. The State Council of Higher Education for Virginia shall report this information to the Chairmen of the House Appropriations and Senate Finance Committees by May 15 of each year.

5. The Department of Veterans Services shall consult with the State Council of Higher Education for Virginia prior to the dissemination of any information related to the financial benefits provided under this program.

H.1. Out of the appropriation for this Item, $1,650,000 the first year and $1,650,000 the second year from the general fund is designated for the Two-Year College Transfer Grant Program.

2. The State Council of Higher Education for Virginia shall disburse these funds for full-time students consistent with §§ 23-38.10:9 through 23-38.10:13, Code of Virginia. Beginning with students who are entering a senior institution as a two-year transfer student for the first time in the fall ~~2012~~ *2013* academic year, and who otherwise meet the eligibility criteria of § 23-38.10:10, the maximum EFC is raised to ~~$9,000~~ *$12,000*.

3. The actual amount of the award depends on the number of students eligible under §§ 23-38.10:9 through 23-38.10:13, Code of Virginia. Changes that decrease the grant amount shall be determined by the State Council of Higher Education for Virginia.

145. Financial Assistance for Educational and General Services (11000)			$75,000	$75,000
Outstanding Faculty Recognition (11009)	$75,000	$75,000		
Fund Sources: Special	$75,000	$75,000		

Authority: Eminent Scholars: Discretionary Inclusion; Outstanding Faculty Recognition Program: Discretionary Inclusion.

Outstanding Faculty Recognition Program

1. The State Council of Higher Education for Virginia shall annually provide a grant to faculty members selected to be honored under this program from such private funds as may be designated for this purpose.

2. The faculty members shall be selected from public and private institutions of higher education in Virginia, but recipients of Outstanding Faculty Recognition Awards shall not be eligible for the awards in subsequent years.

146. Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100)			$12,984,494	~~$12,990,380~~ *$13,196,461*
Higher Education Coordination and Review (11104)	$12,014,445	~~$12,020,331~~ *$12,226,412*		
Regulation of Private and Out-Of-State Institutions (11105)	$970,049	$970,049		
Fund Sources: General	$11,574,445	~~$11,580,331~~ *$11,786,412*		
Special	$970,049	$970,049		
Internal Service	$290,000	$290,000		

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Federal Trust.....	$150,000	$150,000		

Authority: §§ 23-9.3, 23-9.6:1, 23-20, 23-38.13, and 23-38.45, Code of Virginia; SJR 22 (1949).

A. 1. It is the intent of the General Assembly to provide general fund support to contract at a level equivalent to the Tuition Assistance Grant undergraduate award with Mary Baldwin College for Virginia women resident students to participate in the Virginia Women's Institute for Leadership at Mary Baldwin College.

2. The amounts included in this item are $307,899 the first year and $307,899 the second year from the general fund for the programmatic administration of this program.

3. General fund appropriations provided under this contract include financial incentive for the participating students at Mary Baldwin College in the Virginia Women's Institute for Leadership Program. Students receiving this financial incentive will not be eligible for Tuition Assistance Grants.

B. In discharging the responsibilities specified in § 23-272 D, Code of Virginia, the State Council of Higher Education for Virginia shall provide exemptions to individual proprietorships, associations, co-partnerships or corporations which are now or in the future will be using the words "college" or "university" in their training programs solely for their employees or customers, which do not offer degree-granting programs, and whose name includes the word "college" or "university" in a context from which it clearly appears that such entity is not an educational institution.

C. Out of the appropriation for Higher Education Coordination and Review, $7,403,177 the first year and $7,403,177 the second year from the general fund is provided for continuation of the Virtual Library of Virginia. Funding for the Virtual Library of Virginia is provided for the benefit of students and faculty at the Commonwealth's public institutions of higher education and participating nonprofit, independent private colleges and universities. Out of this amount, $396,785 the first year and $396,785 the second year is earmarked to allow the participation of nonprofit, independent private colleges and universities.

D. The State Council of Higher Education for Virginia and the Secretary of Education, in conjunction with the three medical schools, University of Virginia, Virginia Commonwealth University, and Eastern Virginia Medical School, shall monitor the results of the Generalist Initiative, especially the decisions of graduates from the undergraduate medical programs to enter generalist residencies, and the composition of the residencies in the two associated academic health centers. It is the intent of the General Assembly that the three medical schools shall maintain the efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth’s need for generalist physicians in medically underserved regions of the state. Further, the medical schools shall support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.

E. Out of this appropriation, $950,366 and eight positions the first year and $950,366 and eight positions the second year from nongeneral funds is provided to support higher education coordination and review services, including expenses incurred in the regulation and oversight of the private and out-of-state postsecondary institutions and proprietary schools operating in Virginia. These funds will be generated through fee schedules developed pursuant to § 23-276.9, Code of Virginia.

F. The State Council of Higher Education for Virginia, in consultation with the House Appropriations Committee, the Senate Finance Committee, the Department of General Services, and the Department of Planning and Budget, shall develop a six-year capital outlay plan for higher education institutions including affiliated entities. As a part of this plan SCHEV shall consider (i) current funding mechanisms for capital projects and improvements at the Commonwealth's institutions of higher education, including general obligation bonds and other viable funding methods; (ii) mechanisms to assist private institutions of higher education in the Commonwealth with their capital needs.

G. The Executive Director, State Council of Higher Education for Virginia, may appoint an advisory committee to assist the council with technology-enriched learning initiatives. The

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advisory committee may assist the council in (i) developing innovative, cost-effective, technology-enriched teaching and learning initiatives, including distance and distributed learning initiatives; (ii) improving cooperation among and between the public and private institutions of higher education in the Commonwealth; (iii) improving efficiency and expand the availability of technology-enriched courses; and (iv) facilitating the sharing of research and experience to improve student learning.

H. Out of this appropriation, $150,000 the first year and $150,000 the second year from nongeneral funds is designated to cover the costs of federal education support programs.

I. The State Council of Higher Education for Virginia shall include Eastern Virginia Medical School in any calculations used to determine the funding requirements for state medical schools.

J.1. Higher Education Coordination and Review includes an internal service fund to support review of capital projects. This internal service fund shall consist of fees imposed upon capital projects approved for institutions of higher education for the review of proposed capital outlay projects. The estimated total amount to be collected by this fund is a sum sufficient estimated at $290,000 each year.

2. In administering this internal service fund, the State Council of Higher Education for Virginia shall provide capital project review services to institutions of higher education and produce capital project analysis work products for the Department of Planning and Budget and the General Assembly.

K. In addition to the reviews conducted under §§ 23-9.6:1.01 and 23-38.87:17, the State Council of Higher Education shall evaluate the progress of individual initiatives funded in this Act as part of the incentive funding provided to colleges and universities with regard to improvements in retention, graduation, degree production and other criteria the Council deems appropriate.

L. Out of this appropriation, $160,295 the second year from the general fund is designated to support research and analysis and the enhancement of consumer information regarding higher education.

147.	Higher Education Federal Programs Coordination (11200)		$4,680,457	$4,680,457
	Higher Education Federal Programs Coordination (11201)	$4,680,457	$4,680,457	
	Fund Sources: Federal Trust.....	$4,680,457	$4,680,457	

Authority: Title 23, Chapter 20, Code of Virginia.

1. Out of this appropriation, ~~$4,680,457~~ *$2,440,426* the first year and ~~$4,680,457~~ *$2,440,426* the second year from nongeneral funds is designated for grants to improve teacher quality (No Child Left Behind Act *grant*).

2. Out of this appropriation, $2,240,031 the first year and $2,240,031 the second year from nongeneral funds is designated for federal grants to increase college access and success for underprivileged students from the College Access Challenge grant.

148.	Financial Assistance for Public Education (Categorical) (17100)		$3,000,000	$3,000,000
	Early Awareness and Readiness Programs (17117).....	$3,000,000	$3,000,000	
	Fund Sources: Federal Trust.....	$3,000,000	$3,000,000	

Authority: Discretionary Inclusion.

Out of this appropriation, $3,000,000 the first year and $3,000,000 the second year from nongeneral funds is designated for the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR-UP) grant.

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	Total for State Council of Higher Education for Virginia			~~$91,011,366~~ *$87,240,583*	~~$91,017,252~~ *$90,409,583*
	General Fund Positions	31.00	~~31.00~~ *32.00*		
	Nongeneral Fund Positions	17.00	17.00		
	Position Level	48.00	~~48.00~~ *49.00*		
	Fund Sources: General	~~$81,585,860~~ *$77,815,077*	~~$81,591,746~~ *$80,984,077*		
	Special	$1,055,049	$1,055,049		
	Internal Service	$290,000	$290,000		
	Dedicated Special Revenue	$250,000	$250,000		
	Federal Trust	$7,830,457	$7,830,457		
	§ 1-52. CHRISTOPHER NEWPORT UNIVERSITY (242)				
149.	Educational and General Programs (10000)			~~$52,465,249~~ *$58,839,749*	~~$52,962,860~~ *$59,735,022*
	Higher Education Instruction (100101)	~~$26,613,319~~ *$28,173,419*	~~$27,108,178~~ *$29,065,940*		
	Higher Education Research (100102)	$1,961,180	$1,961,180		
	Higher Education Academic Support (100104)	~~$6,384,582~~ *$7,871,032*	~~$6,384,582~~ *$7,871,032*		
	Higher Education Student Services (100105)	~~$4,199,873~~ *$5,609,973*	~~$4,199,873~~ *$5,609,973*		
	Higher Education Institutional Support (100106)	~~$5,973,995~~ *$7,121,845*	~~$5,973,995~~ *$7,121,845*		
	Operation and Maintenance of Plant (100107)	~~$7,332,300~~ *$8,102,300*	~~$7,335,052~~ *$8,105,052*		
	Fund Sources: General	$23,779,417	~~$24,082,054~~ *$24,479,716*		
	Higher Education Operating	~~$28,685,832~~ *$35,060,332*	~~$28,880,806~~ *$35,255,306*		

Authority: Title 23, Chapter 5.3, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C.1. Out of this appropriation, $751,663 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $255,673 each year from the general fund is designated to address efforts to improve retention and graduation through the student success initiative.

D. 1. Out of this appropriation, $440,847 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Christopher Newport University in the fall 2011. Christopher Newport University shall utilize these funds to implement expansion of the President's Leadership Program and new academic STEM programs

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consistent with its liberal arts and science mission.				
2. Christopher Newport University shall reallocate $334,796 the first year and $446,394 the second year from current educational and general program funds either to support the initiatives identified in paragraph D.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.				
3. Christopher Newport University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
150. Higher Education Student Financial Assistance (10800)..			~~$4,804,490~~	~~$4,808,194~~
			$5,214,490	*$5,466,107*
Scholarships (10810).....	~~$4,804,490~~	~~$4,804,490~~		
	$5,214,490	*$5,462,403*		
Fellowships (10820).....	$0	$3,704		
Fund Sources: General.....	$4,329,490	~~$4,333,194~~		
		$4,581,107		
Higher Education Operating.....	~~$475,000~~	~~$475,000~~		
	$885,000	*$885,000*		
Authority: Title 23, Chapter 5.3, Code of Virginia.				
151. Financial Assistance for Educational and General Services (11000).....			$1,498,882	$1,498,882
Sponsored Programs (11004)	$1,498,882	$1,498,882		
Fund Sources: Higher Education Operating.....	$1,498,882	$1,498,882		
Authority: Title 23, Chapter 5.3, Code of Virginia.				
The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the University to cover sponsored program operations.				
152. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			~~$54,100,394~~	~~$54,100,394~~
			$58,039,686	*$58,811,548*
Food Services (80910).....	~~$9,441,892~~	~~$9,441,892~~		
	$9,645,664	*$9,968,517*		
Bookstores and other Stores (80920).....	$4,709,300	$4,709,300		
Residential Services (80930)	~~$18,256,119~~	~~$18,256,119~~		
	$20,371,468	*$20,367,968*		
Parking and Transportation Systems and Services (80940)	~~$1,249,238~~	~~$1,249,238~~		
	$1,663,520	*$1,662,538*		
Recreational and Intramural Programs (80980).....	$135,000	$135,000		
Other Enterprise Functions (80990).....	~~$10,870,373~~	~~$10,870,373~~		
	$11,959,892	*$12,009,610*		
Intercollegiate Athletics (80995)	~~$9,438,472~~	~~$9,438,472~~		
	$9,554,842	*$9,958,615*		
Fund Sources: Higher Education Operating.....	~~$41,332,378~~	~~$41,332,378~~		
	$41,832,378	*$41,832,378*		
Debt Service.....	~~$12,768,016~~	~~$12,768,016~~		
	$16,207,308	*$16,979,170*		
Authority: Title 23, Chapter 5.3, Code of Virginia.				
Total for Christopher Newport University.....			~~**$112,869,015**~~	~~**$113,370,330**~~
			$123,592,807	***$125,511,559***

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	General Fund Positions	337.96	337.96		
	Nongeneral Fund Positions	500.78	500.78		
	Position Level	838.74	838.74		
	Fund Sources: General	$28,108,907	~~$28,415,248~~		
			$29,060,823		
	Higher Education Operating	~~$71,992,092~~	~~$72,187,066~~		
		$79,276,592	*$79,471,566*		
	Debt Service	~~$12,768,016~~	~~$12,768,016~~		
		$16,207,308	*$16,979,170*		

§ 1-53. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)

153.	Educational and General Programs (10000)			~~$157,573,368~~	~~$159,138,665~~
				$164,473,474	*$166,907,843*
	Higher Education Instruction (100101)	~~$82,054,650~~	~~$83,625,885~~		
		$89,281,150	*$91,721,457*		
	Higher Education Research (100102)	~~$1,250,498~~	~~$1,250,498~~		
		$829,512	*$829,512*		
	Higher Education Public Services (100103)	~~$8,169~~	~~$8,169~~		
		$8,498	*$8,498*		
	Higher Education Academic Support (100104)	~~$22,681,842~~	~~$22,681,842~~		
		$23,843,342	*$23,843,342*		
	Higher Education Student Services (100105)	~~$7,045,964~~	~~$7,045,964~~		
		$6,895,964	*$6,895,964*		
	Higher Education Institutional Support (100106)	~~$16,198,178~~	~~$16,198,178~~		
		$17,179,678	*$17,179,678*		
	Operation and Maintenance of Plant (100107)	~~$28,334,067~~	~~$28,328,129~~		
		$26,435,330	*$26,429,392*		
	Fund Sources: General	$36,843,298	~~$37,474,380~~		
			$38,343,452		
	Higher Education Operating	~~$111,553,638~~	~~$112,493,791~~		
		$118,453,744	*$119,393,897*		
	Debt Service	$9,176,432	$9,170,494		

Authority: Title 23, Chapter 5, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

D.1. Out of this appropriation, $416,352 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $193,080 each year from the general fund is designated to continue the increase in access for in-state undergraduate students begun in the 2011 Session.

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E.1. Out of this appropriation, $487,758 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the College of William and Mary in the fall 2011. The College of William and Mary shall utilize these funds to implement a new minor in marine science and expansion of student research opportunities consistent with its Quality Enhancement Program.

2. The College of William and Mary shall reallocate $535,824 the first year and $714,432 the second year from current educational and general program funds either to support the initiatives identified in paragraph E.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. The College of William and Mary may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

F. Out of this appropriation, $200,000 the second year from the general fund is designated to support the planning and activities related to a potential merger or partnership with the Eastern Virginia Medical School.

154. Higher Education Student Financial Assistance (10800)..			~~$16,984,841~~	~~$17,048,529~~
			$20,494,554	*$20,733,494*
Scholarships (10810).....	~~$13,584,564~~	~~$13,584,564~~		
	$14,944,277	*$15,119,529*		
Fellowships (10820).....	~~$3,400,277~~	~~$3,463,965~~		
	$5,550,277	*$5,613,965*		
Fund Sources: General.....	$3,744,871	~~$3,808,559~~		
		$3,983,811		
Higher Education Operating.....	~~$13,239,970~~	~~$13,239,970~~		
	$16,749,683	*$16,749,683*		

Authority: Title 23, Chapter 5, Code of Virginia.

Higher education operating funds appropriated in this program may be allocated for need-based aid to Virginia undergraduate students to enhance the quality and diversity of the student body.

155. Financial Assistance for Educational and General Services (11000).....			$33,521,609	$33,521,609
Eminent Scholars (11001).....	$2,355,581	$2,355,581		
Sponsored Programs (11004).....	$31,166,028	$31,166,028		
Fund Sources: General.....	$75,000	$75,000		
Higher Education Operating.....	$33,261,415	$33,261,415		
Debt Service.....	$185,194	$185,194		

Authority: Title 23, Chapter 5, Code of Virginia.

A. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund and $400,000 the first year and $400,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.

B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the college to cover sponsored program operations.

156. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			~~$65,171,203~~	~~$65,171,203~~
			$66,478,588	*$67,839,064*
Food Services (80910).....	$12,048,700	$12,048,700		
Bookstores and other Stores (80920).....	$2,475,918	$2,475,918		
Residential Services (80930).....	$20,591,899	$20,591,899		
Parking and Transportation Systems and Services (80940).....	$1,924,715	$1,924,715		

ITEM 156.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Telecommunications Systems and Services (80950).....	$4,548,498	$4,548,498		
	Student Health Services (80960).....	$3,605,724	$3,605,724		
	Student Unions and Recreational Facilities (80970).....	$5,629,570	$5,629,570		
	Recreational and Intramural Programs (80980).....	$748,349	$748,349		
	Other Enterprise Functions (80990).....	~~$5,296,107~~	~~$5,296,107~~		
		$6,603,492	*$7,963,968*		
	Intercollegiate Athletics (80995).....	$8,301,723	$8,301,723		
	Fund Sources: Higher Education Operating.....	$52,537,268	$52,537,268		
	Debt Service.....	~~$12,633,935~~	~~$12,633,935~~		
		$13,941,320	*$15,301,796*		
	Authority: Title 23, Chapter 5, Code of Virginia.				
	Total for The College of William and Mary in Virginia..			~~**$273,251,021**~~	~~**$274,880,006**~~
				$284,968,225	***$289,002,010***
	General Fund Positions.....	542.66	542.66		
	Nongeneral Fund Positions.....	868.96	868.96		
	Position Level	1,411.62	1,411.62		
	Fund Sources: General.....	$40,663,169	~~$41,357,939~~		
			$42,402,263		
	Higher Education Operating.....	~~$210,592,291~~	~~$211,532,444~~		
		$221,002,110	*$221,942,263*		
	Debt Service.....	~~$21,995,561~~	~~$21,989,623~~		
		$23,302,946	*$24,657,484*		
	Richard Bland College (241)				
157.	Educational and General Programs (10000).....			$9,700,339	~~$9,770,300~~
					$9,959,280
	Higher Education Instruction (100101).....	$4,328,430	~~$4,398,391~~		
			$4,587,371		
	Higher Education Public Services (100103).....	$4,500	$4,500		
	Higher Education Academic Support (100104).....	$462,335	$462,335		
	Higher Education Student Services (100105).....	$987,347	$987,347		
	Higher Education Institutional Support (100106).....	$2,500,936	$2,500,936		
	Operation and Maintenance of Plant (100107).....	$1,416,791	$1,416,791		
	Fund Sources: General.....	$5,238,116	~~$5,284,360~~		
			$5,473,340		
	Higher Education Operating.....	$4,462,223	$4,485,940		

Authority: Title 23, Chapter 5, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C.1. Out of this appropriation, $28,199 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $73,535 each year from the general fund is designated to address

ITEM 157.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	efforts to improve retention and graduation through dual enrollment programs.				
	D.1. Out of this appropriation, $189,860 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Richard Bland College in the fall 2011. Richard Bland College shall utilize these funds to develop 2+2 programs in partnership with and with guaranteed admission to Old Dominion University, Virginia Commonwealth University and Virginia State University.				
	2. Richard Bland College shall reallocate $74,198 the first year and $98,930 the second year from current educational and general program funds either to support the initiatives identified in paragraph D.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.				
	3. Richard Bland College may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
158.	Higher Education Student Financial Assistance (10800)..			$429,511	~~$429,511~~ *$454,107*
	Scholarships (10810).....	$429,511	~~$429,511~~ *$454,107*		
	Fund Sources: General.....	$429,511	~~$429,511~~ *$454,107*		
	Authority: Title 23, Chapter 5, Code of Virginia.				
159.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at.....			$335,110	$335,110
	Sponsored Programs (11004)	$335,110	$335,110		
	Fund Sources: Higher Education Operating.....	$335,110	$335,110		
	Authority: Title 23, Chapter 5, Code of Virginia.				
160.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at.....			$2,722,000	$2,722,000
	Food Services (80910).....	$63,600	$63,600		
	Bookstores and other Stores (80920).....	$200,000	$200,000		
	Residential Services (80930).....	$2,194,500	$2,194,500		
	Parking and Transportation Systems and Services (80940)	$83,000	$83,000		
	Recreational and Intramural Programs (80980).....	$4,000	$4,000		
	Other Enterprise Functions (80990).....	$176,900	$176,900		
	Fund Sources: Higher Education Operating.....	$2,722,000	$2,722,000		
	Authority: Title 23, Chapter 5, Code of Virginia.				
	Total for Richard Bland College.....			**$13,186,960**	~~**$13,256,921**~~ ***$13,470,497***
	General Fund Positions.....	70.43	70.43		
	Nongeneral Fund Positions.....	41.41	41.41		
	Position Level	111.84	111.84		
	Fund Sources: General.....	$5,667,627	~~$5,713,871~~ *$5,927,447*		
	Higher Education Operating.....	$7,519,333	$7,543,050		

ITEM 161.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Virginia Institute of Marine Science (268)				
161.	Educational and General Programs (10000)			$18,929,348	~~$19,091,413~~ *$19,271,242*
	Higher Education Instruction (100101)	$1,993,021	~~$2,205,086~~ *$2,236,401*		
	Higher Education Research (100102)	$6,998,736	~~$6,948,736~~ *$7,097,250*		
	Higher Education Academic Support (100104)	$4,178,844	$4,178,844		
	Higher Education Institutional Support (100106)	$2,070,399	$2,070,399		
	Operation and Maintenance of Plant (100107)	$3,688,348	$3,688,348		
	Fund Sources: General	$17,160,545	~~$17,312,141~~ *$17,491,970*		
	Higher Education Operating	$1,768,803	$1,779,272		

Authority: Title 23, Chapter 5, and Title 28.2, Chapter 11, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. If sufficient appropriations are not made available by the Commonwealth, it shall not be necessary for the Virginia Institute of Marine Science to reallocate funds from existing research projects to provide the funding for research mandated in the Code of Virginia or in the Appropriation Act.

C. Out of this appropriation, $212,772 and four positions the first year and $212,772 and four positions the second year from the general fund is designated to support an Aquaculture Genetics and Breeding Technology Center at the Virginia Institute of Marine Science. The center shall coordinate its efforts with the repletion program of the Virginia Marine Resources Commission.

D. It is the intent of the General Assembly that the development of a disease resistant native oyster remains a high priority for oyster-related research activities at the Virginia Institute of Marine Science.

E. Out of this appropriation, $68,391 the first year and $68,391 the second year from the general fund is provided for the continuation of the Clean Marina Program. This additional funding will allow the Virginia Institute of Marine Science to provide education, outreach, and technical assistance to the Commonwealth's marinas in an effort to improve water quality.

F. Out of this appropriation, $140,582 the first year and ~~$140,582~~ *$289,096* the second year from the general fund is designated for the monitoring of the Chesapeake Bay's blue crab population. This additional support will permit the Virginia Institute of Marine Science to generate the data necessary to develop fishery management plans, determine in-danger habitats, and project the annual blue crab catch.

G. Notwithstanding Chapter 719, 1999 Acts of Assembly, out of this appropriation, $159,579 the first year and $159,579 the second year from the general fund shall be provided to the Virginia Institute of Marine Science to support the Fishery Resource Grant Fund and Program. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the State Comptroller upon written request of the President of the College of William and Mary.

H. Out of this appropriation, $525,000 and four positions the first year and $525,000 and four positions the second year from the general fund is designated to hire new faculty for the Virginia Institute of Marine Science who will provide instructional, research, and advisory services consistent with the objectives of the Higher Education Opportunity Act of 2011.

I. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be

ITEM 161.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	collected for the educational and general program under the terms of the management agreement between the College of William and Mary and the Commonwealth, as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.				
162.	Higher Education Student Financial Assistance (10800)..			$238,527	$241,540
	Fellowships (10820).....	$238,527	$241,540		
	Fund Sources: General.....	$238,527	$241,540		
	Authority: Title 23, Chapter 5, Code of Virginia.				
163.	Financial Assistance for Educational and General Services (11000).....			$23,129,059	$23,129,059
	Eminent Scholars (11001)	$75,000	$75,000		
	Sponsored Programs (11004)	$23,054,059	$23,054,059		
	Fund Sources: Higher Education Operating.....	$23,129,059	$23,129,059		
	Authority: Title 23, Chapter 5 and Title 28.2, Chapter 11, Code of Virginia.				
	A. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the institute to cover sponsored program operations.				
	B. Out of the amounts for sponsored programs, $50,000 the first year and $50,000 the second year from nongeneral funds shall be paid from the Marine Fishing Improvement Fund to support the Mariculture and Marine Product Advisory Program.				
	Total for Virginia Institute of Marine Science.....			**$42,296,934**	**~~$42,462,012~~** ***$42,641,841***
	General Fund Positions.....	279.77	~~279.77~~ *281.02*		
	Nongeneral Fund Positions.....	99.30	99.30		
	Position Level	379.07	~~379.07~~ *380.32*		
	Fund Sources: General.....	$17,399,072	~~$17,553,681~~ *$17,733,510*		
	Higher Education Operating.....	$24,897,862	$24,908,331		
	Grand Total for The College of William and Mary in Virginia.....			**~~$328,734,915~~** ***$340,452,119***	**~~$330,598,939~~** ***$345,114,348***
	General Fund Positions.....	892.86	~~892.86~~ *894.11*		
	Nongeneral Fund Positions.....	1,009.67	1,009.67		
	Position Level	1,902.53	~~1,902.53~~ *1,903.78*		
	Fund Sources: General.....	$63,729,868	~~$64,625,491~~ *$66,063,220*		
	Higher Education Operating.....	~~$243,009,486~~ *$253,419,305*	~~$243,983,825~~ *$254,393,644*		
	Debt Service.....	~~$21,995,561~~ *$23,302,946*	~~$21,989,623~~ *$24,657,484*		
	§ 1-54. GEORGE MASON UNIVERSITY (247)				
164.	Educational and General Programs (10000).....			~~$392,883,140~~ *$411,849,640*	~~$396,154,051~~ *$423,481,625*
	Higher Education Instruction (100101).....	~~$222,916,566~~ *$241,883,066*	~~$226,187,477~~ *$253,515,051*		

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Higher Education Research (100102)	$7,845,215	$7,845,215		
Higher Education Public Services (100103)	$1,898,284	$1,898,284		
Higher Education Academic Support (100104)	$57,285,072	$57,285,072		
Higher Education Student Services (100105)	$18,467,328	$18,467,328		
Higher Education Institutional Support (100106)	$42,874,155	$42,874,155		
Operation and Maintenance of Plant (100107)	$41,596,520	$41,596,520		
Fund Sources: General	$112,149,834	~~$113,822,753~~ *$116,066,517*		
Higher Education Operating	~~$280,733,306~~ *$299,699,806*	~~$282,331,298~~ *$307,415,108*		

Authority: Title 23, Chapter 9.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation, an amount estimated at $289,614 the first year and $289,614 the second year from the general fund and $124,120 the first year and $124,120 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. ~~The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.~~ *For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.*

C. Out of this appropriation, $459,125 the first year and $459,125 the second year from the general fund is designated for the Institute for Conflict Analysis.

D. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

E. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is designated to support the Potomac Bay Science Center.

F.1. Out of this appropriation, $1,838,892 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $1,478,839 each year from the general fund is designated to address the projected growth in transfer students and support efforts to improve retention and graduation through the MapWorks project.

3. Out of this appropriation, $100,000 the second year from the general fund is designated to support a partnership between George Mason University and the Center for Excellence in Education to enhance the capabilities of school teachers to teach STEM programs. The funding will allow for (a) five additional "Bite of Science" programs impacting over 125 teachers and 17,125 students, (b) four Teacher Roundtables impacting over 100 teachers and 13,700 students and (c) a part-time staff dedicated to the enhancement of materials in the Teacher Enrichment Program Clearinghouse, an online compendium of science resources for Virginia teachers.

G.1. Out of this appropriation, $1,174,753 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the George Mason University in the fall 2011. George Mason University shall utilize these funds to implement expansion of distance education offerings and expand facilities and space utilization across the University's

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distributed campuses.				
2. George Mason University shall reallocate $1,605,735 the first year and $2,140,980 the second year from current educational and general program funds either to support the initiatives identified in paragraph G.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.				
3. George Mason University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
H. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established to utilize emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the four institutions will be leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.				
165. Higher Education Student Financial Assistance (10800)..			$24,806,314	~~$25,071,786~~ *$25,913,229*
Scholarships (10810).....	$20,635,596	~~$20,635,596~~ *$21,477,039*		
Fellowships (10820).....	$4,170,718	$4,436,190		
Fund Sources: General.....	$16,315,314	~~$16,580,786~~ *$17,422,229*		
Higher Education Operating.....	$8,491,000	$8,491,000		
Authority: Title 23, Chapter 9.1, Code of Virginia.				
166. Financial Assistance for Educational and General Services (11000).....			$200,368,473	~~$213,868,473~~ *$214,118,473*
Eminent Scholars (11001).....	$1,000,000	$1,000,000		
Sponsored Programs (11004).....	$199,368,473	~~$212,868,473~~ *$213,118,473*		
Fund Sources: General.....	$956,250	~~$956,250~~ *$1,206,250*		
Higher Education Operating.....	$199,412,223	$212,912,223		
Authority: Title 23, Chapter 9.1, Code of Virginia.				
A. *1.* Out of this appropriation, $956,250 the first year and $956,250 the second year from the general fund and $5,850,000 the first year and $5,850,000 the second year from nongeneral funds are designated to build research capacity in biomedical research and biomaterials engineering.				
2. Out of this appropriation, $250,000 the second year from the general fund is designated for applied research in simulation modeling and gaming.				
B. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
167. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			~~$183,347,382~~ *$187,512,382*	~~$187,038,869~~ *$192,704,619*
Food Services (80910).....	$6,550,000	$6,835,000		
Bookstores and other Stores (80920).....	$435,319	$435,319		
Residential Services (80930).....	$52,262,934	$53,642,727		

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	Parking and Transportation Systems and Services (80940)	$15,857,088	$16,127,088		
	Telecommunications Systems and Services (80950)	$3,658,252	$3,658,252		
	Student Health Services (80960)	$3,643,467	$3,643,467		
	Student Unions and Recreational Facilities (80970)	$21,718,922	$21,718,922		
	Recreational and Intramural Programs (80980)	$14,510,103	$14,510,103		
	Other Enterprise Functions (80990)	~~$52,598,910~~	~~$54,355,604~~		
		$56,763,910	*$60,021,354*		
	Intercollegiate Athletics (80995)	$12,112,387	$12,112,387		
	Fund Sources: Higher Education Operating	~~$140,505,182~~	~~$144,196,669~~		
		$144,670,182	*$149,862,419*		
	Debt Service	$42,842,200	$42,842,200		
	Authority: Title 23, Chapter 9.1, Code of Virginia.				
	Total for George Mason University			~~**$801,405,309**~~	~~**$822,133,179**~~
				$824,536,809	***$856,217,946***
	General Fund Positions	1,082.14	1,082.14		
	Nongeneral Fund Positions	~~2,679.57~~	~~2,689.57~~		
		2,876.57	*2,886.57*		
	Position Level	~~3,761.71~~	~~3,771.71~~		
		3,958.71	*3,968.71*		
	Fund Sources: General	$129,421,398	~~$131,359,789~~		
			$134,694,996		
	Higher Education Operating	~~$629,141,711~~	~~$647,931,190~~		
		$652,273,211	*$678,680,750*		
	Debt Service	$42,842,200	$42,842,200		
	§ 1-55. JAMES MADISON UNIVERSITY (216)				
168.	Educational and General Programs (10000)			~~$234,853,647~~	~~$236,837,270~~
				$246,835,534	*$250,955,830*
	Higher Education Instruction (100101)	~~$126,541,302~~	~~$128,519,039~~		
		$132,555,218	*$136,669,628*		
	Higher Education Research (100102)	~~$686,865~~	~~$686,865~~		
		$720,917	*$720,917*		
	Higher Education Public Services (100103)	~~$782,685~~	~~$782,685~~		
		$846,663	*$846,663*		
	Higher Education Academic Support (100104)	~~$30,173,804~~	~~$30,173,804~~		
		$31,643,552	*$31,643,552*		
	Higher Education Student Services (100105)	~~$13,182,221~~	~~$13,182,221~~		
		$13,959,876	*$13,959,876*		
	Higher Education Institutional Support (100106)	~~$34,164,579~~	~~$34,170,465~~		
		$36,725,978	*$36,731,864*		
	Operation and Maintenance of Plant (100107)	~~$29,322,191~~	~~$29,322,191~~		
		$30,383,330	*$30,383,330*		
	Fund Sources: General	$66,728,837	~~$67,672,170~~		
			$69,808,843		
	Higher Education Operating	~~$166,263,724~~	~~$167,304,014~~		
		$178,245,611	*$179,285,901*		
	Debt Service	$1,861,086	$1,861,086		

Authority: Title 23, Chapter 12.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. The university is authorized to continue offering its existing doctoral degree in psychology

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and a limited number of other doctoral programs in specialized areas with approval from the State Council of Higher Education for Virginia. These doctoral programs are niche programs, consistent with the comprehensive mission of the university, and are targeted to meet critical needs in the Commonwealth.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

D.1. Out of this appropriation, $1,647,698 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $1,820,338 each year from the general fund is designated to continue the increase in access for in-state undergraduate students begun in the 2011 Session, support the projected growth in transfer students and improve retention and graduation through additional advising for both transfers and students in high demand majors.

E.1. Out of this appropriation, $991,683 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the James Madison University in the fall 2011. James Madison University shall utilize these funds to implement expansion of nursing programs and to expand existing programs in computer forensics and biophysical chemistry.

2. James Madison University shall reallocate $933,998 the first year and $1,245,331 the second year from current educational and general program funds either to support the initiatives identified in paragraph E.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. James Madison University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

F. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established to utilize emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the four institutions will be leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

169. Higher Education Student Financial Assistance (10800)..			~~$10,948,949~~	~~$11,100,597~~
			$11,178,961	*$11,732,430*
Scholarships (10810).....	~~$10,558,727~~	~~$10,558,727~~		
	$10,788,739	*$11,190,560*		
Fellowships (10820).....	$390,222	$541,870		
Fund Sources: General.....	$7,407,489	~~$7,559,137~~		
		$7,960,958		
Higher Education Operating.....	~~$3,541,460~~	~~$3,541,460~~		
	$3,771,472	*$3,771,472*		

Authority: Title 23, Chapter 12.1, Code of Virginia.

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170.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at			$36,936,471	$36,936,471
	Eminent Scholars (11001)	$39,031	$39,031		
	Sponsored Programs (11004)	$36,897,440	$36,897,440		
	Fund Sources: Higher Education Operating	$36,936,471	$36,936,471		
	Authority: Title 23, Chapter 12.1, Code of Virginia.				
171.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at			$172,797,928	$186,302,476
	Food Services (80910)	$51,355,971	$53,431,346		
	Bookstores and other Stores (80920)	$1,334,274	$1,334,274		
	Residential Services (80930)	$30,771,175	$32,382,403		
	Parking and Transportation Systems and Services (80940)	$7,452,018	$7,552,018		
	Telecommunications Systems and Services (80950)	$805,780	$805,780		
	Student Health Services (80960)	$6,106,291	$6,604,078		
	Student Unions and Recreational Facilities (80970)	$6,553,524	$6,176,199		
	Recreational and Intramural Programs (80980)	$8,774,124	$11,911,442		
	Other Enterprise Functions (80990)	$20,782,695	$19,533,932		
	Intercollegiate Athletics (80995)	$38,862,076	$46,571,004		
	Fund Sources: Higher Education Operating	$142,589,041	$145,138,457		
	Debt Service	$30,208,887	$41,164,019		
	Authority: Title 23, Chapter 12.1, Code of Virginia.				
	Total for James Madison University			~~$455,536,995~~ *$467,748,894*	~~$471,176,814~~ *$485,927,207*
	General Fund Positions	~~1,006.33~~ *1,032.18*	~~1,006.33~~ *1,032.18*		
	Nongeneral Fund Positions	~~2,067.99~~ *2,110.58*	~~2,067.99~~ *2,110.58*		
	Position Level	~~3,074.32~~ *3,142.76*	~~3,074.32~~ *3,142.76*		
	Fund Sources: General	$74,136,326	~~$75,231,307~~ *$77,769,801*		
	Higher Education Operating	~~$349,330,696~~ *$361,542,595*	~~$352,920,402~~ *$365,132,301*		
	Debt Service	$32,069,973	$43,025,105		

§ 1-56. LONGWOOD UNIVERSITY (214)

172.	Educational and General Programs (10000)			~~$52,220,257~~ *$55,894,159*	~~$52,646,731~~ *$56,632,601*
	Higher Education Instruction (100101)	~~$25,558,494~~ *$27,508,773*	~~$25,984,968~~ *$28,244,757*		
	Higher Education Public Services (100103)	$619,982	$619,982		
	Higher Education Academic Support (100104)	~~$7,142,233~~ *$8,865,239*	~~$7,142,233~~ *$8,865,239*		
	Higher Education Student Services (100105)	~~$3,844,242~~ *$3,844,859*	~~$3,844,242~~ *$3,844,859*		
	Higher Education Institutional Support (100106)	$8,835,493	~~$8,835,493~~ *$8,837,951*		
	Operation and Maintenance of Plant (100107)	$6,219,813	$6,219,813		
	Fund Sources: General	$23,038,180	~~$23,306,286~~ *$23,618,254*		
	Higher Education Operating	~~$29,182,077~~ *$32,855,979*	~~$29,340,445~~ *$33,014,347*		

ITEM 172.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Authority: Title 23, Chapter 15, Code of Virginia.				
A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).				
B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.				
C.1. Out of this appropriation, $543,557 each year from the general fund is designated for base operating support.				
2. Out of this appropriation, $202,614 each year from the general fund is designated to address the projected growth in transfer students and efforts to improve retention and graduation through the student success initiative.				
D.1. Out of this appropriation, $372,592 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Longwood University in the fall 2011. Longwood University shall utilize these funds to increase the use of distance learning to off-campus sites in Emporia, South Boston and Martinsville, to expand nursing programs and to develop a center of logistics research at Fort Lee in cooperation with the University of Virginia and Virginia State University.				
2. Longwood University shall reallocate $329,061 the first year and $438,749 the second year from current educational and general program funds either to support the initiatives identified in paragraph D.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.				
3. Longwood University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
173. Higher Education Student Financial Assistance (10800)..			$3,955,935	~~$3,956,634~~ *$4,182,842*
Scholarships (10810).....	$3,955,935	~~$3,955,935~~ *$4,182,143*		
Fellowships (10820).....	$0	$699		
Fund Sources: General.....	$3,955,935	~~$3,956,634~~ *$4,182,842*		
Authority: Title 23, Chapter 15, Code of Virginia.				
174. Financial Assistance for Educational and General Services (11000)				
a sum sufficient, estimated at.....			$3,178,393	$3,178,393
Sponsored Programs (11004)	$3,178,393	$3,178,393		
Fund Sources: Higher Education Operating.....	$3,178,393	$3,178,393		
Authority: Title 23, Chapter 15, Code of Virginia.				
175. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at.....			~~$43,033,795~~ *$45,277,125*	~~$43,033,795~~ *$47,555,374*
Food Services (80910).....	$8,057,874	$8,057,874		

ITEM 175.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Bookstores and other Stores (80920)	$45,000	$45,000		
	Residential Services (80930)	$16,021,011	$16,021,011		
	Parking and Transportation Systems and Services (80940)	$905,009	$905,009		
	Telecommunications Systems and Services (80950)	$1,233,600	$1,233,600		
	Student Health Services (80960)	$668,487	$668,487		
	Student Unions and Recreational Facilities (80970)	$605,619	$605,619		
	Recreational and Intramural Programs (80980)	$2,029,974	$2,029,974		
	Other Enterprise Functions (80990)	~~$5,554,697~~ *$7,798,027*	~~$5,554,697~~ *$10,076,276*		
	Intercollegiate Athletics (80995)	$7,912,524	$7,912,524		
	Fund Sources: Higher Education Operating	~~$35,446,484~~ *$37,689,814*	~~$35,446,484~~ *$39,968,063*		
	Debt Service	$7,587,311	$7,587,311		
	Authority: Title 23, Chapter 15, Code of Virginia.				
	Total for Longwood University			~~**$102,388,380**~~ ***$108,305,612***	~~**$102,815,553**~~ ***$111,549,210***
	General Fund Positions	282.89	283.89		
	Nongeneral Fund Positions	451.67	471.67		
	Position Level	734.56	755.56		
	Fund Sources: General	$26,994,115	~~$27,262,920~~ *$27,801,096*		
	Higher Education Operating	~~$67,806,954~~ *$73,724,186*	~~$67,965,322~~ *$76,160,803*		
	Debt Service	$7,587,311	$7,587,311		
	§ 1-57. NORFOLK STATE UNIVERSITY (213)				
176.	Educational and General Programs (10000)			$73,525,737	~~$73,956,813~~ *$74,501,909*
	Higher Education Instruction (100101)	$31,730,252	~~$32,161,328~~ *$32,706,424*		
	Higher Education Research (100102)	$196,504	$196,504		
	Higher Education Public Services (100103)	$1,276,196	$1,276,196		
	Higher Education Academic Support (100104)	$9,148,690	$9,148,690		
	Higher Education Student Services (100105)	$4,912,679	$4,912,679		
	Higher Education Institutional Support (100106)	$14,531,643	$14,531,643		
	Operation and Maintenance of Plant (100107)	$11,729,773	$11,729,773		
	Fund Sources: General	$39,740,782	~~$39,978,131~~ *$40,473,227*		
	Higher Education Operating	$33,784,955	~~$33,978,682~~ *$34,028,682*		

Authority: Title 23, Chapter 13.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, $5,350,128 the first year and $5,350,128 the second year from the general fund is designated for the recently initiated Bachelor of Science academic programs in Electronics Engineering and Optical Engineering and Master of Science academic programs in Electronics Engineering, Optical Engineering, Computer Science, and Criminal Justice.

2. Out of the amounts for programs listed in paragraph B.1. above, shall be provided $273,486 the first year and $273,486 the second year from the general fund for lease payments through the Master Equipment Leasing Program for educational and general equipment.

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3. Out of the amounts for Educational and General Programs, $37,500 the first year and $37,500 the second year from the general fund is provided to serve in lieu of endowment income for the Eminent Scholars Program.

C.1. Out of the amounts for Educational and General Programs, a maximum of $70,000 the first year and $70,000 the second year from the general fund is designated for the Dozoretz National Institute for Minorities in Applied Sciences. No allotment of these funds shall be made until Norfolk State University has certified to the Secretary of Education that funds, in cash, are available to match all or any part of the amount herein made available from the general fund.

2. Any unexpended balances in paragraphs B.1., B.2., B.3., and C.1. in this Item at the close of business on June 30, 2012 and June 30, 2013 shall not revert to the surplus of the general fund, but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year.

D. Out of this appropriation, $94,222 the first year and $94,222 the second year from the general fund is designated to assist the university in improving graduation and retention rates.

E. Out of this appropriation, $78,200 the first year and $78,200 the second year from the general fund is designated to maintain an enrollment management plan.

F. Out of this appropriation, $11,756 the first year and $11,756 the second year from the general fund is designated for the costs to lease and equip space for activities related to technology transfer, research, and graduate work.

G. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

H.1. Out of this appropriation, $309,825 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $935,467 each year from the general fund is designated to address the projected growth in transfer students and efforts to improve retention and graduation through the student success initiative.

I.1. Out of this appropriation, $353,672 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Norfolk State University in the fall 2011. Norfolk State University shall utilize these funds to implement expansion of online degree programs in high demand fields for nontraditional students and military personnel and for the Center of Excellence in Minority Health Disparities.

2. Norfolk State University shall reallocate $446,113 the first year and $594,817 the second year from current educational and general program funds either to support the initiatives identified in paragraph I.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. Norfolk State University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

J. Out of this appropriation, $220,000 each year from the general fund is designated to increase retention and graduation of juniors and seniors in good academic standing and who have additional demonstrated need.

177. Higher Education Student Financial Assistance (10800)..	$12,631,131	~~$12,696,476~~ *$13,119,664*	

ITEM 177.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Scholarships (10810)	$12,631,131	~~$12,631,131~~ *$13,054,319*		
	Fellowships (10820)	$0	$65,345		
	Fund Sources: General	$7,731,131	~~$7,796,476~~ *$8,219,664*		
	Higher Education Operating	$4,900,000	$4,900,000		
	Authority: Title 23, Chapter 13.1, Code of Virginia.				
178.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at			$24,686,497	$24,686,497
	Sponsored Programs (11004)	$24,686,497	$24,686,497		
	Fund Sources: Higher Education Operating	$24,686,497	$24,686,497		
	Authority: Title 23, Chapter 13.1, Code of Virginia.				
179.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at			~~$36,605,988~~ *$39,605,988*	~~$36,605,988~~ *$39,605,988*
	Food Services (80910)	$1,368,865	$1,368,865		
	Bookstores and other Stores (80920)	$393,740	$393,740		
	Residential Services (80930)	~~$13,069,908~~ *$13,419,908*	~~$13,069,908~~ *$13,419,908*		
	Parking and Transportation Systems and Services (80940)	$458,180	$458,180		
	Student Health Services (80960)	*$500,000*	*$500,000*		
	Student Unions and Recreational Facilities (80970)	~~$6,186,031~~ *$6,536,031*	~~$6,186,031~~ *$6,536,031*		
	Other Enterprise Functions (80990)	$6,477,214	$6,477,214		
	Intercollegiate Athletics (80995)	~~$8,652,050~~ *$10,452,050*	~~$8,652,050~~ *$10,452,050*		
	Fund Sources: Higher Education Operating	~~$32,571,806~~ *$35,571,806*	~~$32,571,806~~ *$35,571,806*		
	Debt Service	$4,034,182	$4,034,182		
	Authority: Title 23, Chapter 13.1, Code of Virginia.				
	Total for Norfolk State University			~~**$147,449,353**~~ ***$150,449,353***	~~**$147,945,774**~~ ***$151,914,058***
	General Fund Positions	493.70	~~493.70~~ *494.37*		
	Nongeneral Fund Positions	501.42	~~501.42~~ *501.75*		
	Position Level	995.12	~~995.12~~ *996.12*		
	Fund Sources: General	$47,471,913	~~$47,774,607~~ *$48,692,891*		
	Higher Education Operating	~~$95,943,258~~ *$98,943,258*	~~$96,136,985~~ *$99,186,985*		
	Debt Service	$4,034,182	$4,034,182		
	§ 1-58. OLD DOMINION UNIVERSITY (221)				
180.	Educational and General Programs (10000)			~~$220,856,975~~ *$225,044,227*	~~$222,640,536~~ *$232,000,772*
	Higher Education Instruction (100101)	$122,229,577	~~$124,013,138~~ *$129,186,122*		
	Higher Education Research (100102)	$4,736,100	$4,736,100		

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Higher Education Public Services (100103).....	$254,489	$254,489		
Higher Education Academic Support (100104).....	~~$39,857,299~~ *$40,989,479*	~~$39,857,299~~ *$40,989,479*		
Higher Education Student Services (100105).....	~~$10,533,570~~ *$10,918,633*	~~$10,533,570~~ *$10,918,633*		
Higher Education Institutional Support (100106).....	~~$24,572,820~~ *$25,128,091*	~~$24,572,820~~ *$25,128,091*		
Operation and Maintenance of Plant (100107).....	~~$18,673,120~~ *$20,787,858*	~~$18,673,120~~ *$20,787,858*		
Fund Sources: General.....	$97,649,766	~~$98,636,843~~ *$103,809,827*		
Higher Education Operating.....	~~$123,207,209~~ *$127,394,461*	~~$124,003,693~~ *$128,190,945*		

Authority: Title 23, Chapter 5.2, Code of Virginia.

A.1. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

2. Out of this appropriation, the university may allocate funds to expand enrollment capacity through expansion of distance learning, TELETECHNET and summer school.

B. Out of this appropriation, $431,013 the first year and $431,013 the second year from the general fund and $198,244 the first year and $198,244 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. ~~The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.~~ *For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.*

C.1. Out of this appropriation, $4,017,308 and 23.88 positions the first year and $4,017,308 and 23.88 positions the second year from the general fund and $1,440,000 and 12.62 positions the first year and $1,440,000 and 12.62 positions the second year from nongeneral funds are designated to operate distance learning sites across the Commonwealth.

2. Out of this appropriation, $60,527 the first year and $60,527 the second year from the general fund is designated for the expansion of distance learning to the Lord Fairfax Community College's Luray-Page Center to establish a bachelor's degree program.

D. Notwithstanding § 55-297, Code of Virginia, Old Dominion University is hereby designated as the administrative agency for the Virginia Coordinate System.

E. Notwithstanding § 23-7.4:2, Code of Virginia, the governing board of Old Dominion University may charge reduced tuition to any person enrolled in one of Old Dominion University's TELETECHNET sites or higher education centers who lives within a 50-mile radius of the site/center, is domiciled in, and is entitled to in-state tuition charges in the institutions of higher learning in any state, or the District of Columbia, which is contiguous to Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.

F. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

G. Old Dominion University shall collaborate with the Virginia Maritime Foundation in support of its maritime and sailing programs in the College of Arts and Letters, the College of Science

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and the Athletics Department. To that end, the General Assembly authorizes Old Dominion University to accept and utilize assets of the Virginia Maritime Foundation.

H.1. Out of this appropriation, $3,539,864 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $1,709,439 each year from the general fund is designated to address the projected growth in transfer students, efforts to improve retention and graduation through the addition of upper level courses, and increased advising at the sophomore level.

I.1. Out of this appropriation, $1,373,927 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Old Dominion University in the fall 2011. Old Dominion University shall utilize these funds to implement expansion of on-line degree programs in high demand fields, increased STEM production, and increased modeling and simulation capacity.

2. Old Dominion University shall reallocate $1,361,685 the first year and $1,815,581 the second year from current educational and general program funds either to support the initiatives identified in paragraph I.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. Old Dominion University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

~~3.~~ *4.* Out of this appropriation, $220,000 *the first year and $320,000 the second year* from the general fund ~~each year~~ is designated to provide opportunity for 80 students per year to be engaged in STEM education using aerospace, high tech science, technology and engineering in partnership with NASA Wallops Flight Facility. Old Dominion University will collaborate with the Virginia Space Grant Consortium and STEM educators to identify the students who will participate in the program each year. The funding in paragraph I.3. will not be considered as a resource for purposes of funding guidelines.

J. Out of this appropriation, $125,000 the second year from the general fund is designated to plan a joint School of Public Health with Eastern Virginia Medical School.

181. Higher Education Student Financial Assistance (10800)..			$17,810,757	~~$18,026,963~~ *$18,931,084*
Scholarships (10810).....	$15,789,229	~~$15,789,229~~ *$16,693,350*		
Fellowships (10820).....	$2,021,528	$2,237,734		
Fund Sources: General.....	$17,810,757	~~$18,026,963~~ *$18,931,084*		

Authority: Title 23, Chapter 5.2, Code of Virginia.

182. Financial Assistance for Educational and General Services (11000).....			$16,517,001	$16,517,001
Eminent Scholars (11001)	$421,387	$421,387		
Sponsored Programs (11004)	$16,095,614	$16,095,614		
Fund Sources: General.....	$3,099,838	$3,099,838		
Higher Education Operating.....	$13,417,163	$13,417,163		

Authority: Title 23, Chapter 5.2, Code of Virginia.

A.1. Out of this appropriation, $2,099,838 and 14 positions the first year and $2,099,838 and 14 positions the second year from the general fund and $4,500,000 the first year and $4,500,000 the second year from nongeneral funds are designated to build research capacity in modeling and simulation, which shall include efforts to improve traffic management through modeling.

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2. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to support science, technology, engineering and mathematics (STEM), and health-related programs. Old Dominion University shall use these funds to promote the use of modeling and simulation in the medical industry.

B. Out of this appropriation, $750,000 the first year and $750,000 the second year from the general fund is designated to expand research efforts at the Center for Bioelectrics, which uses electrical stimuli in the biomedical area to eliminate cancer cells and tumors without damaging healthy surrounding tissue, accelerate wound healing, and efficiently deliver DNA vaccines. Non-biomedical areas of research include reducing pollutants in exhaust and establishing effective ground penetrating radar.

C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

183. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at			~~$90,260,224~~	~~$90,260,224~~
			$94,476,423	*$94,476,423*
Food Services (80910)	~~$1,948,812~~	~~$1,948,812~~		
	$2,098,962	*$2,098,962*		
Bookstores and other Stores (80920)	$915,764	$915,764		
Residential Services (80930)	~~$27,719,982~~	~~$27,715,928~~		
	$29,328,421	*$29,324,367*		
Parking and Transportation Systems and Services (80940)	$7,445,894	$7,445,894		
Student Health Services (80960)	$2,118,990	$2,118,990		
Student Unions and Recreational Facilities (80970)	~~$6,629,058~~	~~$6,629,058~~		
	$6,853,908	*$6,853,908*		
Recreational and Intramural Programs (80980)	~~$1,703,576~~	~~$1,703,576~~		
	$2,213,726	*$2,213,726*		
Other Enterprise Functions (80990)	~~$15,567,486~~	~~$15,567,486~~		
	$16,079,746	*$16,079,746*		
Intercollegiate Athletics (80995)	~~$26,210,662~~	~~$26,214,716~~		
	$27,421,012	*$27,425,066*		
Fund Sources: Higher Education Operating	~~$67,642,743~~	~~$67,642,743~~		
	$71,858,942	*$71,858,942*		
Debt Service	$22,617,481	$22,617,481		

Authority: Title 23, Chapter 5.2, Code of Virginia.

Old Dominion University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of TELETECHNET classes offered at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for TELETECHNET students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the University's Board of Visitors. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the State Council of Higher Education for Virginia. Revenues in excess of expenditures shall be retained in the fund to support the entire TELETECHNET program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

Total for Old Dominion University			~~**$345,444,957**~~	~~**$347,444,724**~~
			$353,848,408	***$361,925,280***
General Fund Positions	981.21	981.21		
Nongeneral Fund Positions	1,324.98	1,324.98		
Position Level	2,306.19	2,306.19		

ITEM 183.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: General	$118,560,361	~~$119,763,644~~ *$125,840,749*		
	Higher Education Operating	~~$204,267,115~~ *$212,670,566*	~~$205,063,599~~ *$213,467,050*		
	Debt Service	$22,617,481	$22,617,481		

§ 1-59. RADFORD UNIVERSITY (217)

184.	Educational and General Programs (10000)			~~$100,949,630~~ *$102,003,630*	~~$101,868,623~~ *$105,789,076*
	Higher Education Instruction (100101)	~~$61,444,791~~ *$62,005,457*	~~$62,359,599~~ *$64,898,912*		
	Higher Education Public Services (100103)	$599,951	$599,951		
	Higher Education Academic Support (100104)	~~$9,010,024~~ *$9,103,642*	~~$9,010,024~~ *$9,315,525*		
	Higher Education Student Services (100105)	~~$4,959,597~~ *$5,011,134*	~~$4,959,597~~ *$5,127,768*		
	Higher Education Institutional Support (100106)	~~$16,143,275~~ *$16,296,100*	~~$16,143,275~~ *$16,648,656*		
	Operation and Maintenance of Plant (100107)	~~$8,791,992~~ *$8,987,346*	~~$8,796,177~~ *$9,198,264*		
	Fund Sources: General	$42,168,708	~~$42,740,074~~ *$43,456,527*		
	Higher Education Operating	~~$58,780,922~~ *$59,834,922*	~~$59,128,549~~ *$62,332,549*		

Authority: Title 23, Chapter 11.1, Code ofVirginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C.1. Out of this appropriation, $962,943 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $866,958 each year from the general fund is designated to address the projected growth in transfer students and efforts to improve retention and graduation through increased advising and student engagement programs.

D.1. Out of this appropriation, $666,535 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Radford University in the fall 2011. Radford University shall utilize these funds to establish accelerated degree options to include expanded distance education options.

2. Radford University shall reallocate $594,920 the first year and $793,227 the second year from current educational and general program funds either to support the initiatives identified in paragraph D.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. Radford University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

ITEM 184.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
185.	Higher Education Student Financial Assistance (10800)..			$9,492,800	~~$9,593,012~~ *$9,994,701*
	Scholarships (10810).....	$8,922,400	~~$8,922,400~~ *$9,324,089*		
	Fellowships (10820).....	$570,400	$670,612		
	Fund Sources: General.....	$7,585,329	~~$7,685,541~~ *$8,087,230*		
	Higher Education Operating.....	$1,907,471	$1,907,471		
	Authority: Title 23, Chapter 11.1, Code of Virginia.				
186.	Financial Assistance for Educational and General Services (11000) a sum sufficient, estimated at.....			~~$7,643,901~~ *$8,797,374*	~~$7,643,901~~ *$8,797,374*
	Eminent Scholars (11001).....	$47,374	$47,374		
	Sponsored Programs (11004).....	~~$7,596,527~~ *$8,750,000*	~~$7,596,527~~ *$8,750,000*		
	Fund Sources: Higher Education Operating.....	~~$7,643,901~~ *$8,797,374*	~~$7,643,901~~ *$8,797,374*		
	Authority: Title 23, Chapter 11.1, Code of Virginia.				
187.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			~~$50,958,716~~ *$54,983,716*	~~$53,458,716~~ *$59,883,716*
	Food Services (80910).....	~~$14,971,648~~ *$16,197,358*	~~$15,118,548~~ *$16,926,468*		
	Bookstores and other Stores (80920).....	~~$472,483~~ *$511,165*	~~$477,118~~ *$534,174*		
	Residential Services (80930).....	~~$10,176,901~~ *$11,010,070*	~~$11,076,755~~ *$12,805,679*		
	Parking and Transportation Systems and Services (80940).....	~~$1,262,091~~ *$1,365,419*	~~$1,274,475~~ *$1,426,881*		
	Telecommunications Systems and Services (80950).....	~~$505,745~~ *$547,150*	~~$510,706~~ *$571,775*		
	Student Health Services (80960).....	~~$2,504,670~~ *$2,709,725*	~~$2,529,245~~ *$2,831,701*		
	Student Unions and Recreational Facilities (80970).....	~~$4,634,416~~ *$4,841,904*	~~$5,879,888~~ *$6,185,931*		
	Recreational and Intramural Programs (80980).....	~~$1,295,820~~ *$1,401,908*	~~$1,308,535~~ *$1,465,013*		
	Other Enterprise Functions (80990).....	~~$4,059,292~~ *$4,416,621*	~~$4,099,125~~ *$4,614,308*		
	Intercollegiate Athletics (80995).....	~~$11,075,650~~ *$11,982,396*	~~$11,184,321~~ *$12,521,786*		
	Fund Sources: Higher Education Operating.....	~~$48,858,716~~ *$52,883,716*	~~$50,558,716~~ *$56,483,716*		
	Debt Service.....	$2,100,000	~~$2,900,000~~ *$3,400,000*		
	Authority: Title 23, Chapter 11.1, Code of Virginia.				
	Total for Radford University.....			~~**$169,045,047**~~ ***$175,277,520***	~~**$172,564,252**~~ ***$184,464,867***
	General Fund Positions.....	633.91	633.91		
	Nongeneral Fund Positions.....	756.13	756.13		
	Position Level.....	1,390.04	1,390.04		

ITEM 187.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: General	$49,754,037	~~$50,425,615~~ *$51,543,757*		
	Higher Education Operating	~~$117,191,010~~ *$123,423,483*	~~$119,238,637~~ *$129,521,110*		
	Debt Service	$2,100,000	~~$2,900,000~~ *$3,400,000*		

§ 1-60. UNIVERSITY OF MARY WASHINGTON (215)

188.	Educational and General Programs (10000)			~~$59,697,063~~ *$60,447,063*	~~$60,190,609~~ *$61,265,758*
	Higher Education Instruction (100101)	~~$32,152,442~~ *$32,577,442*	~~$32,644,052~~ *$33,394,201*		
	Higher Education Research (100102)	$418,561	$418,561		
	Higher Education Public Services (100103)	$268,236	$268,236		
	Higher Education Academic Support (100104)	~~$7,167,583~~ *$7,417,583*	~~$7,167,583~~ *$7,417,583*		
	Higher Education Student Services (100105)	$4,454,763	$4,454,763		
	Higher Education Institutional Support (100106)	$8,481,619	$8,483,555		
	Operation and Maintenance of Plant (100107)	~~$6,753,859~~ *$6,828,859*	~~$6,753,859~~ *$6,828,859*		
	Fund Sources: General	$19,195,775	~~$19,474,979~~ *$19,800,128*		
	Higher Education Operating	~~$40,501,288~~ *$41,251,288*	~~$40,715,630~~ *$41,465,630*		

Authority: Title 23, Chapter 9.2, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation an amount estimated at $80,483 the first year and $80,483 the second year from the general fund and $36,130 the first year and $36,130 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

D.1. Out of this appropriation, $443,115 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $211,038 each year from the general fund is designated to address the projected growth in transfer students and efforts to improve retention and graduation through the first year experience program.

E.1. Out of this appropriation, $467,402 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the University of Mary Washington in the fall 2011. University of Mary Washington shall utilize these funds to support changes in academic program needs through adding new faculty in the sciences, mathematics and computer science.

2. The University of Mary Washington shall reallocate $270,930 the first year and $361,240

ITEM 188.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	the second year from current educational and general program funds either to support the initiatives identified in paragraph E.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.				
	3. The University of Mary Washington may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
189.	Higher Education Student Financial Assistance (10800)..			$2,473,020	~~$2,479,219~~ *$2,577,885*
	Scholarships (10810).....	$2,473,020	~~$2,473,020~~ *$2,571,686*		
	Fellowships (10820).....	$0	$6,199		
	Fund Sources: General.....	$1,723,020	~~$1,729,219~~ *$1,827,885*		
	Higher Education Operating.....	$750,000	$750,000		
	Authority: Title 23, Chapter 9.2, Code of Virginia.				
190.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at.....			$809,533	$809,533
	Eminent Scholars (11001).....	$57,396	$57,396		
	Sponsored Programs (11004).....	$752,137	$752,137		
	Fund Sources: Higher Education Operating.....	$809,533	$809,533		
	Authority: Title 23, Chapter 9.2, Code of Virginia.				
191.	Museum and Cultural Services (14500).....			$777,560	$777,560
	Collections Management and Curatorial Services (14501).....	$777,560	$777,560		
	Fund Sources: General.....	$459,539	$459,539		
	Special.....	$318,021	$318,021		
	Authority: Chapter 51, Acts of Assembly of 1960; § 23-91.35, Code of Virginia.				
	The amounts provided in this appropriation are for the support of Belmont, the estate and memorial gallery of American artist Gari Melchers.				
192.	Administrative and Support Services (19900).....			$2,000,000	$2,000,000
	Operation of Higher Education Centers (19931).....	$2,000,000	$2,000,000		
	Fund Sources: General.....	$1,900,000	$1,750,000		
	Higher Education Operating.....	$100,000	$250,000		
193.	Historic and Commemorative Attraction Management (50200).....			$259,380	~~$259,380~~ *$269,380*
	Historic Landmarks and Facilities Management (50203).	$259,380	~~$259,380~~ *$269,380*		
	Fund Sources: General.....	$205,430	~~$205,430~~ *$215,430*		
	Special.....	$53,950	$53,950		
	Authority: Title 2.2, Chapter 2, § 2.2-208 Code of Virginia.				
194.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at.....			$39,183,141	$39,883,141
	Food Services (80910).....	$7,371,229	$7,371,229		

ITEM 194.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Bookstores and other Stores (80920)	$3,172,057	$3,172,057		
	Residential Services (80930)	$10,455,697	$10,455,697		
	Telecommunications Systems and Services (80950)	$884,725	$884,725		
	Student Health Services (80960)	$569,044	$569,044		
	Student Unions and Recreational Facilities (80970)	$1,575,031	$1,575,031		
	Recreational and Intramural Programs (80980)	$1,946,299	$1,946,299		
	Other Enterprise Functions (80990)	$11,619,909	$12,319,909		
	Intercollegiate Athletics (80995)	$1,589,150	$1,589,150		
	Fund Sources: Higher Education Operating	$34,444,513	$34,444,513		
	Debt Service	$4,738,628	$5,438,628		
	Authority: Title 23, Chapter 9.2, Code of Virginia.				
	Total for University of Mary Washington			~~$105,199,697~~	~~$106,399,442~~
				$105,949,697	*$107,583,257*
	General Fund Positions	228.66	228.66		
	Nongeneral Fund Positions	464.00	464.00		
	Position Level	692.66	692.66		
	Fund Sources: General	$23,483,764	~~$23,619,167~~		
			$24,052,982		
	Special	$371,971	$371,971		
	Higher Education Operating	~~$76,605,334~~	~~$76,969,676~~		
		$77,355,334	*$77,719,676*		
	Debt Service	$4,738,628	$5,438,628		
	§ 1-61. UNIVERSITY OF VIRGINIA (207)				
195.	Educational and General Programs (10000)			~~$527,254,437~~	~~$531,849,852~~
				$541,384,335	*$548,072,346*
	Higher Education Instruction (100101)	~~$265,331,437~~	~~$269,926,852~~		
		$269,753,335	*$276,441,346*		
	Higher Education Research (100102)	$8,115,000	$8,115,000		
	Higher Education Public Services (100103)	$4,290,000	$4,290,000		
	Higher Education Academic Support (100104)	~~$89,141,000~~	~~$89,141,000~~		
		$90,021,000	*$90,021,000*		
	Higher Education Student Services (100105)	$25,382,000	$25,382,000		
	Higher Education Institutional Support (100106)	$37,927,000	$37,927,000		
	Operation and Maintenance of Plant (100107)	~~$97,068,000~~	~~$97,068,000~~		
		$105,896,000	*$105,896,000*		
	Fund Sources: General	$115,745,947	~~$117,422,441~~		
			$119,515,037		
	Higher Education Operating	~~$409,742,490~~	~~$412,661,411~~		
		$422,758,388	*$425,677,309*		
	Debt Service	~~$1,766,000~~	~~$1,766,000~~		
		$2,880,000	*$2,880,000*		

Authority: Title 23, Chapter 9, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. This appropriation includes an amount not to exceed $1,349,795 the first year and ~~$1,390,628~~ *$1,393,959* the second year from the general fund for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

2. The university shall report by July 1 annually to the Department of Planning and Budget an

ITEM 195.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

operating plan for the Family Practice Residency Program.

3. The University of Virginia, in cooperation with the Virginia Commonwealth University Health System Authority, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.

4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in §4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for the University of Virginia for purposes of determining the university's portion of the statewide general fund reduction requirement.

C. Out of this appropriation, $1,044,176 the first year and ~~$1,044,176~~ *$1,119,176* the second year from the general fund is designated for the Virginia Foundation for Humanities and Public Policy. Pursuant to House Joint Resolution 762, 1999 Session of the General Assembly, funds in this Item begin to address the objective of appropriating one dollar per capita for the support of the Foundation.

D. Out of this appropriation, an amount estimated at $527,610 the first year and $527,610 the second year from the general fund and at least $468,850 the first year and at least $468,850 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. ~~The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.~~ *For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.*

E. Out of this appropriation, $192,954 the first year and $192,954 the second year from the general fund, and at least $283,500 the first year and at least $283,500 the second year from nongeneral funds are designated for the independent Virginia Institute of Government at the University of Virginia Center for Public Service.

F. It is the intent of the General Assembly that the University of Virginia, in conjunction with the Eastern Virginia Medical School and Virginia Commonwealth University, maintain its efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, it is the intent that the university support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.

G. It is the intent of the General Assembly to assist the three Virginia medical schools as they respond to changes in the need for delivery and financing of medical education, both undergraduate and graduate.

H. Out of this appropriation, at least $156,397 the first year and $156,397 the second year from the general fund is designated for support of diabetes education and public service at the Virginia Center for Diabetes Professional Education at the University of Virginia.

I.1. Out of this appropriation, $446,074 the first year and $446,074 the second year from the general fund is designated for the Center for Politics at the University of Virginia to conduct and preserve oral histories with senior public officials, to conduct the Virginia Youth Leadership Initiative which educates students in Virginia's secondary schools in the democratic process, and to develop programs that foster increased public awareness of the electoral system.

2. Out of this appropriation, $88,480 the first year and $88,480 the second year from the general fund is designated to the Center of Politics to provide civic education resources to all public elementary and secondary schools in the Commonwealth.

J. Out of this appropriation $251,146 the first year and $251,146 the second year from the general fund and $53,189 the first year and $53,189 the second year from nongeneral funds are designated for support of the State Arboretum at Blandy Farm.

ITEM 195.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

K. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

L. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

M.1. Out of this appropriation, $1,760,311 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $691,207 each year from the general fund is designated to continue the increase in access for in-state undergraduate students begun in the 2011 Session.

N.1. Out of this appropriation, $800,324 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the University of Virginia in the fall 2011. The University of Virginia shall utilize these funds to increase degree production in STEM disciplines, to develop a center of logistics research at Fort Lee in cooperation with Virginia State University and the Longwood University and to continue growth of degree programs with an online component including the Commonwealth Graduate Engineering Program, Produced in Virginia program, Master of Education partnership with Teach for America and the Global Executive MBA programs.

2. The University of Virginia shall reallocate $1,682,135 first year and $2,242,847 the second year from current educational and general program funds either to support the initiatives identified in paragraph N.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. The University of Virginia may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

~~3.~~ *4.* Out of this appropriation, $218,400 each year from the general fund is designated to develop a summer STEM experience program in partnership with the Virginia Space Grant Consortium and the National Institute of Aerospace. The program will provide hands-on experience in science, technology, engineering and mathematics for 120 students. The Virginia Space Grant Consortium will work with the University of Virginia to identify the students and collect program evaluation data. The funding in paragraph N.3. will not be considered as a resource for purposes of funding guidelines.

O. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established to utilize emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the four institutions will be leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

196. Higher Education Student Financial Assistance (10800)..			$69,278,488	~~$69,611,521~~ *$73,350,365*
Scholarships (10810).....	$29,273,455	~~$29,273,455~~ *$37,971,695*		
Fellowships (10820).....	$40,005,033	~~$40,338,066~~ *$35,378,670*		

ITEM 196.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Fund Sources: General	$9,878,488	~~$10,211,521~~ *$10,524,365*		
Higher Education Operating	$59,400,000	~~$59,400,000~~ *$62,826,000*		

Authority: Title 23, Chapter 9, Code of Virginia.

A. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet student financial aid needs, under the terms of the management agreement between the university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of Assembly.

B. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund, shall be provided to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

197. Financial Assistance for Educational and General Services (11000)			$308,363,332	~~$308,363,332~~ *$294,065,332*
Sponsored Programs (11004)	$308,363,332	~~$308,363,332~~ *$294,065,332*		
Fund Sources: General	$4,732,332	~~$4,732,332~~ *$6,732,332*		
Higher Education Operating	$282,953,000	~~$282,953,000~~ *$264,523,000*		
Debt Service	$20,678,000	~~$20,678,000~~ *$22,810,000*		

Authority: Title 23, Chapter 9, Code of Virginia.

A. Out of this appropriation, $1,601,121 the first year and $1,601,121 the second year from the general fund and $14,350,000 the first year and $14,350,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering and biosciences.

B. Out of this appropriation, $2,381,720 the first year and ~~$2,381,720~~ *$3,381,720* the second year from the general fund is designated for the support of cancer research.

C. Out of this appropriation, $750,000 the first year and $750,000 the second year from the general fund is designated for support of the Focused Ultrasound Surgery Foundation to support core programs and research activities.

D. Out of this appropriation, $1,000,000 the second year from the general fund is designated to support the creation of the UVA Economic Development Accelerator.

~~D.~~ *E.* The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.

198. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			~~$177,103,000~~ *$177,274,000*	~~$177,103,000~~ *$181,117,000*
Residential Services (80930)	$26,243,000	$26,243,000		
Parking and Transportation Systems and Services (80940)	$12,444,000	$12,444,000		
Telecommunications Systems and Services (80950)	$195,000	$195,000		
Student Health Services (80960)	$8,770,000	$8,770,000		
Recreational and Intramural Programs (80980)	$4,545,000	$4,545,000		
Other Enterprise Functions (80990)	~~$96,906,000~~ *$94,116,000*	~~$96,906,000~~ *$97,959,000*		
Intercollegiate Athletics (80995)	~~$28,000,000~~ *$30,961,000*	~~$28,000,000~~ *$30,961,000*		

ITEM 198.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Higher Education Operating	~~$155,245,000~~ *$155,416,000*	~~$155,245,000~~ *$159,259,000*		
	Debt Service	$21,858,000	$21,858,000		
	Authority: Title 23, Chapter 9, Code of Virginia.				
	Total for University of Virginia			~~$1,081,999,257~~ ***$1,096,300,155***	~~$1,086,927,705~~ ***$1,096,605,043***
	General Fund Positions	1,082.63	1,082.63		
	Nongeneral Fund Positions	6,735.33	6,735.33		
	Position Level	7,817.96	7,817.96		
	Fund Sources: General	$130,356,767	~~$132,366,294~~ *$136,771,734*		
	Higher Education Operating	~~$907,340,490~~ *$920,527,388*	~~$910,259,411~~ *$912,285,309*		
	Debt Service	~~$44,302,000~~ *$45,416,000*	~~$44,302,000~~ *$47,548,000*		
	University of Virginia Medical Center (209)				
199.	State Health Services (43000)			$1,328,095,159	$1,370,035,121
	Inpatient Medical Services (43007)	$552,519,597	$575,919,597		
	Outpatient Medical Services (43011)	$336,594,395	$339,134,357		
	Administrative Services (43018)	$438,981,167	$454,981,167		
	Fund Sources: Higher Education Operating	$1,310,448,694	$1,352,388,656		
	Debt Service	$17,646,465	$17,646,465		

Authority: §§ 23-62 through 23-85, Code of Virginia and Chapter 38, Acts of Assembly of 1978.

A. The appropriation to the University of Virginia Medical Center provides for the care, treatment, health related services and education activities associated with Virginia patients, including indigent and medically indigent patients. Inasmuch as the University of Virginia Medical Center is a state teaching hospital, this appropriation is to be used to jointly support the education of health students through patient care provided by this appropriation.

B. By July 1 of each year, the Director, Department of Medical Assistance Services shall approve a common criteria and methodology for determining free care attributable to the appropriations in this Item. The Medical Center will report to the Department of Medical Assistance Services expenditures for indigent, medically indigent, and other patients. The Auditor of Public Accounts and the State Comptroller shall monitor the implementation of these procedures. The Medical Center shall report by October 31 annually to the Department of Medical Assistance Services, the Comptroller and the Auditor of Public Accounts on expenditures related to this Item. Reporting shall be by means of the indigent care cost report and shall follow criteria approved by the Director, Department of Medical Assistance Services.

C. Funding for Family Practice is included in the University of Virginia's Educational and General appropriation. Support for other residencies is included in the hospital appropriation.

D. It is the intent of the General Assembly that the University of Virginia Medical Center - Hospital maintain its efforts to staff residencies and fellow positions to produce sufficient generalist physicians in medically underserved regions of the state.

E. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover medical center operations.

F. The University of Virginia Hospital shall engage in substantive dialogue with Augusta Health to avoid or resolve issues surrounding possible duplication of health services. The University of Virginia Hospital and Augusta Health shall report their progress to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2012.

ITEM 200.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
200. The June 30, 2012 and June 30, 2013 unexpended balances to the University of Virginia Medical Center are hereby reappropriated; their use is subject to approval of allotments by the Department of Planning and Budget.				
201. A full accrual system of accounting shall be effected by the institution, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia, with the proviso that appropriations for operating expenses may not be used for capital projects.				
Total for University of Virginia Medical Center			**$1,328,095,159**	**$1,370,035,121**
Nongeneral Fund Positions.....	5,604.22	5,762.22		
Position Level	5,604.22	5,762.22		
Fund Sources: Higher Education Operating.....	$1,310,448,694	$1,352,388,656		
Debt Service.....	$17,646,465	$17,646,465		
University of Virginia's College at Wise (246)				
202. Educational and General Programs (10000).....			~~$20,176,587~~ *$20,626,587*	~~$20,360,101~~ *$21,139,661*
Higher Education Instruction (100101).....	~~$9,946,775~~ *$10,000,600*	~~$10,130,289~~ *$10,503,674*		
Higher Education Public Services (100103).....	~~$19,000~~ *$188,780*	~~$19,000~~ *$188,780*		
Higher Education Academic Support (100104).....	$3,652,105	$3,652,105		
Higher Education Student Services (100105).....	$1,615,493	$1,615,493		
Higher Education Institutional Support (100106).....	~~$3,192,470~~ *$3,242,470*	~~$3,192,470~~ *$3,252,470*		
Operation and Maintenance of Plant (100107).....	~~$1,750,744~~ *$1,927,139*	~~$1,750,744~~ *$1,927,139*		
Fund Sources: General.....	$12,560,895	~~$12,678,083~~ *$12,937,643*		
Higher Education Operating.....	~~$7,615,692~~ *$8,065,692*	~~$7,682,018~~ *$8,202,018*		

Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. The software engineering curriculum being established to insure success of recent economic development projects in Southwest Virginia, shall be considered on its merits by the State Council of Higher Education for Virginia and shall not be dependent on funding by the Commonwealth.

C. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

D. Out of this appropriation, $233,358 the first year and $233,358 the second year from the general fund and $138,577 the first year and $138,577 the second year from nongeneral funds are designated to facilitate the technical training programs for the Northrop Grumman state backup data center.

E. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be

ITEM 202.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.				
	F.1. Out of this appropriation, $146,268 each year from the general fund is designated for base operating support.				
	2. Out of this appropriation, $266,537 each year from the general fund is designated to address the projected growth in transfer students and efforts to improve retention and graduation through the Early Alert program.				
	G.1. Out of this appropriation, $475,641 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the University of Virginia at Wise in the fall 2011. The University of Virginia at Wise shall utilize these funds to implement its Science Consortium initiative.				
	2. The University of Virginia at Wise shall reallocate $170,935 first year and $227,913 the second year from current educational and general program funds either to support the initiatives identified in paragraph G.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.				
	3. The University of Virginia at Wise may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
	H. Out of this appropriation, $275,000 each year from the general fund is designated to support the University of Virginia's College at Wise Scholars program to increase recruitment and retention of students from the service region especially in STEM-related programs.				
203.	Higher Education Student Financial Assistance (10800)..			$2,036,202	~~$2,036,202~~ *$2,149,938*
	Scholarships (10810).....	$2,036,202	~~$2,036,202~~ *$2,149,938*		
	Fund Sources: General.....	$1,986,202	~~$1,986,202~~ *$2,099,938*		
	Higher Education Operating.....	$50,000	$50,000		
	Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
204.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at.....			$2,087,321	$2,087,321
	Eminent Scholars (11001).....	$2,373	$2,373		
	Sponsored Programs (11004).....	$2,084,948	$2,084,948		
	Fund Sources: Higher Education Operating.....	$2,087,321	$2,087,321		
	Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
205.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at.....			$15,028,772	$15,028,772
	Food Services (80910).....	$283,376	$283,376		
	Bookstores and other Stores (80920).....	$156,531	$156,531		
	Residential Services (80930).....	$5,322,679	$5,322,679		
	Parking and Transportation Systems and Services (80940).....	$172,996	$172,996		
	Student Health Services (80960).....	$144,880	$144,880		
	Student Unions and Recreational Facilities (80970).....	$612,343	$612,343		
	Other Enterprise Functions (80990).....	$6,731,418	$6,731,418		
	Intercollegiate Athletics (80995).....	$1,604,549	$1,604,549		

ITEM 205.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Higher Education Operating	$12,038,772	$12,038,772		
	Debt Service	$2,990,000	$2,990,000		
	Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
	Total for University of Virginia's College at Wise			~~$39,328,882~~ *$39,778,882*	~~$39,512,396~~ *$40,405,692*
	General Fund Positions	165.26	165.26		
	Nongeneral Fund Positions	151.28	151.28		
	Position Level	316.54	316.54		
	Fund Sources: General	$14,547,097	~~$14,664,285~~ *$15,037,581*		
	Higher Education Operating	~~$21,791,785~~ *$22,241,785*	~~$21,858,111~~ *$22,378,111*		
	Debt Service	$2,990,000	$2,990,000		
	Grand Total for University of Virginia			~~$2,449,423,298~~ *$2,464,174,196*	~~$2,496,475,222~~ *$2,507,045,856*
	General Fund Positions	1,247.89	1,247.89		
	Nongeneral Fund Positions	12,490.83	12,648.83		
	Position Level	13,738.72	13,896.72		
	Fund Sources: General	$144,903,864	~~$147,030,579~~ *$151,809,315*		
	Higher Education Operating	~~$2,239,580,969~~ *$2,253,217,867*	~~$2,284,506,178~~ *$2,287,052,076*		
	Debt Service	~~$64,938,465~~ *$66,052,465*	~~$64,938,465~~ *$68,184,465*		
	§ 1-62. VIRGINIA COMMONWEALTH UNIVERSITY (236)				
206.	Educational and General Programs (10000)			~~$462,228,689~~ *$492,639,743*	~~$466,800,516~~ *$498,830,651*
	Higher Education Instruction (100101)	~~$254,412,875~~ *$284,823,929*	~~$258,984,702~~ *$290,839,837*		
	Higher Education Research (100102)	$10,406,249	~~$10,406,249~~ *$10,531,249*		
	Higher Education Public Services (100103)	$6,887,358	~~$6,887,358~~ *$6,937,358*		
	Higher Education Academic Support (100104)	$81,874,176	$81,874,176		
	Higher Education Student Services (100105)	$20,179,817	$20,179,817		
	Higher Education Institutional Support (100106)	$47,959,730	$47,959,730		
	Operation and Maintenance of Plant (100107)	$40,508,484	$40,508,484		
	Fund Sources: General	$150,550,115	~~$153,270,556~~ *$154,889,637*		
	Higher Education Operating	~~$311,678,574~~ *$342,089,628*	~~$313,529,960~~ *$343,941,014*		

Authority: Title 23, Chapter 6.1, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, $4,217,317 the first year and ~~$4,309,327~~ *$4,336,607* the second year from the general fund is provided for the operation of the Family Practice Residency Program and Family Practice medical student programs. This appropriation for Family Practice programs, whether ultimately implemented by contract, agreement or other means, is considered to be a grant.

ITEM 206.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

2. The university shall report by July 1 annually to the Department of Planning and Budget an operating plan for the Family Practice Residency Program.

3. The university, in cooperation with the University of Virginia, shall establish elective Family Practice Medicine experiences in Southwest Virginia for both students and residents.

4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his executive authority in § 4-1.02 of this act, the general fund appropriation for the Family Practice programs shall be exempt from any reductions, provided the general fund appropriation for the family practice program is excluded from the total general fund appropriation for Virginia Commonwealth University for purposes of determining the University's portion of the statewide general fund reduction requirement.

C. Out of this appropriation, an amount estimated at $332,140 the first year and $332,140 the second year from the general fund and $168,533 the first year and $168,533 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education. ~~The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.~~ *For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.*

D.1. Out of this appropriation, not less than $261,685 the first year and not less than ~~$261,685~~ *$386,685* the second year from the general fund is designated for the Virginia Center on Aging. This includes $194,750 ~~each~~ *the first year and $319,750 the second* year for the Alzheimer's and Related Diseases Research Award Fund.

2. Out of this appropriation, $253,244 the first year and $253,244 the second year from the general fund and $356,250 the first year and $356,250 the second year from nongeneral funds are designated for the operation of the Virginia Geriatric Education Center and the Geriatric Academic Career Awards Program, both to be administered by the Virginia Center on Aging.

E. It is the intent of the General Assembly that Virginia Commonwealth University, in conjunction with the University of Virginia and Eastern Virginia Medical School, maintain its efforts to educate and train sufficient generalist physicians to meet the needs of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically underserved regions of the state. Further, it is the intent that the university support medical education and training in the principles of generalist medicine for all undergraduate medical students, regardless of their chosen specialty or field of study.

F. All costs for maintenance and operation of the physical plant of the School of Engineering, Phase I and future renovations, repairs, and improvements as they become necessary shall be financed from nongeneral funds.

G. It is the intent of the General Assembly to assist the three Virginia medical schools as they respond to changes in the need for delivery and financing of medical education, both undergraduate and graduate.

H. Out of this appropriation, $243,675 the first year and $243,675 the second year from the general fund is designated for support of the Council on Economic Education.

I. Out of this appropriation, $32,753 the first year and $32,753 the second year from the general fund is designated for support of the Education Policy Institute.

J.1. Notwithstanding any other provisions of law, Virginia Commonwealth University is authorized to remit tuition and fees for merit scholarships for students of high academic achievement subject to the following limitations and restrictions:

2. The number of such scholarships annually awarded to undergraduate Virginia students shall not exceed 20 percent of the fall headcount enrollment of Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of

ITEM 206.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

the headcount enrollment of Virginia students in undergraduate studies in the institution for the fall semester from the preceding academic year.

3. The number of such scholarships annually awarded to undergraduate non-Virginia students shall not exceed 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution from the preceding academic year. The total value of such merit scholarships annually awarded shall not exceed in any year the amount arrived at by multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of the fall headcount enrollment of non-Virginia students in undergraduate studies in the institution during the preceding academic year.

4. A scholarship awarded under this program shall entitle the holder to receive an annual remission of an amount not to exceed the cost of tuition and required fees to be paid by the student.

K. Out of this appropriation, $202,595 the first year and ~~$202,595~~ *$252,595* the second year from the general fund is provided for the Medical College of Virginia Palliative Care Partnership.

L. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

M. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Commonwealth University and the Commonwealth, as set forth in Chapters 594 and 616, of the 2008 Acts of Assembly.

N.1. Out of this appropriation, $3,565,354 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $2,916,627 each year from the general fund is designated to address the projected growth in transfer students and efforts to improve retention and graduation through the University College initiative and enhanced advising.

O.1. Out of this appropriation, $684,120 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Virginia Commonwealth University in the fall 2011. Virginia Commonwealth University shall utilize these funds to implement development of the summer session as a "third semester" to reduce time to degree, expansion of undergraduate research opportunities, expansion of health career options through enhanced advising of pre-health and STEM majors, and the advancement of newly established degree programs in the Center for Clinical and Translational Research.

2. Virginia Commonwealth University shall reallocate $2,150,379 the first year and $2,867,172 the second year from current educational and general program funds either to support the initiatives identified in paragraph O.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. Virginia Commonwealth University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

P. Out of this appropriation, $500,000 the second year from the general fund is designated for the Virginia Commonwealth University School of Pharmacy to support the Center for Compounding Practice and Research. The allocation will serve to *support any costs associated with creating the Center including facility-related expenses as well as the* purchase *of* the compounding equipment necessary for this state of the art teaching and research facility and

ITEM 206.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	will be leveraged as a matching gift with private funds. The Center will train Pharm.D. students to meet technical compounding demands, provide continuing education to registered pharmacists and conduct ongoing research on compounded medications.				
207.	Higher Education Student Financial Assistance (10800)..			$30,709,509	~~$30,973,552~~ *$32,120,183*
	Scholarships (10810).....	$28,074,261	~~$28,074,261~~ *$29,220,892*		
	Fellowships (10820).....	$2,635,248	$2,899,291		
	Fund Sources: General.....	$22,659,509	~~$22,923,552~~ *$24,070,183*		
	Higher Education Operating.....	$8,050,000	$8,050,000		
	Authority: Title 23, Chapter 6.1, Code of Virginia.				
208.	Financial Assistance for Educational and General Services (11000).....			~~$248,730,161~~ *$255,024,481*	~~$248,730,161~~ *$256,274,481*
	Eminent Scholars (11001).....	$2,695,800	$2,695,800		
	Sponsored Programs (11004).....	~~$246,034,361~~ *$252,328,681*	~~$246,034,361~~ *$253,578,681*		
	Fund Sources: General.....	$8,912,500	~~$8,912,500~~ *$10,162,500*		
	Higher Education Operating.....	$238,552,661	$238,552,661		
	Debt Service.....	~~$1,265,000~~ *$7,559,320*	~~$1,265,000~~ *$7,559,320*		
	Authority: Title 23, Chapter 6.1, Code of Virginia.				
	A. Out of this appropriation, $1,162,500 the first year and $1,162,500 the second year from the general fund and $6,600,000 the first year and $6,600,000 the second year from nongeneral funds are designated to build research capacity in the areas of biomedical engineering and regenerative medicine.				
	B. Out of this appropriation, $7,500,000 the first year and ~~$7,500,000~~ *$8,500,000* the second year from the general fund is designated for the support of cancer research.				
	C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
	D. Out of this appropriation, $250,000 the first year and $250,000 the second year from the general fund is designated to support the operations of the Biotechnology Research Park.				
	E. Out of this appropriation, $250,000 the second year from the general fund is designated to support the Parkinson's and Movement Disorders Center.				
209.	State Health Services (43000).....			~~$26,550,000~~ *$28,850,000*	~~$26,300,000~~ *$28,600,000*
	State Health Services Technical Support and Administration (43012).....	~~$26,550,000~~ *$28,850,000*	~~$26,300,000~~ *$28,600,000*		
	Fund Sources: General.....	$250,000	$0		
	Higher Education Operating.....	~~$26,300,000~~ *$28,600,000*	~~$26,300,000~~ *$28,600,000*		
	Authority: Discretionary Inclusion.				
	A. This appropriation includes funding to support 200.00 instructional and administrative faculty positions and for administrative and classified positions which provide services, through internal service agreements, to the Virginia Commonwealth University Health System				

ITEM 209.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Authority.				
B. Out of this appropriation, $250,000 the first year from the general fund is designated for the Virginia Commonwealth University Health System to plan for a replacement facility for the Virginia Treatment Center for Children.				
210. Higher Education Auxiliary Enterprises (80900)				
a sum sufficient, estimated at			~~$133,785,979~~ *$157,201,106*	~~$133,785,979~~ *$157,201,106*
Food Services (80910)	~~$19,489,525~~ *$22,900,568*	~~$19,489,525~~ *$22,900,568*		
Bookstores and other Stores (80920)	~~$3,629,738~~ *$4,265,012*	~~$3,629,738~~ *$4,265,012*		
Residential Services (80930)	~~$29,619,263~~ *$34,803,206*	~~$29,619,263~~ *$34,803,206*		
Parking and Transportation Systems and Services (80940)	~~$19,641,276~~ *$23,078,878*	~~$19,641,276~~ *$23,078,878*		
Telecommunications Systems and Services (80950)	~~$6,374,854~~ *$7,490,576*	~~$6,374,854~~ *$7,490,576*		
Student Health Services (80960)	~~$4,986,245~~ *$5,858,934*	~~$4,986,245~~ *$5,858,934*		
Student Unions and Recreational Facilities (80970)	~~$13,675,015~~ *$16,068,406*	~~$13,675,015~~ *$16,068,406*		
Recreational and Intramural Programs (80980)	~~$9,748,583~~ *$11,454,773*	~~$9,748,583~~ *$11,454,773*		
Other Enterprise Functions (80990)	~~$12,697,577~~ *$14,919,898*	~~$12,697,577~~ *$14,919,898*		
Intercollegiate Athletics (80995)	~~$13,923,903~~ *$16,360,855*	~~$13,923,903~~ *$16,360,855*		
Fund Sources: Higher Education Operating	~~$105,557,384~~ *$128,972,511*	~~$105,557,384~~ *$128,972,511*		
Debt Service	$28,228,595	$28,228,595		
Authority: Title 23, Chapter 6.1, Code of Virginia.				
211. Administrative and Support Services (19900)			$44,500,000	$44,500,000
Operation of Higher Education Centers (19931)	$44,500,000	$44,500,000		
Fund Sources: Higher Education Operating	$44,500,000	$44,500,000		
Authority: Title 23, Chapter 6.3, Code of Virginia.				

A.1. Out of this appropriation, $44,500,000 the first year and $44,500,000 the second year from nongeneral funds is designated to support the university's branch campus in Qatar.

2. Notwithstanding § 2.2-1802 of the Code of Virginia, Virginia Commonwealth University is authorized to maintain a local bank account in Qatar and non-U.S. countries to facilitate business operations the VCU Qatar Campus. These accounts are exempt from the Securities for Public Deposits Act, Title 2.2, Chapter 44 of the Code of Virginia.

3. Procurements and expenditures from the local bank account(s) are not subject to the Virginia Public Procurement Act and the Commonwealth Accounting Policies and Procedures (CAPP) Manual. Virginia Commonwealth University will institute procurement policies based on competitive procurement principles, except as otherwise stated within these policies. Expenditures from the local bank account will be recorded in the Commonwealth Accounting and Reporting System by Agency Transaction Vouchers, as appropriated herewith with revenue recognized as equal to the expenditures.

4. Notwithstanding Section 2.2-1149 of the Code of Virginia, Virginia Commonwealth University is authorized to approve operating, income and capital leases in Qatar under policies and procedures developed by the University.

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5. Virginia Commonwealth University is authorized to establish and hire staff (non-faculty) positions in Qatar under policies and procedures developed by the University. These employees, who are employed solely to support the Qatar Campus are not considered employees of the Commonwealth of Virginia and are not subject to the Virginia Personnel Act.

6. The Board of Visitors of Virginia Commonwealth University is authorized to establish policies for the Qatar Campus.

Total for Virginia Commonwealth University.....			~~$946,504,338~~ *$1,008,924,839*	~~$951,090,208~~ *$1,017,526,421*
General Fund Positions.....	1,507.80	1,507.80		
Nongeneral Fund Positions.....	3,792.29	3,792.29		
Position Level	5,300.09	5,300.09		
Fund Sources: General.....	$182,372,124	~~$185,106,608~~ *$189,122,320*		
Higher Education Operating.....	~~$734,638,619~~ *$790,764,800*	~~$736,490,005~~ *$792,616,186*		
Debt Service.....	~~$29,493,595~~ *$35,787,915*	~~$29,493,595~~ *$35,787,915*		

§ 1-63. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)

212. Educational and General Programs (10000).....			~~$851,759,154~~ *$855,959,154*	~~$858,810,660~~ *$867,205,638*
Higher Education Instruction (100101).....	$452,717,054	~~$459,768,560~~ *$422,818,425*		
Higher Education Public Services (100103).....	$2,560,830	$2,560,830		
Higher Education Academic Support (100104).....	$67,013,371	~~$67,013,371~~ *$89,013,371*		
Higher Education Student Services (100105).....	~~$64,943,435~~ *$65,948,435*	~~$64,943,435~~ *$67,077,775*		
Higher Education Institutional Support (100106).....	~~$169,815,424~~ *$171,315,424*	~~$169,815,424~~ *$176,331,197*		
Operation and Maintenance of Plant (100107).....	~~$94,709,040~~ *$96,404,040*	~~$94,709,040~~ *$109,404,040*		
Fund Sources: General.....	$332,649,495	~~$337,060,394~~ *$341,255,372*		
Special.....	$5,000	$5,000		
Higher Education Operating.....	~~$519,104,659~~ *$523,304,659*	~~$521,745,266~~ *$525,945,266*		

Authority: Title 23, Chapter 16, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. It is the objective of the Commonwealth that a standard of 70 percent full-time faculty be established for the Virginia Community College System. Consistent with higher education funding guidelines, it is expected that the Virginia Community College System will utilize the funds provided for base operating support to achieve this objective. In addition, the first priority for new funding provided to the community college system shall be for operating support at individual community colleges. Thirty days prior to the beginning of each fiscal year, the Virginia Community College System shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the allocation of all new general funds and nongeneral funds in this item and any cost recovery plans between the individual community colleges and the system office.

C. It is the intent of the General Assembly that funds available to the Virginia Community College System be reallocated to accommodate changes in enrollment and other cost factors at

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each of the community colleges.

D. Tuition and fee revenues from out-of-state students taking distance education courses through the Virginia Community College System must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the State Board for Community Colleges.

E. Out of this appropriation, ~~$110,097~~ *$82,000* and one position the first year and ~~$110,097~~ *$82,000* and one position the second year from the general fund is designated to enhance the skills of the interpreters for the deaf and hard-of-hearing and to enable them to achieve higher levels of expertise.

F. Out of this appropriation, amounts for the following special programs are designated: at J. Sargeant Reynolds Community College, the Program for the Deaf, ~~$84,097~~ *$65,999* and four positions the first year and ~~$84,097~~ *$65,999* and four positions the second year from the general fund and the Program for the Intellectually Disabled, ~~$118,566~~ *$93,051* and four positions the first year and ~~$118,566~~ *$93,051* and four positions the second year from the general fund; and, at New River Community College, the Program for the Deaf, ~~$102,051~~ *$80,090* and four positions the first year and ~~$102,051~~ *$80,090* and four positions the second year from the general fund, and the Program for the Intellectually Disabled, ~~$90,788~~ *$71,250* and 4.5 positions the first year and ~~$90,788~~ *$71,250* and 4.5 positions the second year from the general fund; and, at Danville Community College, the Program for the Deaf, ~~$46,580~~ *$26,586* and one position the first year and ~~$46,580~~ *$26,586* and one position the second year from the general fund.

G. Out of this appropriation, ~~$50,814~~ *$39,879* the first year and ~~$50,814~~ *$39,879* the second year from the general fund is designated to support the Southwest Virginia Telecommunications Network.

~~H.1. Out of this appropriation, $211,725 the first year and $211,725 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College.~~

~~2. Out of this appropriation, $296,415 the first year and $296,415 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College for an ongoing match for a grant from the U.S. Department of Commerce to develop a manufacturer assistance program covering most of Virginia.~~

I. Out of this appropriation, ~~$340,533~~ *$267,250* and four positions the first year and ~~$340,533~~ *$267,250* and four positions the second year from the general fund is provided to support Virginia Western Community College's participation in the Roanoke Higher Education Center and the Botetourt County Education and Training Center at Greenfield.

J. Out of this appropriation, ~~$169,380~~ *$132,929* the first year and ~~$169,380~~ *$132,929* the second year from the general fund is designated to support the Southwestern Virginia Advanced Manufacturing Technology Center at Wytheville Community College.

~~K. It is the intent of the General Assembly that noncredit business and industry work-related training courses and programs offered by community colleges be funded at a ratio of 30 percent from the general fund and 70 percent from nongeneral funds. Out of this appropriation, $846,900 in the first year and $846,900 in the second year from the general fund is designated for this purpose. These funds may be combined with funds of $317,588 the first year and $317,588 the second year already included in the Virginia Community College System budget for the "Virginia Works" program. The funds will be allocated by formula to all colleges based on the number of individuals served by non-credit activities.~~

~~L.1. As recommended by House Joint Resolution No. 622 (1997), the Joint Subcommittee to Study Noncredit Education for Workforce Training in the Commonwealth, the Virginia Community College System is directed to establish one or more Institutes of Excellence responsible for development of statewide training programs to meet current, high demand workforce needs of the Commonwealth. Out of this appropriation, at least $846,900 the first year and $846,900 the second year from the general fund is available to support the Institutes of Excellence.~~

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~~2. Under the guidance of the Virginia Workforce Council, authorized in Title 2.2, Chapter 26, Article 25, Code of Virginia, the Virginia Community College System shall submit to the Chairmen of the Senate Finance and House Appropriations Committees by November 4 of each year a report detailing the financing, activities, accomplishments and plans for the Institutes of Excellence and the four workforce development centers, and outcomes of the appropriations for 23 workforce coordinators and for non-credit training. The report shall include, but not be limited to:~~

~~a. performance measures to be used to evaluate the effectiveness of the workforce coordinators at all 23 colleges;~~

~~b. detailed information on number of students trained, employers served and courses offered; the types of certifications awarded; and the participation by local governments and the public or private sector, and other data relevant to the activities of the four regional workforce development centers;~~

~~c. the number of students trained, employers served and courses offered through noncredit instruction, and the amounts of local government, public or private sector funding used to match this appropriation; and~~

~~d. the amount or percentage of private and public funding contributed for the institutes' programming and operating needs; the number of private and public partnerships involved in the institutes' programming; the number of faculty and colleges affected by the institutes' programming; and performance measures to be used to evaluate the sharing or broadcasting of information and new/improved/updated curricula to other Virginia Community College campuses.~~

~~M. Out of this appropriation, $1,291,523 and 23 positions the first year and $1,291,523 and 23 positions the second year from the general fund is provided for staff who will be responsible for coordinating workforce training in the campus service area. The staff will work with local business and industry to determine training needs, coordinate with local economic development personnel, the local workforce training council, and other providers. It is the General Assembly's intent that the Virginia Community College System maximize these positions by encouraging funding matches at the local level.~~

~~N. Out of this appropriation, $508,140 and four positions the first year and $508,140 and four positions the second year from the general fund is provided for four workforce training centers: the Peninsula Workforce Development Center (Thomas Nelson Community College), $84,690 and one position the first year and $84,690 and one position the second year; the Regional Center for Applied Technology Training (Danville Community College), $169,380 and one position the first year and $169,380 and one position the second year; a Workforce Development Center at Paul D. Camp Community College, $169,380 and one position the first year and $169,380 and one position the second year; and the Central Virginia Manufacturing Technology Training Center in the Lynchburg area, $84,690 and one position the first year and $84,690 and one position the second year. Each center shall provide a 25 percent match prior to the release of state funding.~~

O.1. Out of this appropriation, $345,000 the first year and $345,000 the second year from the general fund is provided for the annual lease or rental costs of space in the Botetourt County Education and Training Center at Greenfield.

2. The general fund amounts provided for in this paragraph for workforce training, retraining, programming, and community education facilities at the Botetourt County Education and Training Center shall be matched by local or private sources in a ratio of two-thirds state funds to at least one-third local or private funds, as approved by the State Board for Community Colleges.

P.1. Out of this appropriation, $330,000 the first year and $330,000 the second year from the general fund is provided for the annual lease or rental costs of space in the Virginia Peninsula Workforce Development Center.

2. The general fund amounts provided for in this Item for workforce training, retraining, programming, and community education facilities at the Virginia Peninsula Workforce Development Center shall be matched by local or private sources in a ratio of two-thirds state

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funds to at least one-third local or private funds, as approved by the State Board for Community Colleges.

~~Q. Out of this appropriation, $100,000 from the general fund and $100,000 from nongeneral funds the first year and $100,000 from the general fund and $100,000 from nongeneral funds the second year is provided for the Heavy Equipment Operator program at Southside Virginia Community College.~~

~~R. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is provided for the Mecklenburg County Job Retraining Center.~~

S. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

T. Out of this appropriation, ~~$250,000~~ *$196,200* the first year and ~~$250,000~~ *$196,200* the second year from the general fund shall be provided to Northern Virginia Community College to support public-private sector partnerships in order to maximize the number of newly licensed nurses and increase the supply of nursing faculty.

U.1. Out of this appropriation, $7,137,118 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $7,961,150 each year from the general fund is designated to address the projected growth of in-state students.

V.1. Out of this appropriation, $2,740,343 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Virginia Community College System in the fall 2011. The Virginia Community College System shall utilize these funds to strengthen existing associate degree programs especially in STEM-H areas and to improve the full-time faculty ratio to 45 percent.

2. The Virginia Community College System shall reallocate $4,439,267 the first year and $5,919,022 the second year from current educational and general program funds either to support the initiatives identified in paragraph V.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. The Virginia Community College System may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

~~3.~~ *4.* Out of this appropriation, $500,000 each year from the general fund is designated for Northern Virginia Community College to implement the SySTEMic Solutions initiative which will enable expansion of dual enrollment courses with a STEM focus in all Northern Virginia school districts; opportunities to earn industry-aligned certifications; professional development opportunities for STEM teachers; part-time employment and internship opportunities for students in STEM programs; hands-on SOL-based science lessons at the elementary level with industry input and support; and collaborative robotics programs between the community college and K-12 schools. It is expected that an equal amount of private funds will be generated as a match for the state support.

W. It is the intent of the General Assembly that 100 percent of the general funds contained in this amendment be allocated to the individual community colleges. As required in paragraph B of this item, the Virginia Community College System shall report to the Chairmen of the House Appropriations and Senate Finance Committees by July 1 of each year, on the allocation of these funds, as well as the allocation of all general and nongeneral funds contained in this item by individual community colleges for fiscal years 2013 and 2014.

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	X. Out of this appropriation, $20,000 each year from the general fund shall be provided to Southside Virginia Community College. Out of this amount, $8,000 each year from the general fund shall be provided to the Estes Community Center in Chase City, $8,000 each year from the general fund shall be provided to the Lake Country Advanced Knowledge Center in South Hill, and $4,000 each year from the general fund shall be provided to the Clarksville Enrichment Complex.				
213.	Higher Education Student Financial Assistance (10800)				
	a sum sufficient, estimated at			~~$482,712,167~~ *$529,712,167*	~~$482,712,167~~ *$531,764,142*
	Scholarships (10810)	~~$482,712,167~~ *$529,712,167*	~~$482,712,167~~ *$531,764,142*		
	Fund Sources: General	$36,014,861	~~$36,014,861~~ *$38,066,836*		
	Higher Education Operating	~~$446,697,306~~ *$493,697,306*	~~$446,697,306~~ *$493,697,306*		
	Authority: Title 23, Chapter 16, Code of Virginia.				
	A. Out of this appropriation, $150,000 the first year and $150,000 the second year from the general fund is designated for Tidewater Community College to support an apprenticeship program for Virginia's shipyard workers. All general fund amounts appropriated for this apprenticeship program shall be used to provide scholarships to shipyard workers enrolled in the program. The conditions for receiving a scholarship shall be those conditions described in § 23-220.01, Code of Virginia.				
214.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at			~~$45,117,500~~ *$50,117,500*	~~$45,117,500~~ *$50,117,500*
	Sponsored Programs (11004)	~~$45,117,500~~ *$50,117,500*	~~$45,117,500~~ *$50,117,500*		
	Fund Sources: Higher Education Operating	~~$45,117,500~~ *$50,117,500*	~~$45,117,500~~ *$50,117,500*		
	Authority: Title 23, Chapter 16, Code of Virginia.				
215.	Economic Development Services (53400)			$76,407,316	~~$76,407,316~~ *$76,532,316*
	Apprenticeship Program (53409)	$4,211,982	$4,211,982		
	Management of Workforce Development Program Services (53427)	$72,195,334	~~$72,195,334~~ *$72,320,334*		
	Fund Sources: General	$8,992,017	~~$8,992,017~~ *$9,117,017*		
	Higher Education Operating	$67,415,299	$67,415,299		
	A. Out of this appropriation, $48,850,629 and 38 positions the first year, and $48,850,629 and 38 positions the second year from nongeneral funds is provided for the administration and implementation of workforce development programs as part of the federal Workforce Investment Act.				
	B. Out of this appropriation, $8,992,017 from the general fund and $18,564,670 from nongeneral funds each year are provided to support non-credit courses at Virginia's Community Colleges that enhance workforce development. As recommended by the Governor's Commission on Economic Development and Jobs Creation, this funding is intended to help bolster the Commonwealth's commitment to provide strong workforce training and development programs. This funding will be utilized based on final recommendations of the commission and the Special Advisor to the Governor for Workforce Development.				
	C. Out of this appropriation, $125,000 in the second year from the general fund is provided to				

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plan for an advanced integrated manufacturing technology program at Thomas Nelson Community College.

D.1. Out of this appropriation, $166,162 the first year and $166,162 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College.

2. Out of this appropriation, $232,626 the first year and $232,626 the second year from the general fund is designated for the A. L. Philpott Manufacturing Extension Partnership at Patrick Henry Community College for an ongoing match for a grant from the U.S. Department of Commerce to develop a manufacturer assistance program covering most of Virginia.

E. It is the intent of the General Assembly that noncredit business and industry work-related training courses and programs offered by community colleges be funded at a ratio of 30 percent from the general fund and 70 percent from nongeneral funds. Out of this appropriation, $664,647 in the first year and $664,647 in the second year from the general fund is designated for this purpose. These funds may be combined with funds of $249,243 the first year and $249,243 the second year already included in the Virginia Community College System budget for the "Virginia Works" program. The funds will be allocated by formula to all colleges based on the number of individuals served by non-credit activities.

F.1. As recommended by House Joint Resolution No. 622 (1997), the Joint Subcommittee to Study Noncredit Education for Workforce Training in the Commonwealth, the Virginia Community College System is directed to establish one or more Institutes of Excellence responsible for development of statewide training programs to meet current, high demand workforce needs of the Commonwealth. Out of this appropriation, at least $664,647 the first year and $664,647 the second year from the general fund is available to support the Institutes of Excellence.

2. Under the guidance of the Virginia Workforce Council, authorized in Title 2.2, Chapter 26, Article 25, Code of Virginia, the Virginia Community College System shall submit to the Chairmen of the Senate Finance and House Appropriations Committees by November 4 of each year a report detailing the financing, activities, accomplishments and plans for the Institutes of Excellence and the four workforce development centers, and outcomes of the appropriations for 23 workforce coordinators and for non-credit training. The report shall include, but not be limited to:

a. performance measures to be used to evaluate the effectiveness of the workforce coordinators at all 23 colleges;

b. detailed information on number of students trained, employers served and courses offered; the types of certifications awarded; and the participation by local governments and the public or private sector, and other data relevant to the activities of the four regional workforce development centers;

c. the number of students trained, employers served and courses offered through noncredit instruction, and the amounts of local government, public or private sector funding used to match this appropriation; and

d. the amount or percentage of private and public funding contributed for the institutes' programming and operating needs; the number of private and public partnerships involved in the institutes' programming; the number of faculty and colleges affected by the institutes' programming; and performance measures to be used to evaluate the sharing or broadcasting of information and new/improved/updated curricula to other Virginia Community College campuses.

G. Out of this appropriation, $1,196,820 and 23 positions the first year and $1,196,820 and 23 positions the second year from the general fund is provided for staff who will be responsible for coordinating workforce training in the campus service area. The staff will work with local business and industry to determine training needs, coordinate with local economic development personnel, the local workforce training council, and other providers. It is the General Assembly's intent that the Virginia Community College System maximize these positions by encouraging funding matches at the local level.

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H. Out of this appropriation, $470,880 and four positions the first year and $470,880 and four positions the second year from the general fund is provided for four workforce training centers: the Peninsula Workforce Development Center (Thomas Nelson Community College), $78,480 and one position the first year and $78,480 and one position the second year; the Regional Center for Applied Technology Training (Danville Community College), $156,960 and one position the first year and $156,960 and one position the second year; a Workforce Development Center at Paul D. Camp Community College, $156,960 and one position the first year and $156,960 and one position the second year; and the Central Virginia Manufacturing Technology Training Center in the Lynchburg area, $78,480 and one position the first year and $78,480 and one position the second year. Each center shall provide a 25 percent match prior to the release of state funding.

I. Out of this appropriation, $78,480 from the general fund and $100,000 from nongeneral funds the first year and $78,480 from the general fund and $100,000 from nongeneral funds the second year is provided for the Heavy Equipment Operator program at Southside Virginia Community College.

J. Out of this appropriation, $117,720 the first year and $117,720 the second year from the general fund is provided for the Mecklenburg County Job Retraining Center.

216.	Higher Education Auxiliary Enterprises (80900)			
	a sum sufficient, estimated at		$45,787,802	$45,787,802
	Food Services (80910)	$1,238,576	$1,238,576	
	Bookstores and other Stores (80920)	$14,915,827	$14,915,827	
	Parking and Transportation Systems and Services (80940)	$16,985,371	$16,985,371	
	Student Unions and Recreational Facilities (80970)	$12,648,028	$12,648,028	
	Fund Sources: Higher Education Operating	$29,677,039	$29,677,039	
	Debt Service	$16,110,763	$16,110,763	

Authority: Title 23, Chapter 16, Code of Virginia.

217. The appropriations in this section are for the following community colleges:

College I.D.	Community College	College I.D.	Community College
61	System Office	80	Northern Virginia
70	Utility	85	Patrick Henry
91	Blue Ridge	77	Paul D. Camp
92	Central Virginia	82	Piedmont
87	Dabney S. Lancaster	78	Rappahannock
79	Danville	76	Southside Virginia
84	Eastern Shore	94	Southwest Virginia
97	Germanna	93	Thomas Nelson
83	J. Sargeant Reynolds	95	Tidewater
90	John Tyler	96	Virginia Highlands
98	Lord Fairfax	86	Virginia Western
99	Mountain Empire	88	Wytheville
75	New River		

Total for Virginia Community College System			~~$1,501,783,939~~	~~$1,508,835,445~~
			$1,557,983,939	*$1,571,407,398*
General Fund Positions	5,542.57	5,542.57		
Nongeneral Fund Positions	5,479.58	5,479.58		
Position Level	11,022.15	11,022.15		
Fund Sources: General	$377,656,373	~~$382,067,272~~ *$388,439,225*		
Special	$5,000	$5,000		

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	Higher Education Operating.....	~~$1,108,011,803~~	~~$1,110,652,410~~		
		$1,164,211,803	*$1,166,852,410*		
	Debt Service.....	$16,110,763	$16,110,763		
	§ 1-64. VIRGINIA MILITARY INSTITUTE (211)				
218.	Educational and General Programs (10000).....			~~$32,129,761~~	~~$32,387,410~~
				$33,529,761	*$33,949,851*
	Higher Education Instruction (100101).....	~~$12,895,963~~	~~$13,152,474~~		
		$13,302,900	*$13,721,852*		
	Higher Education Public Services (100103).....	~~$64,717~~	~~$64,717~~		
		$67,237	*$67,237*		
	Higher Education Academic Support (100104).....	~~$4,903,863~~	~~$4,903,863~~		
		$5,009,489	*$5,009,489*		
	Higher Education Student Services (100105).....	~~$2,427,100~~	~~$2,427,100~~		
		$2,484,209	*$2,484,209*		
	Higher Education Institutional Support (100106).....	~~$5,527,640~~	~~$5,528,778~~		
		$6,273,322	*$6,274,460*		
	Operation and Maintenance of Plant (100107).....	~~$6,310,478~~	~~$6,310,478~~		
		$6,392,604	*$6,392,604*		
	Fund Sources: General.....	$8,065,051	~~$8,169,563~~		
			$8,332,004		
	Higher Education Operating.....	~~$23,664,710~~	~~$23,817,847~~		
		$25,064,710	*$25,217,847*		
	Debt Service.....	$400,000	$400,000		

Authority: Title 23, Chapter 10, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals as described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

C. 1. Out of this appropriation, $328,589 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $84,330 each year from the general fund is designated to address the projected growth of in-state students and improve retention.

D.1. Out of this appropriation, $243,812 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by the Virginia Military Institute in the fall 2011. Virginia Military Institute shall utilize these funds to implement the "Right-Size" initiative to reduce reliance on adjunct faculty.

2. Virginia Military Institute shall reallocate $111,080 the first year and $148,107 the second year from current educational and general program funds either to support the initiatives identified in paragraph D.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. Virginia Military Institute may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or

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	priorities.				
	E. Resources determined by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the base adequacy funding guidelines.				
219.	Higher Education Student Financial Assistance (10800)..			$2,523,760	~~$2,523,760~~ *$2,570,928*
	Scholarships (10810).....	$2,523,760	~~$2,523,760~~ *$2,570,928*		
	Fund Sources: General.....	$823,760	~~$823,760~~ *$870,928*		
	Higher Education Operating.....	$1,700,000	$1,700,000		
	Authority: Title 23, Chapter 10, § 23-105, Code of Virginia.				
	Out of the amounts for Scholarships and Loans, the Institute shall provide for State Cadetships and for discretionary student aid.				
220.	Financial Assistance for Educational and General Services (11000)				
	a sum sufficient, estimated at.....			$894,898	$894,898
	Eminent Scholars (11001).....	$200,000	$200,000		
	Sponsored Programs (11004).....	$694,898	$694,898		
	Fund Sources: Higher Education Operating.....	$894,898	$894,898		
	Authority: Title 23, Chapter 10, Code of Virginia.				
221.	Unique Military Activities (11300).....			~~$7,084,904~~ *$7,188,904*	~~$7,084,904~~ *$7,463,904*
	Fund Sources: General.....	$3,294,904	~~$3,294,904~~ *$3,569,904*		
	Higher Education Operating.....	~~$3,790,000~~ *$3,894,000*	~~$3,790,000~~ *$3,894,000*		
	Authority: Discretionary Inclusion.				
	A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.				
	2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.				
222.	Higher Education Auxiliary Enterprises (80900)				
	a sum sufficient, estimated at.....			~~$24,100,000~~ *$24,500,000*	~~$24,100,000~~ *$24,500,000*
	Food Services (80910).....	$6,632,000	$6,632,000		
	Bookstores and other Stores (80920).....	$1,079,894	$1,079,894		
	Residential Services (80930).....	$1,981,367	$1,981,367		
	Student Health Services (80960).....	$171,448	$171,448		
	Student Unions and Recreational Facilities (80970).....	$1,320,134	$1,320,134		
	Recreational and Intramural Programs (80980).....	$536,902	$536,902		
	Other Enterprise Functions (80990).....	~~$6,990,147~~ *$7,390,147*	~~$6,990,147~~ *$7,390,147*		
	Intercollegiate Athletics (80995).....	$5,388,108	$5,388,108		
	Fund Sources: Higher Education Operating.....	~~$22,959,000~~ *$23,359,000*	~~$22,959,000~~ *$23,359,000*		
	Debt Service.....	$1,141,000	$1,141,000		
	Authority: Title 23, Chapter 10, Code of Virginia.				

ITEM 222.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Total for Virginia Military Institute			~~$66,733,323~~ *$68,637,323*	~~$66,990,972~~ *$69,379,581*
	General Fund Positions	185.71	185.71		
	Nongeneral Fund Positions	278.06	278.06		
	Position Level	463.77	463.77		
	Fund Sources: General	$12,183,715	~~$12,288,227~~ *$12,772,836*		
	Higher Education Operating	~~$53,008,608~~ *$54,912,608*	~~$53,161,745~~ *$55,065,745*		
	Debt Service	$1,541,000	$1,541,000		

§ 1-65. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)

223.	Educational and General Programs (10000)			~~$519,840,224~~ *$534,926,676*	~~$524,589,253~~ *$541,782,117*
	Higher Education Instruction (100101)	~~$299,320,361~~ *$307,784,226*	~~$304,069,390~~ *$314,639,667*		
	Higher Education Research (100102)	~~$20,537,695~~ *$20,587,580*	~~$20,537,695~~ *$20,587,580*		
	Higher Education Public Services (100103)	~~$17,043,922~~ *$17,161,292*	~~$17,043,922~~ *$17,161,292*		
	Higher Education Academic Support (100104)	~~$63,642,753~~ *$65,591,518*	~~$63,642,753~~ *$65,591,518*		
	Higher Education Student Services (100105)	~~$16,032,807~~ *$16,494,100*	~~$16,032,807~~ *$16,494,100*		
	Higher Education Institutional Support (100106)	~~$46,801,440~~ *$48,867,185*	~~$46,801,440~~ *$48,867,185*		
	Operation and Maintenance of Plant (100107)	~~$56,461,246~~ *$58,440,775*	~~$56,461,246~~ *$58,440,775*		
	Fund Sources: General	$136,463,558	~~$138,426,211~~ *$140,532,623*		
	Higher Education Operating	~~$383,376,666~~ *$398,463,118*	~~$386,163,042~~ *$401,249,494*		

Authority: Title 23, Chapter 11, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B. Out of this appropriation shall be expended an amount estimated at $869,882 the first year and $869,882 the second year from the general fund and $436,357 the first year and $436,357 the second year from nongeneral funds are designated for the educational telecommunications project to provide graduate engineering education~~. The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginiain support of these funded activities.~~ *For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and General Assembly.*

C. Out of this appropriation, $128,903 the first year and $128,903 the second year from the general fund and $250,813 the first year and $250,813 the second year from nongeneral funds are designated to support the Educational and General portion of the debt service for the coal-fired facility, as approved in Item D-6.1, Chapter 459, Acts of Assembly of 1991.

D. Out of this appropriation, $358,594 the first year and $358,594 the second year from the general fund is designated to support the Marion duPont Scott Equine Center of the Virginia-Maryland Regional College of Veterinary Medicine.

E. Out of this appropriation, $112,956 and one position the first year and $112,956 and one

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position the second year from the general fund is designated for the Virginia Center for Coal and Energy Research.

F. Out of this appropriation, $11,953 the first year and $11,953 the second year from the general fund is designated to support continuing education activities at the Reynolds Homestead.

G. Out of this appropriation, $67,236 the first year and $67,236 the second year from the general fund is designated to support the research activities of the Virginia Water Resources Center.

H. Out of this appropriation, $268,557 the first year and $268,557 the second year from the general fund is designated to support tobacco research for medicinal purposes and field tests at sites in Blackstone and Abingdon.

I. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

J. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

K.1. Out of this appropriation, $1,725,992 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $685,667 each year from the general fund is designated to continue the increase in access for in-state undergraduate students begun in the 2011 Session, to address the growth in transfer students and support efforts to improve retention and graduation through enhanced student advising services.

L.1. Out of this appropriation, $1,175,420 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by Virginia Tech in the fall 2011. Virginia Tech shall utilize these funds to implement new and expanded summer academic opportunities, expand and enhance STEM degree production and support the Virginia Vital Information for Education and Work (VIEW) Program to provide students, parents, counselors, and teachers with access to resources for career exploration, college and work force readiness, and STEM career preparation.

2. Virginia Tech shall reallocate $1,989,523 the first year and $2,652,698 the second year from current educational and general program funds either to support the initiatives identified in paragraph L.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. Virginia Tech may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

~~3.~~ *4.* Out of this appropriation, $300,000 each year from the general fund is designated to develop a STEM Industry Internship program in partnership with the Virginia Space Grant Consortium, Virginia Regional Technology Councils and industry. The program will provide 75 undergraduate students across the Commonwealth an opportunity to centrally apply for real world work experience and provide Virginia's industries with access to qualified interns. Virginia Tech will partner with the Virginia Space Grant Consortium and work with Virginia's Regional Technology Councils who will serve as the program's conduit to industry, advertising the program and linking with interested industry partners. The funding in paragraph L.3. will not be considered as a resource for purposes of funding guidelines.

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M. The 4-VA, a public-private partnership among George Mason University, James Madison University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established to utilize emerging technologies to promote collaboration and resource sharing to increase access, reduce time to graduation and reduce unit cost while maintaining and enhancing quality. Instructional talent across the four institutions will be leveraged in the delivery of programs in foreign languages, science, technology, engineering and mathematics. It is expected that funding will be pooled by the management board as required to support continuing efforts of the 4-VA priorities and projects.

224. Higher Education Student Financial Assistance (10800)..			$18,618,928	~~$18,887,064~~ *$19,705,847*
Scholarships (10810).....	$14,396,348	~~$14,396,348~~ *$15,215,131*		
Fellowships (10820).....	$4,222,580	$4,490,716		
Fund Sources: General.....	$18,618,928	~~$18,887,064~~ *$19,705,847*		

Authority: Soil Scientist Scholarships: § 23-38.3, Code of Virginia; Other Scholarships: §§ 23-114 through 23-131, Code ofVirginia.

Out of the amount for Scholarships, the following sums shall be made available from the general fund for:

1. Soil Scientist Scholarships, $11,000 the first year and $11,000 the second year.

2. Scholarships, internships, and graduate assistantships administered by the Multicultural Academic Opportunities Program at the university, $86,500 the first year and $86,500 the second year. Eligible students must have financial need and participate in an academic support program.

225. Financial Assistance for Educational and General Services (11000).....			$283,981,290	~~$283,981,290~~ *$284,981,290*
Eminent Scholars (11001)	$2,000,000	$2,000,000		
Sponsored Programs (11004)	$281,981,290	~~$281,981,290~~ *$282,981,290*		
Fund Sources: General.....	$3,138,544	~~$3,138,544~~ *$4,138,544*		
Higher Education Operating.....	$280,842,746	$280,842,746		

Authority: Title 23, Chapter 11, Code of Virginia.

A. Out of this appropriation, $2,388,544 the first year and $2,388,544 the second year from the general fund and $15,000,000 the first year and $15,000,000 the second year from nongeneral funds are designated to build research capacity in the areas of bioengineering, biomaterials and nanotechnology.

B. Virginia Polytechnic Institute and State University is authorized to establish a self-supporting "instructional enterprise" fund to account for the revenues and expenditures of the Institute for Distance and Distributed Learning (IDDL) classes offered to students at locations outside the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," student tuition and fee revenues for IDDL students at locations outside Virginia shall exceed all direct and indirect costs of providing instruction to those students. The Board of Visitors shall set tuition and fee rates to meet this requirement and shall set other policies regarding the IDDL as may be appropriate. Revenue and expenditures of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. As a part of this "instructional enterprise" fund Virginia Tech is authorized to establish a program in which Internet-based (on-line) courses, certificate, and entire degree programs, primarily at the graduate level, are offered to students in Virginia who are not enrolled for classes on the Blacksburg campus or one of the extended campus locations. Tuition generated by Virginia students taking these on-line courses and tuition from IDDL students at locations outside Virginia shall be retained in the fund to support the entire IDDL program and shall not be used

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by the state to offset other Educational and General costs. Revenues in excess of expenditures shall be retained in the fund to support the entire IDDL program. Full-time equivalent students generated through these programs shall be accounted for separately. Additionally, revenues which remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.				
C. The Higher Education Operating fund source listed in this Item is considered to be a sum sufficient appropriation, which is an estimate of funding required by the university to cover sponsored program operations.				
D. Out of this appropriation, $750,000 the first year and ~~$750,000~~ *$1,750,000* the second year from the general fund is designated to support and enhance brain disorder research.				
226. Unique Military Activities (11300)			$1,484,350	~~$1,484,350~~ *$2,084,350*
Fund Sources: General	$1,484,350	~~$1,484,350~~ *$2,084,350*		
Authority: Discretionary Inclusion.				
A.1. Personnel associated with performance of activities designated by the State Council of Higher Education for Virginia to be uniquely military shall be excluded from the calculation of employment guidelines.				
2. It is the intent of the General Assembly that nonresident cadets receive the same general fund support in the Unique Military program as resident cadets.				
227. Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at			~~$238,257,110~~ *$254,225,454*	~~$238,257,110~~ *$254,225,454*
Food Services (80910)	~~$43,733,637~~ *$47,105,612*	~~$43,733,637~~ *$47,105,612*		
Residential Services (80930)	~~$32,452,583~~ *$31,023,255*	~~$32,452,583~~ *$31,023,255*		
Parking and Transportation Systems and Services (80940)	~~$9,530,284~~ *$11,725,314*	~~$9,530,284~~ *$11,725,314*		
Telecommunications Systems and Services (80950)	~~$18,891,388~~ *$20,075,352*	~~$18,891,388~~ *$20,075,352*		
Student Health Services (80960)	~~$10,529,725~~ *$10,724,256*	~~$10,529,725~~ *$10,724,256*		
Student Unions and Recreational Facilities (80970)	~~$10,002,918~~ *$13,249,769*	~~$10,002,918~~ *$13,249,769*		
Recreational and Intramural Programs (80980)	~~$8,527,185~~ *$6,525,017*	~~$8,527,185~~ *$6,525,017*		
Other Enterprise Functions (80990)	~~$50,244,892~~ *$54,981,403*	~~$50,244,892~~ *$54,981,403*		
Intercollegiate Athletics (80995)	~~$54,344,498~~ *$58,815,476*	~~$54,344,498~~ *$58,815,476*		
Fund Sources: Higher Education Operating	~~$227,906,610~~ *$243,874,954*	~~$227,906,610~~ *$243,874,954*		
Debt Service	$10,350,500	$10,350,500		
Authority: Title 23, Chapter 11, Code of Virginia.				
Total for Virginia Polytechnic Institute and State University			~~**$1,062,181,902**~~ ***$1,093,236,698***	~~**$1,067,199,067**~~ ***$1,102,779,058***

ITEM 227.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
General Fund Positions	1,911.53	1,911.53		
Nongeneral Fund Positions	4,933.45	4,933.45		
Position Level	6,844.98	6,844.98		
Fund Sources: General	$159,705,380	~~$161,936,169~~ *$166,461,364*		
Higher Education Operating	~~$892,126,022~~ *$923,180,818*	~~$894,912,398~~ *$925,967,194*		
Debt Service	$10,350,500	$10,350,500		
Virginia Cooperative Extension and Agricultural Experiment Station (229)				
228. Educational and General Programs (10000)			$79,146,169	~~$79,875,394~~ *$80,630,901*
Higher Education Research (100102)	$35,101,745	~~$35,407,290~~ *$35,713,747*		
Higher Education Public Services (100103)	$42,802,786	$43,226,466		
Higher Education Academic Support (100104)	$714,821	$714,821		
Operation and Maintenance of Plant (100107)	$526,817	~~$526,817~~ *$975,867*		
Fund Sources: General	$60,491,795	~~$61,184,559~~ *$61,904,766*		
Higher Education Operating	$18,654,374	~~$18,690,835~~ *$18,726,135*		

Authority: § 23-132.1 through § 23-132.11, Code of Virginia.

A. Appropriations for this agency shall include operating expenses for research and investigations, and the several regional and county agricultural experiment stations under its control, in accordance with law.

B.1. It is the intent of the General Assembly that the Cooperative Extension Service gives highest priority to programs and services which comprised the original mission of the Extension Service, especially agricultural programs at the local level. The university shall ensure that the service utilizes information technology to the extent possible in the delivery of programs.

2. The budget of this agency shall include and separately account for local payments. Virginia Polytechnic Institute and State University, in conjunction with Virginia State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the agency, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The report shall include all expenditures from local support funds.

C. The Virginia Cooperative Extension and Agricultural Experiment Station shall not charge a fee for testing the soil on property used for commercial farming.

D. The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between Virginia Polytechnic Institute and State University and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.

E. Out of this appropriation, $1,000,000 the first year and $1,000,000 the second year from the general fund is designated to support 25 extension agent positions.

Total for Virginia Cooperative Extension and Agricultural Experiment Station			**$79,146,169**	~~**$79,875,394**~~ ***$80,630,901***
General Fund Positions	721.94	~~721.94~~ *727.24*		
Nongeneral Fund Positions	384.47	~~384.47~~		

ITEM 228.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
			388.27		
	Position Level	1,106.41	~~1,106.41~~		
			1,115.51		
	Fund Sources: General	$60,491,795	~~$61,184,559~~		
			$61,904,766		
	Higher Education Operating	$18,654,374	~~$18,690,835~~		
			$18,726,135		
	Grand Total for Virginia Polytechnic Institute and State University			~~**$1,141,328,071**~~	~~**$1,147,074,461**~~
				$1,172,382,867	***$1,183,409,959***
	General Fund Positions	2,633.47	~~2,633.47~~		
			2,638.77		
	Nongeneral Fund Positions	5,317.92	~~5,317.92~~		
			5,321.72		
	Position Level	7,951.39	~~7,951.39~~		
			7,960.49		
	Fund Sources: General	$220,197,175	~~$223,120,728~~		
			$228,366,130		
	Higher Education Operating	~~$910,780,396~~	~~$913,603,233~~		
		$941,835,192	*$944,693,329*		
	Debt Service	$10,350,500	$10,350,500		

§ 1-66. VIRGINIA STATE UNIVERSITY (212)

229.	Educational and General Programs (10000)			$68,678,440	~~$69,184,820~~
					$70,518,513
	Higher Education Instruction (100101)	$40,293,760	~~$40,800,140~~		
			$42,133,833		
	Higher Education Research (100102)	$2,110,453	$2,110,453		
	Higher Education Public Services (100103)	$120,448	$120,448		
	Higher Education Academic Support (100104)	$5,910,648	$5,910,648		
	Higher Education Student Services (100105)	$4,335,982	$4,335,982		
	Higher Education Institutional Support (100106)	$8,858,565	$8,858,565		
	Operation and Maintenance of Plant (100107)	$7,048,584	$7,048,584		
	Fund Sources: General	$29,672,881	~~$29,905,546~~		
			$30,167,239		
	Higher Education Operating	$39,005,559	~~$39,279,274~~		
			$40,351,274		

Authority: Title 23, Chapter 13, Code of Virginia.

A. This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).

B.1. Out of this appropriation, $3,790,639 the first year and $3,790,639 the second year from the general fund is designated for continued enhancement of the existing Bachelor of Science academic programs in Computer Science, Manufacturing Engineering, Computer Engineering, Mass Communications and Criminal Justice, and the doctoral program in Education.

2. Out of this appropriation, $37,500 the first year and $37,500 the second year from the general fund is provided to serve in lieu of endowment income for the Eminent Scholars Program.

3. Any unexpended balances in paragraphs B.1. and B.2. in this Item at the close of business on June 30, 2012 and June 30, 2013, shall not revert to the surplus of the general fund but shall be carried forward on the books of the State Comptroller and reappropriated in the succeeding year.

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C. This appropriation includes $200,000 the first year and $200,000 the second year from the general fund to increase the number of faculty with terminal degrees to at least 85 percent of the total teaching faculty.

D. Out of this appropriation, Virginia State University is authorized to use up to $600,000 the first year and $600,000 the second year from the general fund to address extremely critical deferred maintenance deficiencies in its facilities, including residence halls and dining facilities.

E. As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.

F. Out of this appropriation, $1,300,000 the first year and $1,300,000 the second year from the general fund is designated to support the Manufacturing Engineering and Logistics Technology program.

G.1. Out of this appropriation, $328,814 each year from the general fund is designated for base operating support.

2. Out of this appropriation, $962,789 each year from the general fund is designated to address the projected growth in transfer students and efforts to improve retention and graduation through enhanced advising, summer bridge programs and the VSU Cohort Program.

H.1. Out of this appropriation, $440,187 each year from the general fund is designated to achieve the goals of the six-year academic plan submitted by Virginia State University in the fall 2011. Virginia State University shall utilize these funds to restructure the summer session and create a hybrid trimester system in order to decrease time to degree, to support faculty research initiative grants to multi-disciplinary teams and to develop a center of logistics research at Fort Lee in cooperation with the University of Virginia and Longwood University.

2. Virginia State University shall reallocate $305,385 the first year and $407,180 the second year from current educational and general program funds either to support the initiatives identified in paragraph H.1. and / or to address programs and strategies that serve to advance the objectives of the Higher Education Opportunity Act of 2011.

3. Virginia State University may reallocate up to an additional 1.5 percent from current educational and general program funds in the second year to address faculty compensation issues, operation and maintenance of new facilities or other institutional initiatives or priorities.

230. Higher Education Student Financial Assistance (10800)..			$9,459,265	~~$9,495,721~~ *$9,821,057*
Scholarships (10810).....	$9,199,377	~~$9,199,377~~ *$9,524,713*		
Fellowships (10820).....	$259,888	$296,344		
Fund Sources: General.....	$5,901,442	~~$5,937,898~~ *$6,263,234*		
Higher Education Operating.....	$3,557,823	$3,557,823		

Authority: Title 23, Chapter 13, Code of Virginia.

231. Financial Assistance for Educational and General Services (11000) a sum sufficient, estimated at.....			$28,964,447	~~$28,964,447~~ *$30,464,447*
Sponsored Programs (11004)	$28,964,447	~~$28,964,447~~ *$30,464,447*		

ITEM 231.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Higher Education Operating.....	$28,964,447	~~$28,964,447~~ *$30,464,447*		
	Authority: Title 23, Chapter 13, Code of Virginia.				
232.	Higher Education Auxiliary Enterprises (80900) a sum sufficient, estimated at.....			$41,901,884	~~$44,661,800~~ *$46,661,800*
	Food Services (80910).....	$8,412,579	$8,412,579		
	Bookstores and other Stores (80920).....	$51,001	$51,001		
	Residential Services (80930).....	$16,860,899	~~$19,620,815~~ *$21,620,815*		
	Parking and Transportation Systems and Services (80940).....	$417,467	$417,467		
	Student Health Services (80960).....	$1,046,036	$1,046,036		
	Student Unions and Recreational Facilities (80970).....	$2,207,378	$2,207,378		
	Other Enterprise Functions (80990).....	$7,189,097	$7,189,097		
	Intercollegiate Athletics (80995).....	$5,717,427	$5,717,427		
	Fund Sources: Higher Education Operating.....	$34,569,339	$36,329,255		
	Debt Service.....	$7,332,545	~~$8,332,545~~ *$10,332,545*		
	Authority: Title 23, Chapter 13, Code of Virginia.				
	Total for Virginia State University.....			**$149,004,036**	~~**$152,306,788**~~ ***$157,465,817***
	General Fund Positions.....	326.77	329.97		
	Nongeneral Fund Positions.....	458.29	460.09		
	Position Level.....	785.06	790.06		
	Fund Sources: General.....	$35,574,323	~~$35,843,444~~ *$36,430,473*		
	Higher Education Operating.....	$106,097,168	~~$108,130,799~~ *$110,702,799*		
	Debt Service.....	$7,332,545	~~$8,332,545~~ *$10,332,545*		
	Cooperative Extension and Agricultural Research Services (234)				
233.	Educational and General Programs (10000).....			~~$10,417,738~~ *$10,687,254*	~~$10,455,759~~ *$11,674,908*
	Higher Education Research (100102).....	~~$4,908,832~~ *$5,069,258*	~~$4,908,832~~ *$5,566,628*		
	Higher Education Public Services (100103).....	~~$4,893,074~~ *$5,002,164*	~~$4,931,095~~ *$5,492,448*		
	Higher Education Institutional Support (100106).....	$190,000	$190,000		
	Operation and Maintenance of Plant (100107).....	$425,832	$425,832		
	Fund Sources: General.....	$5,136,690	~~$5,172,810~~ *$5,313,900*		
	Higher Education Operating.....	~~$5,281,048~~ *$5,550,564*	~~$5,282,949~~ *$6,361,008*		

Authority: Title 23, Chapter 11, and § 23-165.11, Title 23, Chapter 13, Code of Virginia.

A. Out this appropriation, $392,107 the first year and $392,107 the second year from the general fund is designated for support of research and extension activities aimed at the production of hybrid striped bass in Virginia farm ponds. No expenditures will be made from these funds for other purposes without the prior written permission of the Secretary of Education.

B. The Extension Division budgets shall include and separately account for local payments.

ITEM 233.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

Virginia State University, in conjunction with Virginia Polytechnic Institute and State University, shall report, by fund source, actual expenditures for each program area and total actual expenditures for the Extension Division, annually, by September 1, to the Department of Planning and Budget and the House Appropriations and Senate Finance Committees. The report shall include all expenditures from local support funds.

C. Out of this appropriation, $394,000 the first year and $394,000 the second year from the general fund is designated for the Small-Farmer Outreach Training and Technical Assistance Program to provide outreach and business management education to small farmers.

Total for Cooperative Extension and Agricultural Research Services.....			~~**$10,417,738**~~ ***$10,687,254***	~~**$10,455,759**~~ ***$11,674,908***
General Fund Positions.....	30.75	~~30.75~~ *31.75*		
Nongeneral Fund Positions.....	~~52.00~~ *67.00*	~~52.00~~ *67.00*		
Position Level	~~82.75~~ *97.75*	~~82.75~~ *98.75*		
Fund Sources: General.....	$5,136,690	~~$5,172,810~~ *$5,313,900*		
Higher Education Operating.....	~~$5,281,048~~ *$5,550,564*	~~$5,282,949~~ *$6,361,008*		
Grand Total for Virginia State University.....			~~**$159,421,774**~~ ***$159,691,290***	~~**$162,762,547**~~ ***$169,140,725***
General Fund Positions.....	357.52	~~360.72~~ *361.72*		
Nongeneral Fund Positions.....	~~510.29~~ *525.29*	~~512.09~~ *527.09*		
Position Level	~~867.81~~ *882.81*	~~872.81~~ *888.81*		
Fund Sources: General.....	$40,711,013	~~$41,016,254~~ *$41,744,373*		
Higher Education Operating.....	~~$111,378,216~~ *$111,647,732*	~~$113,413,748~~ *$117,063,807*		
Debt Service.....	$7,332,545	~~$8,332,545~~ *$10,332,545*		

§ 1-67. FRONTIER CULTURE MUSEUM OF VIRGINIA (239)

234. Museum and Cultural Services (14500)			$1,900,141	$1,900,204
Collections Management and Curatorial Services (14501)	$152,827	$152,827		
Education and Extension Services (14503)	$843,218	$843,218		
Operational and Support Services (14507)	$904,096	$904,159		
Fund Sources: General.....	$1,453,848	$1,453,911		
Special.....	$446,293	$446,293		

Authority: Title 23, Chapter 25, Code of Virginia.

Any revenue generated by the Frontier Culture Musuem of Virginia from the development of its properties pursuant to § 23-298, Code of Virginia, may be retained by the museum to support agency operations. Such revenues shall be deposited into a special fund which shall be created on the books of the State Comptroller. Amounts in this fund shall be appropriated consisitent with the provisions of this act.

Total for Frontier Culture Museum of Virginia			**$1,900,141**	**$1,900,204**

ITEM 234.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	General Fund Positions	22.50	22.50		
	Nongeneral Fund Positions	15.00	15.00		
	Position Level	37.50	37.50		
	Fund Sources: General	$1,453,848	$1,453,911		
	Special	$446,293	$446,293		
	§ 1-68. GUNSTON HALL (417)				
235.	Museum and Cultural Services (14500)			$759,758	$759,787
	Collections Management and Curatorial Services (14501)	$68,729	$68,729		
	Education and Extension Services (14503)	$157,427	$157,427		
	Operational and Support Services (14507)	$533,602	$533,631		
	Fund Sources: General	$494,363	$494,392		
	Special	$265,395	$265,395		
	Authority: Title 23, Chapter 24, Code of Virginia.				
	Total for Gunston Hall			**$759,758**	**$759,787**
	General Fund Positions	8.00	8.00		
	Nongeneral Fund Positions	3.00	3.00		
	Position Level	11.00	11.00		
	Fund Sources: General	$494,363	$494,392		
	Special	$265,395	$265,395		
	§ 1-69. JAMESTOWN-YORKTOWN FOUNDATION (425)				
236.	Museum and Cultural Services (14500)			$15,532,213	~~$15,533,174~~ *$15,801,075*
	Collections Management and Curatorial Services (14501)	$631,174	~~$631,174~~ *$680,657*		
	Education and Extension Services (14503)	$5,463,343	~~$5,463,343~~ *$5,689,629*		
	Operational and Support Services (14507)	$9,437,696	~~$9,438,657~~ *$9,430,789*		
	Fund Sources: General	$6,738,161	~~$6,739,122~~ *$7,007,023*		
	Special	$8,794,052	$8,794,052		
	Authority: Title 23, Chapter 23, Code of Virginia.				
	A. Out of the amounts for Operational and Support Services, the Director is authorized to expend from special funds amounts not to exceed $3,500 the first year and $3,500 the second year for entertainment expenses commonly borne by businesses. Such expenses shall be recorded separately by the agency.				
	B. With the prior written approval of the Director, Department of Planning and Budget, nongeneral fund revenues which are unexpended by the end of the fiscal year may be paid to the Jamestown-Yorktown Foundation, Inc. for the specific purposes determined by the Board of Trustees in support of Foundation programs.				
	C. It is the intent of the General Assembly that the Jamestown-Yorktown Foundation be authorized to fill all positions authorized in this act and all part-time (wage) positions funded in this act, notwithstanding § 4-7.01 of this act.				
	Total for Jamestown-Yorktown Foundation			**$15,532,213**	~~**$15,533,174**~~ ***$15,801,075***

ITEM 236.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	General Fund Positions	95.00	95.00		
	Nongeneral Fund Positions	85.00	85.00		
	Position Level	180.00	180.00		
	Fund Sources: General	$6,738,161	~~$6,739,122~~ *$7,007,023*		
	Special	$8,794,052	$8,794,052		
	§ 1-70. THE LIBRARY OF VIRGINIA (202)				
237.	Archives Management (13700)			$7,575,895	~~$7,575,895~~ *$7,675,895*
	Management of Public Records (13701)	$879,199	$879,199		
	Management of Archival Records (13702)	$2,462,677	~~$2,462,677~~ *$2,562,677*		
	Historical and Cultural Publications (13703)	$672,864	$672,864		
	Archival Research Services (13704)	$1,912,661	$1,912,661		
	Conservation-Preservation of Historic Records (13705)	$648,494	$648,494		
	Circuit Court Record Preservation (13706)	$1,000,000	$1,000,000		
	Fund Sources: General	$2,884,313	~~$2,884,313~~ *$2,984,313*		
	Special	$4,322,063	$4,322,063		
	Federal Trust	$369,519	$369,519		

Authority: Title 42.1, Chapters 1 and 7, Code of Virginia.

A. The Librarian of Virginia shall report annually to the Secretary of Education on progress in the processing and preserving of circuit court records.

B. The Librarian of Virginia and the State Archivist shall conduct an annual study of The Library of Virginia's archival preservation needs and priorities, and shall report annually by December 1 to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees of the General Assembly on The Library of Virginia's progress to date in reducing its archival backlog.

238.	Statewide Library Services (14200)			$6,716,494	~~$6,716,670~~ *$6,841,670*
	Cooperative Library Services (14201)	$2,334,487	~~$2,334,487~~ *$2,459,487*		
	Consultation to Libraries (14203)	$781,464	$781,464		
	Research Library Services (14206)	$3,600,543	$3,600,719		
	Fund Sources: General	$2,611,758	~~$2,611,934~~ *$2,736,934*		
	Special	$40,680	$40,680		
	Federal Trust	$4,064,056	$4,064,056		

Authority: Title 42.1, Chapters 1 and 3, Code of Virginia.

A. It is the intent of the General Assembly to continue to provide electronic resources for public libraries and to provide universal access to all citizens of the Commonwealth. First priority shall be the ability to access the Internet in local public libraries.

B. Out of this appropriation, $125,000 the second year from the general fund is designated as a grant to the Thomas Jefferson Regional Library to support construction of the new public library at Crozet.

239.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			$14,771,834	~~$14,771,834~~ *$15,233,584*
	State Formula Aid for Local Public Libraries (14301)	$14,771,834	~~$14,771,834~~ *$15,233,584*		

ITEM 239.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: General	$14,771,834	~~$14,771,834~~ *$15,233,584*		
	Authority: Title 42.1, Chapter 3, Code of Virginia.				
	A. It is the objective of the Commonwealth that all local public libraries receiving state aid provide access to their patrons to worldwide electronic information on the Internet. It is the intent of the General Assembly that local public libraries receiving state aid invest in the technology necessary to provide or enhance this service.				
	B. Included in this appropriation is $190,070 the first year and $190,070 the second year from the general fund to supplement the state formula aid distribution provided in Title 42.1, Code of Virginia, for Fairfax Public Library System.				
	C. Out of this appropriation, $2,750 the second year from the general fund is designated to supplement the state formula distribution provided in Title 42.1, Code of Virginia for the City of Portsmouth public library to support instruction in the basic operation of computers.				
	D. Out of this appropriation, $9,000 the second year from the general fund is designated to supplement the state formula distribution provided in Title 42.1, Code of Virginia for Wythe-Grayson Regional Library to replace nine obsolete computers.				
240.	Administrative and Support Services (19900)			$7,592,849	~~$7,592,849~~ *$7,592,511*
	General Management and Direction (19901)	$5,373,107	$5,373,107		
	Information Technology Services (19902)	$1,629,779	~~$1,629,779~~ *$1,629,441*		
	Physical Plant Services (19915)	$589,963	$589,963		
	Fund Sources: General	$5,862,334	~~$5,862,334~~ *$5,861,996*		
	Special	$926,750	$926,750		
	Federal Trust	$803,765	$803,765		
	Authority: Title 42.1, Chapter 1, Code of Virginia.				
	Total for The Library of Virginia			**$36,657,072**	~~**$36,657,248**~~ ***$37,343,660***
	General Fund Positions	134.09	134.09		
	Nongeneral Fund Positions	63.91	63.91		
	Position Level	198.00	198.00		
	Fund Sources: General	$26,130,239	~~$26,130,415~~ *$26,816,827*		
	Special	$5,289,493	$5,289,493		
	Federal Trust	$5,237,340	$5,237,340		
	§ 1-71. THE SCIENCE MUSEUM OF VIRGINIA (146)				
241.	Museum and Cultural Services (14500)			~~$10,825,745~~ *$10,855,745*	~~$11,177,220~~ *$11,356,669*
	Collections Management and Curatorial Services (14501)	$1,692,232	$1,692,232		
	Education and Extension Services (14503)	$4,782,328	~~$4,782,328~~ *$4,932,328*		
	Operational and Support Services (14507)	~~$4,351,185~~ *$4,381,185*	~~$4,702,660~~ *$4,732,109*		
	Fund Sources: General	$4,555,367	~~$4,906,842~~ *$5,056,291*		
	Special	~~$4,970,378~~ *$5,000,378*	~~$4,970,378~~ *$5,000,378*		
	Trust and Agency	$300,000	$300,000		

ITEM 241.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Federal Trust	$1,000,000	$1,000,000		

Authority: Title 23, Chapter 18, Code of Virginia.

A. This appropriation from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provisions in this act.

B. Out of this appropriation, $50,000 and two positions the first year and $50,000 and two positions the second year from the general fund shall be provided to support the Danville Science Center in Danville, Virginia.

C. Out of the appropriation for this Item, $351,314 the second year from the general fund is included for the purchase of an IMAX digital projection system through the state's master equipment lease program.

D. Out of this appropriation, $150,000 in the second year is provided to pilot a STEM partnership between the Science Museum of Virginia, the Virginia Air and Space Center, and the Virginia Living Museum for programs that promote achievement for K-12 students in Hampton Roads and across the state, leveraging technology in the vital STEM component of the workforce pipeline.

Total for The Science Museum of Virginia			~~$10,825,745~~ ***$10,855,745***	~~$11,177,220~~ ***$11,356,669***
General Fund Positions	~~39.04~~ *57.19*	~~39.04~~ *57.19*		
Nongeneral Fund Positions	~~52.96~~ *34.81*	~~52.96~~ *34.81*		
Position Level	92.00	92.00		
Fund Sources: General	$4,555,367	~~$4,906,842~~ *$5,056,291*		
Special	~~$4,970,378~~ *$5,000,378*	~~$4,970,378~~ *$5,000,378*		
Trust and Agency	$300,000	$300,000		
Federal Trust	$1,000,000	$1,000,000		

§ 1-72. VIRGINIA COMMISSION FOR THE ARTS (148)

242. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300)			$4,126,049	~~$4,126,049~~ *$4,226,049*
Financial Assistance to Cultural Organizations (14302)	$4,126,049	~~$4,126,049~~ *$4,226,049*		
Fund Sources: General	$3,362,374	~~$3,362,374~~ *$3,462,374*		
Special	$35,000	$35,000		
Dedicated Special Revenue	$8,000	$8,000		
Federal Trust	$720,675	$720,675		

Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.

A. In the allocation of grants to arts organizations, the Commission shall give preference to the performing arts.

B. It is the objective of the Commonwealth to fund the Virginia Commission for the Arts at an amount that equals one dollar for each resident of Virginia.

C. In the allocation of grants to arts organizations, the Commission shall not consider any other general fund amounts which may be appropriated to an arts organization elsewhere in this act, nor shall any funds appropriated elsewhere in this act supplant those grants which may be allocated from this appropriation.

ITEM 242.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
243.	Museum and Cultural Services (14500)			$521,755	~~$522,708~~ *$521,896*
	Operational and Support Services (14507)	$521,755	~~$522,708~~ *$521,896*		
	Fund Sources: General	$422,057	~~$423,010~~ *$422,198*		
	Special	$15,000	$15,000		
	Federal Trust	$84,698	$84,698		
	Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.				
	Total for Virginia Commission for the Arts			**$4,647,804**	**~~$4,648,757~~** ***$4,747,945***
	General Fund Positions	5.00	5.00		
	Position Level	5.00	5.00		
	Fund Sources: General	$3,784,431	~~$3,785,384~~ *$3,884,572*		
	Special	$50,000	$50,000		
	Dedicated Special Revenue	$8,000	$8,000		
	Federal Trust	$805,373	$805,373		
	§ 1-73. VIRGINIA MUSEUM OF FINE ARTS (238)				
244.	Museum and Cultural Services (14500)			~~$29,228,131~~ *$29,263,719*	~~$29,228,889~~ *$29,257,861*
	Collections Management and Curatorial Services (14501)	$6,973,319	$6,973,319		
	Education and Extension Services (14503)	$4,590,632	$4,590,632		
	Operational and Support Services (14507)	~~$17,664,180~~ *$17,699,768*	~~$17,664,938~~ *$17,693,910*		
	Fund Sources: General	~~$9,775,852~~ *$9,811,440*	~~$9,776,610~~ *$9,810,582*		
	Special	$4,363,952	$4,363,952		
	Enterprise	$5,226,870	~~$5,226,870~~ *$5,221,870*		
	Dedicated Special Revenue	$9,761,457	$9,761,457		
	Federal Trust	$100,000	$100,000		
	Authority: Title 23, Chapter 18.1, Code of Virginia.				
	Total for Virginia Museum of Fine Arts			**~~$29,228,131~~** ***$29,263,719***	**~~$29,228,889~~** ***$29,257,861***

A. The appropriation in this Item from the general fund shall be in addition to any appropriation from nongeneral funds, notwithstanding any contrary provision of this act.

B. Nongeneral fund revenues included in this Item under Dedicated Special Revenue will be restricted for the uses specified by the donors and shall not be subject to interagency transfers or appropriation reductions.

C. The Comptroller of Virginia shall establish a special revenue account fund detail code for nongeneral funds donated to the Virginia Museum of Fine Arts by private donors and volunteers who sponsor fundraising activities to support the museum's general operations, exhibitions, and programs.

D. Out of this appropriation, $158,513 in the first year and $158,513 in the second year from the general fund is provided to cover the service fee in lieu of taxes levied by the City of Richmond.

ITEM 244.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	General Fund Positions	131.50	131.50		
	Nongeneral Fund Positions	82.00	82.00		
	Position Level	213.50	213.50		
	Fund Sources: General	~~$9,775,852~~ *$9,811,440*	~~$9,776,610~~ *$9,810,582*		
	Special	$4,363,952	$4,363,952		
	Enterprise	$5,226,870	~~$5,226,870~~ *$5,221,870*		
	Dedicated Special Revenue	$9,761,457	$9,761,457		
	Federal Trust	$100,000	$100,000		
	§ 1-74. EASTERN VIRGINIA MEDICAL SCHOOL (274)				
245.	Financial Assistance for Educational and General Services (11000)			$24,145,660	~~$24,145,660~~ *$24,395,660*
	Sponsored Programs (11004)	$406,406	~~$406,406~~ *$656,406*		
	Medical Education (11005)	$23,739,254	$23,739,254		
	Fund Sources: General	$24,145,660	~~$24,145,660~~ *$24,395,660*		
	Authority: Chapter 87, Acts of Assembly of 2002.				
	A. Out of this appropriation, $406,406 the first year and ~~$406,406~~ *$656,406* the second year from the general fund is designated to build research capacity in medical modeling and simulation.				
	B. Out of this appropriation, $375,700 the first year and $375,700 the second year from the general fund is designated to support financial aid for in-state medical and health professions students.				
	C. Out of this appropriation, $3,562,682 the first year and $3,562,682 the second year from the general fund is provided to support medical and health professions programs.				
246.	Appropriations for this agency shall be disbursed in twelve equal monthly installments each fiscal year.				
	Total for Eastern Virginia Medical School			**$24,145,660**	~~**$24,145,660**~~ ***$24,395,660***
	Fund Sources: General	$24,145,660	~~$24,145,660~~ *$24,395,660*		
	§ 1-75. NEW COLLEGE INSTITUTE (938)				
247.	Administrative and Support Services (19900)			$2,570,485	$2,570,501
	Operation of Higher Education Centers (19931)	$2,570,485	$2,570,501		
	Fund Sources: General	$1,471,039	$1,471,055		
	Special	$1,099,446	$1,099,446		
	Authority: Discretionary Inclusion.				
	A. It is the intent of the General Assembly that the New College Institute, the Institute for Advanced Learning and Research, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to				

ITEM 247.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.				
	B. The requirements of § 4-5.05 shall not apply to this appropriation.				
	Total for New College Institute			**$2,570,485**	**$2,570,501**
	General Fund Positions.....	13.00	13.00		
	Nongeneral Fund Positions.....	2.00	2.00		
	Position Level	15.00	15.00		
	Fund Sources: General.....	$1,471,039	$1,471,055		
	Special.....	$1,099,446	$1,099,446		
	§ 1-76. INSTITUTE FOR ADVANCED LEARNING AND RESEARCH (885)				
248.	Economic Development Services (53400).....			$6,122,968	$6,122,968
	Regional Research, Technology, Education, and Commercialization Services (53421).....	$6,122,968	$6,122,968		
	Fund Sources: General.....	$6,122,968	$6,122,968		
	Authority: Title 23, Chapter 16.4, Code of Virginia.				
	A. It is the intent of the General Assembly that the Institute for Advanced Learning and Research, the New College Institute, and the Southern Virginia Higher Education Center coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education on their joint efforts in this regard.				
	B. The requirements of § 4-5.05 shall not apply to this appropriation.				
	C. This Item includes no funds for the agency's use of leased property for engagement activities.				
	D. Out of this appropriation, $600,000 the first year and $600,000 the second year from the general fund is provided for the expansion of the institute's research and development capacity.				
	Total for Institute for Advanced Learning and Research..			**$6,122,968**	**$6,122,968**
	Fund Sources: General.....	$6,122,968	$6,122,968		
	§ 1-77. ROANOKE HIGHER EDUCATION AUTHORITY (935)				
249.	Administrative and Support Services (19900).....			$1,121,896	$1,121,896
	Operation of Higher Education Centers (19931).....	$1,121,896	$1,121,896		
	Fund Sources: General.....	$1,121,896	$1,121,896		
	Authority: Title 23, Chapter 16.3, Code of Virginia.				
	The requirements of § 4-5.05 shall not apply to this appropriation.				
	Total for Roanoke Higher Education Authority.....			**$1,121,896**	**$1,121,896**
	Fund Sources: General.....	$1,121,896	$1,121,896		

ITEM 250.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	§ 1-78. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (937)				
250.	Administrative and Support Services (19900).....			$4,216,144	~~$4,216,161~~ *$4,341,161*
	Operation of Higher Education Centers (19931).....	$4,216,144	~~$4,216,161~~ *$4,341,161*		
	Fund Sources: General.....	$2,158,993	~~$2,159,010~~ *$2,284,010*		
	Special.....	$2,057,151	$2,057,151		
	Authority: Title 23, Chapter 16.5, Code of Virginia.				
	A. It is the intent of the General Assembly that the Southern Virginia Higher Education Center, the Institute for Advanced Learning and Research, and the New College Institute coordinate their activities, both instructional and research, to the maximum extent possible to best meet the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid unnecessary duplication. The three entities shall report annually by October 1 to the Secretary of Education and the State Council of Higher Education for Virginia on their joint efforts in this regard.				
	B. Out of this appropriation, $29,050 the first year and $29,050 the second year from the general fund is designated for the educational telecommunications project to provide graduate engineering education. ~~The participating institutions and centers shall jointly submit an annual report and operating plan to the State Council of Higher Education for Virginia in support of these funded activities.~~ *For supplemental budget requests, the participating institutions and centers jointly shall submit a report in support of such requests to the State Council of Higher Education for Virginia for review and recommendation to the Governor and the General Assembly.*				
	C. Out of this appropriation, $266,000 and three positions the first year and $266,000 and three positions the second year from the general fund is designated for additional operational support of the Southern Virginia Higher Education Center and its efforts to provide specialized workforce training to the citizens of Southside Virginia.				
	D. The requirements of § 4-5.05 shall not apply to this appropriation.				
	Total for Southern Virginia Higher Education Center.....			**$4,216,144**	**~~$4,216,161~~ *$4,341,161***
	General Fund Positions.....	19.80	19.80		
	Nongeneral Fund Positions.....	24.00	24.00		
	Position Level	43.80	43.80		
	Fund Sources: General.....	$2,158,993	~~$2,159,010~~ *$2,284,010*		
	Special.....	$2,057,151	$2,057,151		
	§ 1-79. SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER (948)				
251.	Administrative and Support Services (19900).....			$9,003,716	~~$9,003,798~~ *$9,238,226*
	Operation of Higher Education Centers (19931).....	$9,003,716	~~$9,003,798~~ *$9,238,226*		
	Fund Sources: General.....	$1,815,339	~~$1,815,421~~ *$1,932,349*		
	Special.....	$7,188,377	~~$7,188,377~~ *$7,305,877*		
	Authority: Title 23, Chapter 16.1, Code of Virginia.				

ITEM 251.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Out of this appropriation, $3,800,000 the first year and $3,800,000 the second year in nongeneral funds is designated to support scholarships provided by the Virginia Tobacco Commission in Southside and Southwest Virginia.				
Total for Southwest Virginia Higher Education Center....			**$9,003,716**	**~~$9,003,798~~** ***$9,238,226***
General Fund Positions.....	29.00	~~29.00~~ *30.00*		
Nongeneral Fund Positions.....	4.00	~~4.00~~ *5.00*		
Position Level	33.00	~~33.00~~ *35.00*		
Fund Sources: General.....	$1,815,339	~~$1,815,421~~ *$1,932,349*		
Special.....	$7,188,377	~~$7,188,377~~ *$7,305,877*		

~~§ 1-80. JEFFERSON SCIENCE ASSOCIATES, LLC (936)~~

§ 1-80.1. SOUTHEASTERN UNIVERSITIES RESEARCH ASSOCIATION DOING BUSINESS FOR JEFFERSON SCIENCE ASSOCIATES, LLC (936)

252. Financial Assistance for Educational and General Services (11000).....			$1,149,891	$1,149,891
Sponsored Programs (11004)	$1,149,891	$1,149,891		
Fund Sources: General.....	$1,149,891	$1,149,891		

Authority: Discretionary Inclusion.

A. This appropriation represents the Commonwealth of Virginia's contribution to the *Southeastern Universities Research Association Doing Business for* Jefferson Science Associates, LLC, for the support of the Thomas Jefferson National Accelerator Facility (Jefferson Lab) located at Newport News, Virginia. This contribution includes funds to support faculty positions and industry-led research that will promote economic development opportunities in the Commonwealth.

B. This nonstate agency is exempt from the match requirement of § 2.2-1505, Code of Virginia and § 4-5.05 of this act.

~~Total for Jefferson Science Associates, LLC~~ ..... *Total for Southeastern Universities Research Association Doing Business for Jefferson Science Associates, LLC*			**$1,149,891**	**$1,149,891**
Fund Sources: General.....	$1,149,891	$1,149,891		

253. Omitted.

§ 1-81. VIRGINIA COLLEGE BUILDING AUTHORITY (941)

254. Authority: Chapter 597, Acts of Assembly of 1986.

A.1. The purpose of this Item is to provide an ongoing program for the acquisition and replacement of instructional and research equipment at state-supported institutions of higher education in accordance with the intent and purpose of Chapter 597, Acts of Assembly of 1986.

~~2. Debt service payments required to support equipment purchases are appropriated in Item 280 for the Treasury Board. Within the appropriation of the Treasury Board is debt service totaling $38,491,738 the first year and $47,995,653 the second year from the general fund and $4,842,602 the first year and $4,842,602 the second year from nongeneral funds.~~

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~~3. The Treasury Board shall transfer on July 1 of each fiscal year the required lease payment amounts to the Virginia College Building Authority. Failure to transfer the required amounts will result in the Authority defaulting on its debt obligations.~~

4. The Governor shall annually present to the General Assembly through the Commonwealth's budget process, the estimated ~~amount of lease~~ payments and the corresponding total value of equipment to be acquired.

B.1. The State Council of Higher Education for Virginia shall establish and maintain procedures through which institutions of higher education apply for allocations made available under the program, and shall develop guidelines and recommendations for the apportionment of such equipment to each state-supported institution of higher education.

2. The Authority shall finance equipment for educational institutions in accordance with § 23-30.28, Code of Virginia, and according to terms and conditions approved through the Commonwealth's budget and appropriation process. Bonds or notes issued by the Virginia College Building Authority to finance equipment may be sold and issued at the same time with other obligations of the Authority as separate issues or as a combined issue. Each institution shall make available such additional detail on specific equipment to be purchased as may be requested by the Governor or the General Assembly. If emergency acquisitions are necessary when the General Assembly is not in session, the Governor may approve such acquisitions. The Governor shall report his approval of such acquisitions to the Chairmen of the House Appropriations and Senate Finance Committees.

3. Amounts for debt service payments for allocations provided by this Item shall be provided pursuant to Item 280 of this act.

C.1. Transfer of the appropriation in Item 280 of this act to the Virginia College Building Authority shall be subject to the approval of the Secretary of Finance. An allocation of $109,201,944 made in the 2010-2012 biennium brings the total amount of equipment acquired through the program to approximately $1,030,310,349.

2. Allocations of $62,218,153 the first year and ~~$56,100,273~~ *$64,118,153* the second year will be made to support the purchase of additional equipment to enhance instructional and research activity at Virginia's public colleges and universities. Allocations are as follows:

Institution	Prior Allocations	FY 2013 Allocation	FY 2014 Allocation	FY 2013 Research Allocation	FY 2014 Research Allocation
George Mason University	$68,541,126	$3,181,598	$3,181,598	$387,306	~~$145,000~~ *$387,306*
Old Dominion University	$69,866,611	$4,043,427	$4,043.427	$268,659	~~$135,000~~ *$268,659*
University of Virginia	$177,579,121	$8,430,318	$8,430,318	$4,236,579	~~$1,970,000~~ *$4,236,579*
Virginia Commonwealth University	$126,297,295	$5,524,380	$5,524,380	$2,445,569	~~$1,190,000~~ *$2,445,569*
Virginia Polytechnic Institute and State University	$189,720,783	$8,328,077	$8,328,077	$4,278,311	~~$2,295,000~~ *$4,278,311*
College of William and Mary	$34,198,050	$1,854,370	$1,854,370	$486,458	~~$250,000~~ *$486,458*
Christopher Newport University	$10,825,649	$608,154	$608,154	$0	$0

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University of Virginia's College at Wise	$4,276,231	$202,068	$202,068	$0	$0	
James Madison University	$35,324,319	$1,861,748	$1,861,748	$0	$0	
Longwood University	$10,893,512	$599,263	$599,263	$0	$0	
University of Mary Washington	$13,136,487	$528,581	$528,581	$0	$0	
Norfolk State University	$34,786,240	$967,377	$967,377	$0	$0	
Radford University	$24,715,191	$1,406,595	$1,406,595	$0	$0	
Virginia Military Institute	$12,494,788	$714,250	$714,250	$0	$0	
Virginia State University	$18,936,749	$1,081,905	$1,081,905	$0	$0	
Richard Bland College	$2,555,999	$129,092	$129,092	$0	$0	
Virginia Community College System	$196,412,716	$9,765,909	~~$9,765,909~~ *$11,765,909*	$0	$0	
Virginia Institute of Marine Science	$6,241,349	$410,000	~~$410,000~~ *$291,880*	$25,000	~~$25,000~~ *$143,120*	
Southwest Virginia Higher Education Center	$1,033,060	$64,575	$64,575	$0	$0	
Roanoke Higher Education Authority	$732,630	$62,570	$62,570	$0	$0	
Institute for Advanced Learning and Research	$4,543,904	$221,003	$221,003	$0	$0	
Southern Virginia Higher Education Center	$110,026	$77,214	$77,214	$0	$0	
New College Institute	$225,000	$27,799	$27,799	$0	$0	
TOTAL	**$1,030,310,349**	**$50,090,273**	~~**$50,090,273**~~ ***$51,972,153***	**$12,127,880**	~~**$6,010,000**~~ ***$12,246,000***	

D. 1. Out of the allocations for the Virginia Community College System, $2,000,000 the second year is designated to support the equipment needs of Workforce Development activities.

2. a) From the allocation provided in paragraph D. 1., up to $500,000 the second year shall be used to support the Machinery and Equipment Program (House Bill 1767) to acquire engines, machines, motors, mechanical devices, laboratory trainers, computers, printers, tools, parts, and similar machinery and equipment as set forth in guidelines developed by the State Council of Higher Education and the Virginia Community College System.

b) Equipment for this program may be acquired from a business that purchased the new machinery and equipment in good working condition within 12 months prior to acquisition by the community college. Payments to the business shall be in an amount equal to 20 percent of the purchase price of the machinery or equipment, not to exceed an aggregate amount of $5,000 to any one business during a calendar year.

c) The State Council of Higher Education for Virginia shall maintain and update as necessary on its website a list of machinery and equipment that qualifies for this program.

d) Pursuant to the second enactment clause of House Bill 1767 (2013), this paragraph shall be an appropriation for purposes of effectuating the provisions of that act.

e) The Virginia Community College System shall report to the Chairmen of the House

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Appropriations and Senate Finance Committees by June 30 of each year on the equipment purchased through this program.				
Total for Virginia College Building Authority.....			**$0**	**$0**
TOTAL FOR OFFICE OF EDUCATION.....			**~~$15,846,638,248~~**	**~~$15,991,979,312~~**
			$16,108,665,831	***$16,409,168,385***
General Fund Positions.....	~~18,265.05~~	~~18,269.25~~		
	18,309.05	*18,327.47*		
Nongeneral Fund Positions.....	~~38,152.55~~	~~38,342.35~~		
	38,388.99	*38,583.92*		
Position Level	~~56,417.60~~	~~56,611.60~~		
	56,698.04	*56,911.39*		
Fund Sources: General.....	~~$7,014,275,253~~	~~$7,060,229,369~~		
	$6,942,260,280	*$7,174,833,611*		
Special.....	~~$43,710,616~~	~~$43,710,616~~		
	$41,694,247	*$41,811,747*		
Higher Education Operating.....	~~$7,012,686,267~~	~~$7,094,224,021~~		
	$7,249,218,532	*$7,337,077,438*		
Commonwealth Transportation	$2,416,919	$2,416,919		
Enterprise	$5,226,870	~~$5,226,870~~		
		$5,221,870		
Internal Service.....	$290,000	$290,000		
Trust and Agency	~~$589,366,091~~	~~$593,766,091~~		
	$640,526,091	*$600,270,376*		
Debt Service.....	~~$280,520,220~~	~~$293,969,414~~		
	$292,675,217	*$312,888,749*		
Dedicated Special Revenue.....	$10,019,457	$10,019,457		
Federal Trust.....	~~$888,126,555~~	~~$888,126,555~~		
	$924,338,218	*$924,338,218*		

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	OFFICE OF FINANCE				
	§ 1-82. SECRETARY OF FINANCE (190)				
255.	Administrative and Support Services (79900)			$424,910	$425,362
	General Management and Direction (79901)	$424,910	$425,362		
	Fund Sources: General	$424,910	$425,362		
	Authority: Title 2.2, Chapter 2, Article 5; § 2.2-201, Code of Virginia.				
	A. The Secretary of Finance, in consultation with other affected secretaries, is hereby authorized to order the State Comptroller to transfer to the general fund a reasonable sum, as determined by the State Comptroller, from annual charges of internal service funds and enterprise funds that exceed the cost of providing services or that represent over-recoveries from the general fund.				
	B.1. The Secretary of Finance and the Secretary of Administration shall convene a work-group comprised of representatives from the Senate Finance and House Appropriations Committees, the Executive Secretary of the Supreme Court, the Department of Human Resource Management, and the Department of Planning and Budget, and such state employee representatives as may seem appropriate, to conduct a comprehensive review of compensation for state employees. The study shall address compression, recruitment, retention, hiring practices, and strategies to minimize future compensation disparities. All state agencies shall provide information as required for the work-group to conduct its study.				
	2. Priorities of the work-group shall include a review of compensation for public safety related personnel and a review of the pay practices and salary schedules of the deputy clerks in the district courts, with a comparison to pay practices for other public sector employees doing comparable work.				
	3. The work-group's initial recommendations and findings shall be submitted no later than November 1, 2013, with the study to be completed on or before June 30, 2014.				
	C. Following every General Assembly session, the financial plan in place required by § 2.2-1503.1, Code of Virginia, shall be updated to reflect policy changes or budget actions adopted by the General Assembly that would alter financial assumptions included in the plan. The revised financial plan shall be posted on the Department of Planning and Budget website no later than September 1 of each year.				
	Total for Secretary of Finance			**$424,910**	**$425,362**
	General Fund Positions	4.00	4.00		
	Position Level	4.00	4.00		
	Fund Sources: General	$424,910	$425,362		
	§ 1-83. DEPARTMENT OF ACCOUNTS (151)				
256.	Financial Systems Development and Management (72400)			$3,370,456	$3,370,456
	Financial Systems Development (72401)	$736,513	$736,513		
	Financial Systems Maintenance (72402)	$1,060,044	$1,060,044		
	Computer Services (72404)	$1,573,899	$1,573,899		
	Fund Sources: General	$3,370,456	$3,370,456		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
257.	Accounting Services (73700)			$6,547,337	~~$6,547,337~~ *$7,372,450*
	General Accounting (73701)	$1,839,626	~~$1,839,626~~ *$3,010,357*		

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Disbursements Review (73702)	$1,331,670	~~$1,331,670~~ *$986,052*		
Payroll Operations (73703)	$1,142,831	$1,142,831		
Financial Reporting (73704)	$2,233,210	$2,233,210		
Fund Sources: General	$5,725,381	~~$5,725,381~~ *$6,550,494*		
Special	$821,956	$821,956		

Authority: Title 2.2, Chapter 8, and § 2.2-1822, Code of Virginia.

~~A. Out of this appropriation, $125,000 the first year and $125,000 the second year from the general fund is provided to the Department of Accounts for a program to train internal auditors. The Department of Accounts shall assist internal auditors of state agencies and institutions in receiving continued professional education as required by professional standards. The Department of Accounts shall coordinate its efforts with state institutions of higher education and offer training programs to the internal auditors as well as coordinate any special training programs for the internal auditors.~~

B.1. There is hereby created on the books of the State Comptroller the Commonwealth Charge Card Rebate Fund. Rebates earned in any fiscal year on the Commonwealth's statewide charge card program shall be deposited to the Commonwealth Charge Card Rebate Fund. The cost of administration of the program as well as rebates due to political subdivisions and payments due to the federal government are hereby appropriated from the fund. All remaining rebate revenue in the fund shall be deposited to the general fund by June 30 of each year.

2. The Department of Accounts is authorized to include the administrative costs estimated at $80,000 per year for executing entries in the Commonwealth Accounting and Reporting System for Level III institutions as defined in Chapter 675, 2009 Acts of Assembly, in the program costs appropriated from the fund.

C. The department shall coordinate records management and reporting requirements pursuant to the American Recovery and Reinvestment Act of 2009. Agencies receiving funds pursuant to the American Recovery and Reinvestment Act of 2009 shall: (i) comply with the financial or other data reporting requirements set forth by the State Comptroller or the Director, Department of Planning and Budget, and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds; (ii) comply with all federal reporting requirements for the receipt of any funds from the American Recovery and Reinvestment Act of 2009 and shall compile and maintain all records necessary to fulfill such reporting requirements and to meet any subsequent audit of the expenditure of such federal funds; and (iii) comply with any requirements established to ensure the transparency of the use or expenditure of such federal funds.

D. Notwithstanding the provisions of §§ 17.1-286 and 58.1-3176, Code of Virginia, the State Comptroller shall not make payments to the Circuit Court clerks on amounts directly deposited into the State Treasury by General District Courts, Juvenile and Domestic Relations General District Courts, Combined District Courts, and the Magistrates System. The State Comptroller shall continue to make payments, in accordance with §§ 17.1-286 and 58.1-3176, Code of Virginia, to the respective clerks on those amounts directly deposited into the state treasury by the Circuit Courts.

258. Service Center Administration (82600)			a sum sufficient
Fund Sources: General	a sum sufficient		
Internal Service	a sum sufficient		

Authority: Title 2.2, Chapter 8, Code of Virginia.

A. Amounts for the Payroll Service Bureau represent an internal service fund derived from charges to agencies for services. The estimated cost for this internal service fund is $2,495,148 the first year and $2,495,148 the second year.

B.1. The Department of Accounts shall operate the payroll service center to support the salaried and wage employees of all agencies identified by the Department of Planning and Budget. The

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agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The payroll service center shall provide services to employees to include, but not be limited to, payroll, benefit enrollment and leave accounting. The Department of Accounts shall be responsible for all accounting reconciliations for these services; however, each employing agency shall remain fully responsible for certifying the accuracy of each payroll paid to its employees. This certification shall be in such form as the Comptroller directs.

2. The Department of Accounts shall recover the cost of services provided by the payroll service center through interagency transactions as determined by the State Comptroller.

C.1. The Department of Accounts shall operate a fiscal service center to support the operations of all agencies identified by the Department of Planning and Budget. The agencies so identified shall cooperate with the Department of Accounts in transferring such records and functions as may be required. The service center shall provide services to agencies to include accounts payable processing, travel voucher processing, related reconciliations, and such other fiscal services as may be appropriate.

2. The Department of Accounts shall recover the cost of services provided by the fiscal service center through interagency transactions as determined by the State Comptroller.

3. The Department of Accounts is authorized to charge fees of up to twenty percent of revenues generated pursuant to non-tax debt collection initiatives to pay the administrative costs of supporting such initiatives. These fees are over and above any fees charged by outside collections contractors and/or enhanced collection revenues deposited to the Virginia Technology Infrastructure Fund pursuant to Item 427 B.1 of this act.

D. Nothing in this section shall prohibit additional agencies from using the services of the centers; however, such additions shall be subject to approval by the affected cabinet secretary and the Secretary of Finance.

259. Omitted.

260.	Information Systems Management and Direction (71100)		a sum sufficient
	Financial Oversight for Enterprise Applications (71106) .	a sum sufficient	
	Fund Sources: Internal Service.....	a sum sufficient	

Authority: Title 2.2 Chapter 8, Code of Virginia

A1. Amounts for the Financial Oversight for Enterprise Applications represent an internal service fund derived from charges to agencies for the ongoing costs of the Commonwealth's enterprise applications including recovery of development and implementation costs initially funded through working capital advances. The estimated costs for the Performance Budgeting System is $3,961,775 the first year and $3,961,775 the second year. The estimated cost for the Cardinal system is $14,945,726 the first year and ~~$16,781,412~~ *$17,620,483* the second year. The State Comptroller shall establish a fund entitled the Enterprise Applications Internal Service Fund. All users of the Commonwealth's enterprise applications shall be assessed a surcharge based on licenses, transactions, or other meaningful methodology as determined by the Secretary of Finance and the owner of the enterprise application, which shall be deposited in the fund. Additionally, the State Comptroller shall recover the cost of services provided for the administration of the fund through interagency transactions as determined by the State Comptroller.

2. By September 1 of each year, the State Comptroller shall submit revised projections of revenues and expenditures for the internal service fund and estimates of any anticipated changes to fee schedules to the Joint Legislative Audit and Review Commission. Upon approval by the Joint Legislative Audit and Review Commission, the changes can be considered for inclusion in the executive budget submitted to the General Assembly pursuant to § 2.2-1508, Code of Virginia. In emergency circumstances, deviations from this schedule may be approved by the Joint Legislative Audit and Review Commission to prevent interruption of enterprise applications services.

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3. In the event that expenses of the enterprise applications become due before costs have been fully recovered in the department's internal service fund, a treasury loan shall be provided to the department to finance these costs. This treasury loan shall be repaid from the proceeds collected in the fund.

B.1. A working capital advance of up to $60,000,000 shall be provided to the Department of Accounts to pay the costs of the roll-out of the statewide financial management system known as Cardinal. Statewide roll-out costs include any costs necessary to ensure agencies are prepared for implementation of the new statewide financial management system and the planned decommissioning of the Commonwealth Accounting and Reporting System (CARS) scheduled to be completed prior to ~~July 1, 2014~~ *July 1, 2015*, and shall include, but are not limited to, application configuration, agency training, and change management costs *as well as efforts to increase transparency and make reports on expenditure data more useful for management and the general public*. For purposes of this section, statewide roll-out costs exclude those costs incurred by line agencies to develop required interfaces from agency-based systems into the statewide financial management system. Such costs shall be borne by the agencies impacted.

2. Prior to accessing the working capital advance contained in Paragraph B.1. of this item for the statewide roll-out of Cardinal as the Commonwealth's enterprise financial system, the State Comptroller shall certify to the Auditor of Public Accounts that (i) the standards for vendor accounting information required pursuant to Chapters 758 and 812 of the 2009 Acts of Assembly have been developed by the State Comptroller in partnership with the Department of General Services and the Virginia Information Technologies Agency, (ii) these standards have been incorporated into the design of the Commonwealth's enterprise financial system, and (iii) to the extent that the State Comptroller has allowed agencies and institutions to use other financial systems, that both Cardinal and those other agencies and institutions have internal control procedures that incorporate industry best practices for a standard vendor database to minimize improper payments to vendors including, but not limited to, utilization of a single vendor database, which allows for the exchange of information so that the Commonwealth can uniformly determine which vendors, goods and services, and other information is necessary to monitor the use of the Commonwealth's resources.

3. The Secretary of Finance and Secretary of Technology shall approve the drawdowns from this working capital advance prior to the expenditure of funds. The State Comptroller shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance Committees of any approved drawdowns.

4. Repayment of the working capital advance and ongoing systems operation, maintenance and support costs for the statewide financial management system shall be funded through the Enterprise Applications Internal Service Fund established pursuant to this Item.

261. Administrative and Support Services (79900).....			$923,256	~~$932,323~~ *$926,748*
General Management and Direction (79901).....	$923,256	~~$932,323~~ *$926,748*		
Fund Sources: General.....	$923,256	~~$932,323~~ *$926,748*		

Authority: Title 2.2, Chapter 8, Code of Virginia.

As a condition of the appropriation in this Item, the department shall provide to the Chairmen of the House Appropriations and Senate Finance Committees the expenditure and revenue reports necessary for timely legislative oversight of state finances. The necessary reports include monthly and year-end versions and shall be provided in an interactive electronic format agreed upon by the Chairmen of the House Appropriations and Senate Finance Committees, or their designees, and the Comptroller. Delivery of these reports shall occur by way of electronic mail or other methods to ensure their receipt within 48 hours of their initial run after the close of the business month.

262. In the event of default by a unit, as defined in § 15.2-2602, Code of Virginia, on payment of principal of or interest on any of its general obligation bonded indebtedness when due, the State Comptroller, in accordance with § 15.2-2659, Code of Virginia, is hereby authorized to

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make such payment to the bondholder, or paying agent for the bondholder, and to recover such payment and associated costs of publication and mailing from any funds appropriated and payable by the Commonwealth to the unit for any and all purposes.				
263. In the event of default by any employer participating in the health insurance program authorized by § 2.2-1204, Code of Virginia, in the remittance of premiums or other fees and costs of the program, the State Comptroller is hereby authorized to pay such premiums and costs and to recover such payments from any funds appropriated and payable by the Commonwealth to the employer for any purpose. The State Comptroller shall make such payments upon receipt of notice from the Director, Department of Human Resource Management, that such payments are due and unpaid from the employer.				
264. The State Comptroller shall make calculations of payments and transfers related to interest earned on federal funds, interest receivable on state funds advanced on behalf of federal programs, and direct cost reimbursements due from the federal government pursuant to Item 278 of this act.				
Total for Department of Accounts			**$10,841,049**	**~~$10,850,116~~** ***$11,669,654***
General Fund Positions	100.00	~~100.00~~ *104.00*		
Nongeneral Fund Positions	~~32.00~~ *38.00*	~~32.00~~ *54.00*		
Position Level	~~132.00~~ *138.00*	~~132.00~~ *158.00*		
Fund Sources: General	$10,019,093	~~$10,028,160~~ *$10,847,698*		
Special	$821,956	$821,956		
Department of Accounts Transfer Payments (162)				
265. Financial Assistance to Localities - General (72800) a sum sufficient, estimated at			~~$602,740,000~~ *$603,960,000*	~~$603,940,000~~ *$546,299,150*
Distribution of Rolling Stock Taxes (72806)	~~$5,900,000~~ *$6,900,000*	~~$5,900,000~~ *$6,900,000*		
Distribution of Recordation Taxes (72808)	$40,000,000	$40,000,000		
Financial Assistance to Localities - Rental Vehicle Tax (72810)	$36,000,000	$36,000,000		
Distribution of Sales Tax Revenues From Certain Public Facilities (72811)	$1,040,000	$1,040,000		
Distribution of Tennessee Valley Authority Payments in Lieu of Taxes (72812)	~~$1,200,000~~ *$1,420,000*	$1,200,000		
Distribution of Sales Tax on Fuel in Certain Transportation Districts (72815)	$78,600,000	~~$79,800,000~~ *$0*		
Distribution of the Virginia Communications Sales and Use Tax (72816)	$440,000,000	$440,000,000		
Distribution of Payments to Localities for Enhanced Emergency Communications Services (72817)	*$0*	*$21,159,150*		
Fund Sources: General	~~$48,140,000~~ *$49,360,000*	~~$48,140,000~~ *$49,140,000*		
Trust and Agency	$36,000,000	$36,000,000		
Dedicated Special Revenue	$518,600,000	~~$519,800,000~~ *$461,159,150*		
Authority: §§ 4.1-116, 4.1-117, 4.1-235, 15.2-5814, 15.2-5914, 58.1-608.3, 58.1-662, 58.1-815.1, 58.1-816, 58.1-1720, 58.1-1736, 58.1-1741, 58.1-2658.1, and 58.1-3406, Code of Virginia.				

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A. Out of this appropriation, amounts estimated at $20,000,000 the first year and $20,000,000 the second year from the general fund shall be deposited into the Northern Virginia Transportation District Fund, as provided in § 58.1-815.1, Code of Virginia. Said amount shall consist of recordation taxes attributable to and transferable to the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park and the counties of Arlington, Fairfax, Loudoun, and Prince William, pursuant to § 58.1-816, Code of Virginia. This amount shall be transferred to Item 450 of this act and shall be used to support the Northern Virginia Transportation District Program as defined in § 33.1-221.1:3, Code of Virginia. The Commonwealth Transportation Board shall make such allocations and expenditures from the fund as are provided in the Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993 (Chapter 391, 1993 Acts of Assembly). The Commonwealth Transportation Board also shall make such allocations and expenditures from the fund as are provided in Chapters 470 and 597 of the 1994 Acts of Assembly (amendments to Chapter 391, 1993 Acts of Assembly).

B. Pursuant to Chapters 233 and 662, 1994 Acts of Assembly, out of this appropriation, an amount estimated at $1,000,000 the first year and $1,000,000 the second year from the general fund shall be deposited into the set-aside fund as requested in an ordinance adopted March 28, 1995, and in compliance with the requirements provided for in § 58.1-816.1, Code of Virginia, for an account for the City of Chesapeake. These amounts shall be transferred to Item 450 of this act and shall be allocated by the Commonwealth Transportation Board to provide for the debt service pursuant to the Oak Grove Connector, City of Chesapeake, Commonwealth of Virginia Transportation Program Revenue Bond Act of 1994 (Chapters 233 and 662, 1994 Acts of Assembly).

C. Out of this appropriation, the Virginia Baseball Stadium Authority shall be paid a sum sufficient equal to the state personal, corporate, and pass-through entity income and sales and use tax revenues to which the authority is entitled.

D. Out of this appropriation, amounts estimated at $78,600,000 the first year ~~and $79,800,000 the second year~~ from the additional sales tax on fuel in certain transportation districts revenues collected pursuant to § 58.1-1720 et seq., Code of Virginia, are designated for payment to the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission. Such funds shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions.

E 1. In order to carry out the provisions of § 58.1-645 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $440,000,000 in the first year and $440,000,000 in the second year equal to the revenues collected pursuant to § 58.1-645 et seq., Code of Virginia, from the Virginia Communications Sales and Use Tax. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia and Item 288 of this act. For the purposes of the State Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the fund shall be accounted for as part of the general fund of the state treasury.

2. It is the intent of the General Assembly that all such revenues be distributed to counties, cities, and towns, the Department for the Deaf and Hard-of-Hearing, and to the Department of Taxation for the costs of administering the Virginia Communications Sales and Use Tax Fund.

F. In order to carry out the provisions of § 58.1-1734 et seq., Code of Virginia, there is hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at $36,000,000 in the first year and $36,000,000 in the second year equal to the revenues collected pursuant to A. 2 of § 58.1-1736 Code of Virginia, from the Virginia Motor Vehicle Rental Tax.

266. Revenue Stabilization Fund (73500).....			$132,688,650	~~$166,392,135~~ *$339,645,117*
Payments to the Revenue Stabilization Fund (73501).....	$132,688,650	~~$166,392,135~~ *$339,645,117*		
Fund Sources: General.....	$132,688,650	~~$166,392,135~~ *$339,645,117*		

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Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.

A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the General Assembly the certified tax revenues collected in the most recently ended fiscal year. The auditor shall, at the same time, provide his report on the 10 percent limitation and the amount that could be paid into the fund in order to satisfy the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit requirement of § 2.2-1829, Code of Virginia.

B. Out of this appropriation, $132,688,650 the first year from the general fund attributable to actual tax collections for FY 2011 shall be paid by the State Comptroller on or before June 30, 2013, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is based on the certification of the Auditor of Public Accounts of actual tax revenues for FY 2011. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.

C. Out of this appropriation, ~~$166,392,135~~ *$244,645,117* the second year from the general fund attributable to estimated tax collections for FY 2012 shall be paid by the State Comptroller on or before June 30, 2014, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This amount is contingent on the certification of the Auditor of Public Accounts of actual tax revenues for FY 2012. This appropriation meets the mandatory deposit requirement of Article X, Section 8 of the Constitution of Virginia.

D.1. Out of this appropriation, $95,000,000 the second year from the general fund is included in this item in excess of the minimum deposit for fiscal year 2014 as certified by the Auditor of Public Accounts on November 1, 2012. This amount is an advance reservation of any required deposit to the Revenue Stabilization Fund attributable to actual tax collections for FY 2013 or FY 2014, as determined by the Auditor of Public Accounts, for deposit to the Revenue Stabilization Fund in the 2014-2016 biennium.

2. The State Comptroller shall deposit the advance reservation of $95,000,000 referenced in paragraph D.1., above, to a reserve account for the Revenue Stabilization Fund prior to June 30, 2014.

267.	Virginia Education Loan Authority Reserve Fund (73600)		$194,778	$194,778
	Loan Servicing Reserve Fund (73601)	$94,778	$94,778	
	Edvantage Reserve Fund (73602)	$100,000	$100,000	
	Fund Sources: Trust and Agency	$194,778	$194,778	

Authority: Chapter 384, Acts of Assembly of 1995; Chapter 39, Acts of Assembly of 1998.

A. The General Assembly hereby recognizes and reaffirms the provisions of such Declarations as may have been adopted by the Virginia Education Loan Authority pursuant to Chapter 384, 1995 Acts of Assembly, and dated June 30, 1996. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed $444,778, to be paid out by the State Comptroller consistent with the provisions of the Declarations. There is hereby appropriated from the VELA Loan Servicing Reserve Fund within the state treasury such sums as may be necessary, not to exceed $100,000, to be paid out by the State Comptroller for the purpose of determining the validity and amount of any claims against the Fund. The State Comptroller is authorized to take such actions as may be necessary to effect the provisions of this paragraph.

B. Funds in the Edvantage Reserve Fund are hereby appropriated for disbursement by the State Comptroller, as provided for by law. All interest earned by the Edvantage Reserve Fund shall remain with the fund.

268.	Line of Duty (76000)		$9,458,131	$9,458,131
	Death Benefit Payments Under the Line of Duty Act (76001)	$525,000	$525,000	
	Health Insurance Benefit Payments Under the Line of Duty Act (76002)	$8,933,131	$8,933,131	

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Fund Sources: Trust and Agency	$9,458,131	$9,458,131		

Authority: Title 9.1, Chapter 4, Code of Virginia.

A. In addition to such other payments as may be available, the full cost of group health insurance, net of any deductions and credits, for the surviving spouses and dependents of certain public safety officers killed in the line of duty and for certain public safety officers disabled in the line of duty, and the spouses and dependents of such disabled officers, are payable from this Item pursuant to Title 9.1, Chapter 4, Code of Virginia.

B.1. There is hereby established the Line of Duty Act Fund (the Fund) for the payment of benefits prescribed by and administered under the Line of Duty Act. The funds of the Line of Duty Act Fund shall be deemed separate and independent trust funds, shall be segregated and accounted for separately from all other funds of the Commonwealth, and shall be invested and administered solely in the interests of the covered employees and beneficiaries thereof. Neither the General Assembly nor any public officer, employee, or agency shall use or authorize the use of the Fund for any purpose other than as provided in law for benefits and administrative expenses. Fund deposits are irrevocable and are not subject to the claims of creditors. In addition to other such powers as shall be vested in the board, the board shall have the full power to invest, reinvest and manage assets of the Fund in accordance with Article 3.1 (§ 51.1-124.30 et seq.) of Chapter 1 of Title 51.1, and no officer, director, or member of the board or of any advisory committee of the Retirement System or any of its tax exempt subsidiary corporations whose actions are within the standard of care in Article 3.1 of Chapter 1 of Title 51.1 shall be held personally liable for losses suffered by the Fund on investments made under the authority of this article. The board is authorized to establish loans to the Fund from the Group Life program in such amounts and under such terms as may be established by the board. Beginning on July 1, 2010, and not to extend past June 30, 2012, the Virginia Retirement System shall advance funds as may be needed for the initial capitalization and ongoing expenses of the Fund from fund balances of the Group Life program. The Fund shall reimburse the Retirement System for all reasonable costs incurred and associated, directly and indirectly, with the administration, management and investment of the Fund.

2. Definitions. As used in this item:

"Board" means the Board of Trustees of the Virginia Retirement System.

"Covered employee" means any employee, sheriff, deputy sheriff, or volunteer of a participating employer or non-participating employer eligible for coverage under the provisions of the Line of Duty Act.

"Fund" means the Line of Duty Act Fund.

"Line of Duty Act" means § 9.1-400 et seq.

"Non-participating employer" means any political subdivision making the irrevocable election, in a manner and on such forms as prescribed by the board, to self-fund Line of Duty Act benefits under paragraph B.4 of this Item.

"Participating employer" means any agency of the Commonwealth with covered employees and any (i) county, city, or town with covered employees that does not make the election under paragraph B.4 of this Item; or (ii) political entity, subdivision, branch, commission, public authority, or body corporate, or other entity of a local government with covered employees that does not make the election under paragraph B.4 of this Item.

"Retirement System" means the Virginia Retirement System.

3. Payment of benefits; funding of benefits.

(a) All payments for benefits provided through the Line of Duty Act shall be paid by the State Comptroller. The State Comptroller shall be reimbursed from the Fund for all benefit payments made on behalf of participating employers that, which payments have been approved by the State Comptroller. The State Comptroller shall be reimbursed on no more than a monthly basis from documentation provided to the Retirement System. Reimbursement from the Fund may include reasonable administrative expenses incurred by the Department of Accounts or the State

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Comptroller for administering the provisions of the Line of Duty Act.

Each participating employer shall make contributions each year to the Fund in accordance with guidelines adopted by the board. Such contributions shall be for purposes of funding benefits and administrative expenses under the Line of Duty Act. The employer contribution for each participating employer shall be determined by the board on a current disbursement basis in accordance with the provisions of this section.

b) For purposes of this Item, employer contributions for coverage provided to members of the National Guard and United States military reserves on active duty shall be paid by the Commonwealth.

(c) For purposes of establishing employer contribution contributions, a member of any fire company or department or rescue squad that has been recognized by an ordinance or a resolution of the governing body of any county, city, or town of the Commonwealth as an integral part of the official safety program of such county, city, or town shall be considered part of the city, county, or town served by the company, department or rescue squad. If a company, department, or rescue squad serves more than one city, county, or town, the affected cities, counties, or towns shall determine the basis and apportionment of the required covered payroll and contributions for each department, company, or rescue squad.

(d) Each participating employer shall provide all required data requested by the Board to administer the Fund in a form approved by the board.

(e) In the event any participating employer fails to remit contributions or other fees and costs of the Fund as duly prescribed, the board shall inform the State Comptroller and the participating employer of the delinquent amount. The State Comptroller shall forthwith transfer such amounts to the Fund from any moneys otherwise distributable to such participating employer.

4. Irrevocable election to become non-participating employer.

(a) A political subdivision with covered employees may make, in a manner and on such forms as prescribed by the board, an irrevocable election on or before July 1, 2012, to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds, including any responsibility apportioned to it under the provisions of paragraph 3(c) above. Non-participating employers shall continue to be subject to the provisions set forth in the Line of Duty Act.

(b) A non-participating employer shall not be required to contribute to the Fund, nor shall it be required to contribute to the costs incurred or associated, directly or indirectly, with the administration, management and investment of the Fund.

(c) Effective July 1, 2012, non-participating employers shall be responsible for self-administering the payments of benefits in accordance with the requirements of the Line of Duty Act. The eligibility determination process for the Line of Duty benefit shall continue to be determined consistent with the provisions of § 9.1-403 and any other applicable section of Code. The State Comptroller shall determine and collect from a non-participating employer an amount representing reasonable costs incurred and associated, directly and indirectly, with such eligibility determination.

(d) In the event any non-participating employer fails to remit benefit and other costs of the Line of Duty Act as prescribed, the State Comptroller shall transfer such amounts from any moneys otherwise distributable to such non-participating employer.

5. The Virginia Retirement System Medical Board established pursuant to § 51.1-124.23, Code of Virginia shall, upon request by the State Comptroller, make a written report of its conclusions and recommendations on matters referred to it regarding eligibility for benefits under the Line of Duty Act.

C. In addition to any other benefit provided by law, an additional death benefit in the amount of $20,000 for the surviving spouses and dependents of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, are payable pursuant to § 44-93.1.B., Code of Virginia, from the Line of Duty Death and

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Health Benefits Trust Fund. The Department of Accounts, with support from the Department of Military Affairs, shall determine eligibility for this benefit.

D. For any surviving spouse of a "deceased person" or any "disabled person" as those terms are defined in § 9.1-400, who is receiving the benefits described in § 9.1-401 and who would otherwise qualify for the health insurance credit described in Chapter 14 of Title 51.1, Code of Virginia, the amount of such credit shall be calculated and reimbursed to the State Comptroller for deposit into the Line of Duty Death and Health Benefits Trust Fund from the health insurance credit trust fund, in a manner prescribed by the Board of Trustees of the Virginia Retirement System.

E. A member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard shall be eligible to receive benefits according to the provisions under the Line of Duty Act, Title 9.1, Chapter 4, Code of Virginia. Funding for the inclusion of a member of any fire company providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard will be paid by the Department of Military Affairs out of its appropriation in Item 413 of this act.

F. It is the intent of the General Assembly that expeditious payments for burial expenses be made for persons whose death is determined to be a direct and proximate result of their performance in the line of duty as defined by the Line of Duty Act. The State Comptroller is hereby authorized to release, at the request of the family of a person who may be subject to the line of duty death benefits, payments to a funeral service provider for burial and transportation costs. These payments would be advanced from the death benefit that would be due to the beneficiary of the deceased person if it is determined that the person qualifies for line of duty coverage. Expenses advanced under this provision shall not exceed the coverage amounts outlined in § 65.2-512. In the event a determination is made that the death is not subject to the line of duty benefits, the Virginia Retirement System or other retirement fund to which the deceased is a member, will deduct from benefit payments otherwise due to be paid to the beneficiaries of the deceased, payments previously paid by the State Comptroller for burial and related transportation expenses and return such funds to the State Comptroller. The State Comptroller shall have the right to file a claim with the Virginia Workers' Compensation Commission against any employer to recover burial and related transportation expenses advanced under this provision.

G. The Governor's Chief of Staff shall lead a working group composed of the Secretaries of Finance and Public Safety, one member appointed by the Chairman of the Senate Finance Committee, and one member appointed by the Chairman of the House Appropriations Committee to review the current process for determining eligibility of state and local Line of Duty Act recipients and the funding responsibility between the Commonwealth and its localities. The purpose of this study is to examine cost efficiencies and determine a fair and equitable division of financial responsibility for Line of Duty Act program costs. The group shall complete its review and make recommendations to the Governor and the General Assembly no later than October 1, 2012.

H. Any locality that has established a trust, trusts, or equivalent arrangements for the purpose of accumulating and investing assets to fund postemployment benefits other than pensions under § 15.2-1544, Code of Virginia, may ~~make its contributions to the Line of Duty Act Fund~~ *fund Line of Duty Act benefits* from the assets of the trust, trusts, or equivalent arrangements.

269.	Personnel Management Services (70400)			$32,686,276	$32,686,276
	Employee Flexible Benefits Services (70420).....	$32,686,276	$32,686,276		
	Fund Sources: Trust and Agency	$32,686,276	$32,686,276		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				
269.10.	Financial Assistance for Health Research (40700).....			$1,326,344	$1,326,344
	Health Research Grant Administration Services (40701) .	$1,326,344	$1,326,344		
	Fund Sources: Dedicated Special Revenue	$1,326,344	$1,326,344		
	Authority: Title 2.2, Chapter 8, Code of Virginia.				

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	The Department of Accounts is authorized to disburse, as fiscal agent for the Commonwealth Health Research Board, funds received from the Virginia Retirement System pursuant to § 23-284, Code of Virginia.				
270.	Personal Property Tax Relief Program (74600)			$950,000,000	$950,000,000
	Reimbursements to Localities for Personal Property Tax Relief (74601).....	$950,000,000	$950,000,000		
	Fund Sources: General	$950,000,000	$950,000,000		

Authority: Discretionary Inclusion.

A.1. Out of this appropriation, $950,000,000 the first year and $950,000,000 the second year from the general fund is provided to be used to implement a program which provides equitable tax relief from the personal property tax on vehicles.

2. The amounts appropriated in this Item provide for a local reimbursement level of 70 percent in tax years 2004 and 2005. The local reimbursement level for tax year 2006 is set at $950,000,000 pursuant Chapter 1, 2004 Acts of Assembly, Special Session I. Payments to localities with calendar year 2006 car tax payment due dates prior to July 1, 2006, shall not be reimbursed until after July 1, 2006, except as otherwise provided in paragraph E of this Item.

C. Notwithstanding the provisions of subsection B of § 58.1-3524, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, the determination of each county's, city's and town's share of the total funds available for reimbursement for personal property tax relief pursuant to that subsection shall be pro rata based upon the actual payments to such county, city or town pursuant to Title 58.1, Chapter 35.1, Code of Virginia, for tax year 2004 as compared to the actual payments to all counties, cities and towns pursuant to that chapter for tax year 2004, made with respect to reimbursement requests submitted on or before December 31, 2005, as certified in writing by the Auditor of Public Accounts not later than March 1, 2006. Notwithstanding the provisions of the second enactment of Chapter 1, 2004 Acts of Assembly, Special Session I, this paragraph shall become effective upon the effective date of this act.

D. The requirements of subsection C 2 of § 58.1-3524 and subsection E of § 58.1-3912, Code of Virginia, as amended by Chapter 1, 2004 Acts of Assembly, Special Session I, with respect to the establishment of tax rates for qualifying vehicles and the format of tax bills shall be deemed to have been satisfied if the locality provides by ordinance or resolution, or as part of its annual budget adopted pursuant to Title 15.2, Chapter 25, Code of Virginia, or the provisions of a local government charter or Title 15.2, Chapter 4, 5, 6, 7 or 8, Code of Virginia, if applicable, specific criteria for the allocation of the Commonwealth's payments to such locality for tangible personal property tax relief among the owners of qualifying vehicles, and such locality's tax bills provide a general description of the criteria upon which relief has been allocated and set out, for each qualifying vehicle that is the subject of such bill, the specific dollar amount of relief so allocated.

E. The Secretary of Finance may authorize advance payment, from funds appropriated in this Item, of sums otherwise due a town on and after July 1, 2006, for personal property tax relief under the provisions of Chapter 1, 2004 Acts of Assembly, Special Session I, if the Secretary finds that such town (1) had a due date for tangible personal property taxes on qualified vehicles for tax year 2006 falling between January 1 and June 30, 2006, (2) had a due date for tangible personal property taxes on qualified vehicles for tax year 2004 falling between January 1 and June 30, 2004, (3) received reimbursements pursuant to the provisions of Title 58.1, Chapter 35.1, Code of Virginia, between January 1 and June 30, 2004, (4) utilizes the cash method of accounting, and (5) would suffer fiscal hardship in the absence of such advance payment.

F. It is the intention of the General Assembly that reimbursements to counties, cities and towns that had a billing date for tax year 2004 tangible personal property taxes with respect to qualifying vehicles falling between January 1 and June 30, 2004, and received personal property tax relief reimbursement with respect to tax year 2004 from the Commonwealth between January 1 and June 30, 2004, pursuant to the provisions of Title 58.1, Chapter 35.1,

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Code of Virginia, as it existed prior to the amendments effected by Chapter 1, 2004 Acts of Assembly, Special Session I, be made by the Commonwealth with respect to sums attributable to such spring billing dates not later than August 15 of each fiscal year.				
Total for Department of Accounts Transfer Payments			~~$1,729,094,179~~ *$1,730,314,179*	~~$1,763,997,664~~ *$1,879,609,796*
Nongeneral Fund Positions.....	1.00	1.00		
Position Level	1.00	1.00		
Fund Sources: General.....	~~$1,130,828,650~~ *$1,132,048,650*	~~$1,164,532,135~~ *$1,338,785,117*		
Trust and Agency	$78,339,185	$78,339,185		
Dedicated Special Revenue.....	$519,926,344	~~$521,126,344~~ *$462,485,494*		
Grand Total for Department of Accounts.....			~~$1,739,935,228~~ *$1,741,155,228*	~~$1,774,847,780~~ *$1,891,279,450*
General Fund Positions.....	100.00	~~100.00~~ *104.00*		
Nongeneral Fund Positions.....	~~33.00~~ *39.00*	~~33.00~~ *55.00*		
Position Level	~~133.00~~ *139.00*	~~133.00~~ *159.00*		
Fund Sources: General.....	~~$1,140,847,743~~ *$1,142,067,743*	~~$1,174,560,295~~ *$1,349,632,815*		
Special.....	$821,956	$821,956		
Trust and Agency	$78,339,185	$78,339,185		
Dedicated Special Revenue.....	$519,926,344	~~$521,126,344~~ *$462,485,494*		

§ 1-84. DEPARTMENT OF PLANNING AND BUDGET (122)

271. Planning, Budgeting, and Evaluation Services (71500)....			$7,099,898	~~$7,146,917~~ *$7,314,064*
Budget Development and Budget Execution Services (71502)	$4,571,488	$4,613,507		
Legislation and Executive Order Review Service (71504)	$40,402	$40,402		
Forecasting and Regulatory Review Services (71505).....	$596,999	$596,999		
Program Evaluation Services (71506).....	$1,540,923	~~$1,545,923~~ *$1,720,923*		
Administrative Services (71598)	$350,086	~~$350,086~~ *$342,233*		
Fund Sources: General.....	$6,849,898	~~$6,896,917~~ *$7,014,064*		
Special.....	$250,000	~~$250,000~~ *$300,000*		

Authority: Title 2.2, Chapter 15 and Chapter 26, Article 8, Code of Virginia.

A. The Department of Planning and Budget shall be responsible for continued development and coordination of an integrated, systematic policy analysis, planning, budgeting, performance measurement and evaluation process within state government. The department shall collaborate with the Governor's Secretaries and all other agencies of state government and other entities as necessary to ensure that information generated from these processes is useful for managing and improving the efficiency and effectiveness of state government operations.

B. The Department of Planning and Budget shall be responsible for the continued development and coordination of a review process for strategic plans and performance measures of the state agencies. The review process shall assess on a periodic basis the structure and content of the

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plans and performance measures, the processes used to develop and implement the plans and measures, the degree to which agencies achieve intended goals and results, and the relation between intended and actual results and budget requirements.

C.1. Notwithstanding § 2.2-1508, Code of Virginia, or any other provisions of law, on or before December 20, the Department of Planning and Budget shall deliver to the presiding officer of each house of the General Assembly a copy of the budget document containing the explanation of the Governor's budget recommendations. This copy may be in electronic format.

2. The Department of Planning and Budget shall include in the budget document the amount of projected spending and projected net tax-supported state debt for each year of the biennium on a per capita basis. For this purpose, "spending" is defined as total appropriations from all funds for the cited fiscal years as shown in the Budget Bill. The most current population estimates from the Weldon Cooper Center for Public Services shall be used to make the calculations.

~~D.1. The Department of Planning and Budget shall provide staffing and operational support to the Commonwealth Competition Council. Other state agencies and institutions of the Commonwealth shall also assist the Commonwealth Competition Council in its work upon the request of the chairman of the Council.~~

~~2. There is hereby created upon the books of the State Comptroller a special, nonreverting fund known as the "Commonwealth Competition Council Savings Recovery Fund." The fund shall provide a nongeneral fund appropriation of $250,000 the first year and $250,000 the second year for use by the Department of Planning and Budget in defraying the costs of providing staff and operational support to the council.~~

~~3. Prior to April 1 each year, the Director, Department of Planning and Budget shall notify the Auditor of Public Accounts of any savings recommendations put forth by the Commonwealth Competition Council for which savings are likely to be realized in the current fiscal year or in the fiscal year beginning on the next July 1 after such notification. The Auditor of Public Accounts shall audit the implementation of these savings recommendations and shall certify to the State Comptroller by June 1 each year the total savings realized by state agencies or institutions as a result of the savings recommendations put forth by the Commonwealth Competition Council. By July 1 each year, the State Comptroller shall transfer 10 percent of these certified savings to the Commonwealth Competition Council Savings Recovery Fund for support of the council's operations. However, if these savings have since accrued to the benefit of the general fund, either by subsequent budgetary action or by reversion, then following the certification of the savings by the Auditor of Public Accounts, the State Comptroller shall transfer the equivalent of 10 percent of the affected certified savings from the general fund to the Commonwealth Competition Council Savings Recovery Fund. The total amount transferred to the Commonwealth Competition Council Savings Recovery Fund pursuant to these provisions shall not exceed $500,000 in any one fiscal year.~~

E.1. Out of this appropriation, $200,000 the first year and ~~$200,000~~ *$325,000* the second year from the general fund is provided to support the continuation of the school efficiency reviews program. Any school division undergoing an efficiency review shall provide a report to the Department of Planning and Budget indicating what action has been taken on each recommendation identified in the efficiency review along with any budget savings realized for each recommendation. The report shall also include a schedule for implementation of the remaining recommendations not implemented to date. The Department of Planning and Budget shall forward copies of the reports to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees within 30 days of receiving such reports. The first report shall be made within six months following the receipt of the final efficiency review, and subsequent follow-up reports shall be submitted annually by June 30 until 100 percent of the recommendations have been implemented or rationale reported that explain and address the division's lack of such implementation. The Department of Planning and Budget shall provide the format for such report that shall include budget savings realized for each recommendation implemented.

2.a. *Notwithstanding any contrary provision of law,* ~~E~~*e*ach participating school division shall pay ~~50 percent~~ *a local share* of the cost incurred by the state for that school division's efficiency review to be conducted. *The local share of cost for the review shall be computed using the composite index of local ability-to-pay for each participating school division, however, such share shall not be less than 50 percent of the total cost.* However, consistent

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with language and intent contained in Item 134, any school division that elects to participate in a school efficiency review as a component unit of a division level academic review shall be exempt from the ~~50~~ ~~percent~~ ~~payment~~ *local share* of the costs of the review but will not be exempt from paying a recovery cost of 25 percent if the school division does not initiate at least 50 percent of the review's recommendations within 24 months of receiving their final school efficiency review report.

b. *Effective for all reviews after July 1, 2013, the local share payment shall be made prior to the initiation of the review and shall be based upon the contracted price for the review. All subsequent payments to recover the local share of the balance of the cost of the review shall be made* ~~Payment~~ ~~shall~~ ~~occur~~ in the fiscal year immediately following the completion of the final school efficiency review report. The cost shall include the direct cost incurred by the state for that fiscal year to coordinate the school efficiency review and 100 percent of the costs awarded to the contractor(s) to conduct that school division's review.

3. Additionally, commencing in FY 2007, a recovery of a separate and additional 25 percent payment *not to exceed 100 percent* of the cost of individual reviews shall be made in the fiscal year beginning not less than 12 months and not more than 24 months following the release of a final efficiency review report for an individual school division. Such recovery shall occur if the affected school division superintendent or superintendent's designee has not certified that at least half the recommendations have been initiated or at least half of the equivalent savings of such efficiency review have been realized. Lacking such certification the school division shall reimburse the state for *an additional* 25 percent of the cost, *not to exceed 100 percent of the cost,* of the school efficiency review. Such reimbursement shall be paid into the general fund of the state treasury. The Department of Planning and Budget shall provide the format for such certification.

4.a. Notwithstanding any contrary provision of law, commencing in FY 2014, any school division may also request the Department of Planning and Budget to coordinate a school efficiency review for the division, including but not limited to the selection of the contractor to conduct that school division's review, by entering into an agreement with the Department of Planning and Budget to participate in a locally-funded school efficiency review. Each participating school division shall pay 100 percent of the cost of the review. Any division that elects to participate in a locally-funded school efficiency review shall not be subject to the availability of state general fund appropriation provided in paragraph E.1 above; however, the number of divisions that could make use of this provision is limited to the amount of nongeneral fund appropriation provided for this purpose in this paragraph. A nongeneral fund appropriation of $300,000 the second year is provided for use by the Department of Planning and Budget to facilitate the collection of payments from school divisions for the purposes of this item.

b. Payment shall be made in full from the participating school division to the Department of Planning and Budget following successful award of the contract to conduct the review. Under no circumstances shall state general fund appropriation be used to pay the costs of contracts awarded for a locally-funded school efficiency review under the provisions of paragraph E.4.a above.

5. The Department shall conduct a follow-up review of the implementation status of the recommendations from the 2007 Petersburg Schools efficiency review and submit a report to the Chairmen of the Senate Finance and House Appropriations Committees by December 1, 2013. If contractual support is needed for such a follow-up review, the Department may use a portion of the funds in this section of this Item.

Total for Department of Planning and Budget.....			**$7,099,898**	**~~$7,146,917~~** ***$7,314,064***
General Fund Positions.....	67.00	~~67.00~~ *63.00*		
Nongeneral Fund Positions.....	2.00	2.00		
Position Level	69.00	~~69.00~~ *65.00*		

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	Fund Sources: General	$6,849,898	~~$6,896,917~~ *$7,014,064*		
	Special	$250,000	~~$250,000~~ *$300,000*		

§ 1-85. DEPARTMENT OF TAXATION (161)

272.	Planning, Budgeting, and Evaluation Services (71500)			$3,287,097	$3,249,097
	Tax Policy Research and Analysis (71507)	$1,621,900	$1,583,900		
	Appeals and Rulings (71508)	$1,058,563	$1,058,563		
	Revenue Forecasting (71509)	$606,634	$606,634		
	Fund Sources: General	$3,287,097	$3,249,097		

Authority: §§ 2.2-1503, 15.2-2502, 58.1-202, 58.1-207, 58.1-210, 58.1-213, 58.1-816, and 58.1-3406, and Title 10.1, Chapter 14, Code of Virginia.

A. The Department of Taxation shall continue the staffing and responsibility for the revenue forecasting of the Commonwealth Transportation Funds, including the Department of Motor Vehicles Special Fund, as provided in § 2.2-1503, Code of Virginia. The Department of Motor Vehicles shall provide the Department of Taxation with direct access to all data records and systems required to perform this function. The Department of Planning and Budget shall effectuate the transfer of three full-time equivalent positions and sufficient funding to ensure the successful consolidation of this function.

B. Notwithstanding the provisions of § 58.1-202.2, Code of Virginia, no report on public-private partnership contracts shall be required in years following the final report upon the completion of contract or when no such contract is active.

273.	Revenue Administration Services (73200)			$60,198,015	~~$60,054,068~~ *$59,311,398*
	Tax Return Processing (73214)	$9,854,471	~~$9,762,590~~ *$9,582,590*		
	Customer Services (73217)	$10,703,047	~~$10,688,047~~ *$10,500,892*		
	Compliance Audit (73218)	$19,320,439	~~$19,283,373~~ *$18,907,858*		
	Compliance Collections (73219)	$20,320,058	$20,320,058		
	Fund Sources: General	$47,775,700	~~$47,631,753~~ *$47,114,083*		
	Special	$11,496,559	~~$11,496,559~~ *$11,526,559*		
	Commonwealth Transportation	$250,000	$250,000		
	Dedicated Special Revenue	$675,756	~~$675,756~~ *$420,756*		

Authority: Title 3.2; Title 58.1, Code of Virginia.

A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to contract with private collection agencies for the collection of delinquent accounts. The State Comptroller is hereby authorized to deposit collections from such agencies into the Contract Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may be used to pay private collection agencies/attorneys and perform oversight of their operations, upgrade audit and collection systems and data interfaces, and retain experts to perform analysis of receivables and collection techniques. Any balance in the fund remaining after such payment shall be deposited into the appropriate general, nongeneral, or local fund no later than June 30 of each year.

B. There is hereby appropriated, for ~~each~~ *the first year* of the biennium, revenues from the sales tax on fuel in certain transportation districts to cover only the direct cost of administration incurred by the department in collecting these taxes as provided by § 58.1-1724, Code of Virginia.

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C.1. The Department of Taxation is authorized to retain, as special revenue, its reasonable share of any court fines and fees to reimburse the department for any ongoing operational collection expenses.

2. Any form of state debt assigned to the Department of Taxation for collection may be collected by the department in the same manner and means as state taxes may be collected pursuant to Title 58.1, Chapter 18, Code of Virginia.

D. The Department of Taxation is authorized to make tax incentive payments to small tobacco product manufacturers who do not participate in the 1998 Tobacco Master Settlement Agreement, pursuant to Chapter 901 of the 2005 Acts of Assembly.

E. The Department of Taxation is hereby appropriated revenues from the Communications Sales and Use Tax Trust Fund to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-662, Code of Virginia.

F. The Tax Commissioner shall have the authority to waive penalties and grant extensions of time to file a return or pay a tax, or both, to any class of taxpayers when the Tax Commissioner in his discretion finds that the normal due date has, or would, cause undue hardship to taxpayers who were, or would be, unable to use electronic means to file a return or pay a tax because of a power or systems failure that causes the department's electronic filing or payment systems to be nonfunctional for all or a portion of a day on or about the due date for a return or payment.

G. The Department of Taxation is hereby appropriated Land Conservation Incentive Act fees imposed under § 58.1-513 C. 2., Code of Virginia, on the transferring of the value of the donated interest. The Code of Virginia specifies such fees will be used by the Departments of Taxation and Conservation and Recreation to recover the direct cost of administration incurred in implementing the Virginia Land Conservation Act.

H. In the event that the United States Congress adopts legislation allowing local governments, with the assistance of the Commonwealth, to collect delinquent local taxes using offsets from federal income taxes, the Department of Accounts shall provide a treasury loan to the Department of Taxation to finance the costs of modifying the agency's computer systems to implement this federal debt setoff program. This treasury loan shall be repaid from the proceeds collected from the offsets of federal income taxes collected on behalf of localities by the Department of Taxation.

I. Funds collected pursuant to § 58.1-1720 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-1720 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions.

J. 1. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code of Virginia, and items 265 and 288 of this act. For the purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

2. It is the intent of the General Assembly that all such revenues be distributed to counties, cities, and towns, the Department for the Deaf and Hard-of-Hearing, and for the costs of administering the Virginia Communications Sales and Use Tax.

K. Notwithstanding the provisions of § 58.1-478, Code of Virginia, effective July 1, 2011, every employer whose average monthly liability can reasonably be expected to be $1,000 or more and the aggregate amount required to be withheld by any employer exceeds $500 shall file the annual report required by § 58.1-478, Code of Virginia, and all forms required by § 58.1-472, Code of Virginia, using an electronic medium using a format prescribed by the Tax Commissioner. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the employer. All requests for waiver shall be submitted to the Tax Commissioner in writing.

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L. Notwithstanding the provisions of § 58.1-214, Code of Virginia, the department shall not be required to mail its forms and instructions unless requested by a taxpayer or his representative.

M. Notwithstanding the provisions of § 58.1-609.12, Code of Virginia, no report on the fiscal, economic and policy impact of the miscellaneous Retail Sales and Use Tax exemptions under § 58.1-609.10, Code of Virginia shall be required after the completion of the final report in the first five-year cycle of the study, due December 1, 2011. The Department of Taxation shall satisfy the requirement of § 58.1-609.12 that it study and report on the annual fiscal impact of the Retail Sales and Use Tax exemptions for nonprofit entities provided for in § 58.1-609.11, Code of Virginia, by publishing such fiscal impact on its website.

N. *1.* Notwithstanding any provision of the Code of Virginia or this act to the contrary, ~~effective~~

a. Effective January 1, 2013, all corporations are required to file estimated tax payments and their annual income tax return and final payment using an electronic medium in a format prescribed by the Tax Commissioner. ~~Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the corporation. All requests for waiver shall be submitted to the Tax Commissioner in writing.~~

b. Effective July 1, 2013, every employer shall file the annual report required by § 58.1-478 and all forms required by § 58.1-472, Code of Virginia, using an electronic medium in a format prescribed by the Tax Commissioner.

2. The Tax Commissioner shall have the authority to waive the requirement to file or pay by electronic means. Waivers shall be granted only if the Tax Commissioner finds that this requirement creates an unreasonable burden on the person required to use an electronic medium. All requests for waiver shall be submitted to the Tax Commissioner in writing.

O.1. Notwithstanding any other provision of law, Retail Sales and Use Tax returns and payments shall be made using an electronic medium prescribed by the Tax Commissioner beginning with the June 2012 return, due July 2012, for monthly filers and, for less frequent filers, with the first return they are required to file after July 1, 2013.

2. The Tax Commissioner shall have the authority to waive the requirement to file by electronic means upon a determination that the requirement would cause an undue hardship. All requests for waiver shall be transmitted to the Tax Commissioner in writing.

P. The Department of Taxation is hereby appropriated revenues from the Virginia Motor Vehicle Rental Tax to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-1741, Code of Virginia.

Q. The Virginia Department of Taxation shall develop a return for a pass-through entity required by § 58.1-392, Code of Virginia, to file using an electronic medium in a format prescribed by the Tax Commissioner before, but no later than, January 1, 2015.

274. Tax Value Assistance to Localities (73400).....			$1,658,880	$1,634,513
Valuation and Assessment Assistance for Localities (73410)	$1,658,880	$1,634,513		
Fund Sources: General.....	$596,250	$571,883		
Special.....	$1,062,630	$1,062,630		

Authority: Title 58.1, Chapters 32, 34, 35, 36, and 39 and §§ 58.1-202, subdivisions 6, 10, and 11, 58.1-206; §§ 58.1-2655, 58.1-3239, 58.1-3278, and 58.1-3374, Code of Virginia.

A. The department is hereby authorized to recover from participating localities, as special funds, the direct costs associated with assessor/property tax and local valuation and assessments training classes. In accordance with § 58.1-206, Code of Virginia, the assessing officers and board members attending shall continue to be reimbursed for the actual expenses incurred by their attendance at the programs.

B. In the expenditure of funds out of its appropriations for determination of true values of locally taxable real estate for use by the Board of Education in state school fund distributions,

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the Department of Taxation shall use a sufficiently representative sampling of parcels, in accordance with the classification system as established in § 58.1-208, Code of Virginia, to reflect actual true values; further, the department shall, upon request of any local school board, review its initial determination and promptly inform the Board of Education of corrections in such determination.

C. Notwithstanding any other provision of law, the requirement that the Department of Taxation print and distribute local tax forms, instructions, and property tax books shall be satisfied by the posting of such documents on the department's web site.

D. The department shall eliminate the local real estate mapping program effective July 1, 2012, or before.

275. Administrative and Support Services (79900)			~~$31,140,779~~	~~$31,099,652~~
			$31,191,392	*$34,459,557*
General Management and Direction (79901)	$6,782,512	$6,891,385		
Information Technology Services (79902)	~~$24,358,267~~	~~$24,208,267~~		
	$24,408,880	*$27,568,172*		
Fund Sources: General	~~$31,090,779~~	~~$31,049,652~~		
	$31,141,392	*$34,409,557*		
Special	$50,000	$50,000		

Authority: §§ 58.1-200, 58.1-202, and 58.1-213, Code of Virginia.

A. To defray the costs of administration for voluntary contributions made on individual income tax returns for taxable years beginning on or after January 1, 2003, the Department of Taxation may retain up to five percent of the contributions made to each organization, not to exceed a total of $50,000 from all organizations in any taxable year.

B. The Department is hereby authorized to request and receive a treasury loan to fund the necessary start-up costs associated with the implementation of a ~~local income tax and/or~~ sales and use tax modification. ~~The Department shall not incur such costs unless a locality(ies) takes action to put the tax options on a referendum.~~ The treasury loan shall be repaid for these costs from the ~~local income tax and/or~~ sales and use tax revenues.

Total for Department of Taxation			~~**$96,284,771**~~	~~**$96,037,330**~~
			$96,335,384	***$98,654,565***
General Fund Positions	890.00	~~890.00~~		
		888.00		
Nongeneral Fund Positions	37.00	~~37.00~~		
		42.00		
Position Level	927.00	~~927.00~~		
		930.00		
Fund Sources: General	~~$82,749,826~~	~~$82,502,385~~		
	$82,800,439	*$85,344,620*		
Special	$12,609,189	~~$12,609,189~~		
		$12,639,189		
Commonwealth Transportation	$250,000	$250,000		
Dedicated Special Revenue	$675,756	~~$675,756~~		
		$420,756		

§ 1-86. DEPARTMENT OF THE TREASURY (152)

276. Investment, Trust, and Insurance Services (72500)			$8,899,578	~~$7,824,400~~
				$7,986,927
Debt Management (72501)	$956,658	$956,658		
Insurance Services (72502)	$3,417,437	~~$2,342,259~~		
		$2,504,786		
Banking and Investment Services (72503)	$4,525,483	$4,525,483		

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Fund Sources: General	$5,470,748	~~$4,395,570~~ *$4,558,097*		
Special	$5,600	$5,600		
Commonwealth Transportation	$185,187	$185,187		
Trust and Agency	$3,238,043	$3,238,043		

Authority: Title 2.2, Chapter 18, Code of Virginia.

A. The Department of the Treasury shall take into account the claims experience of each agency and institution when setting premiums for the general liability program.

B. Coverage provided by the VARISK plan for constitutional officers shall be extended to any action filed against a constitutional officer or appointee of a constitutional officer before the Equal Employment Opportunity Commission or the Virginia State Bar.

C. Notwithstanding the provisions of § 15.2-4518.13 and § 15.2-4526, Code of Virginia, the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission are authorized to obtain liability policies for the Commissions' joint project, the Virginia Railway Express, consisting of liability insurance and a program of self-insurance maintained by the Commissions and administered by the Virginia Division of Risk Management or by an independent third party selected by the Commissions, which liability policies shall be deemed to meet the requirements of § 8.01-195.3, Code of Virginia. In addition, the Director of the Department of Rail and Public Transportation is authorized to work with the Northern Virginia Transportation Commission and the Potomac Rappahannock Transportation Commission to obtain the foregoing liability policies for the Commissions. In obtaining liability policies, the Director of the Department of Rail and Public Transportation shall advise the Commissions regarding compliance with all applicable public procurement and administrative guidelines.

D. By January 15 of each year the Department of the Treasury shall report to the chairmen of the House Appropriations and Senate Finance Committees, in a unified report mutually agreeable to them, summarizing changes in required debt service payments from the general fund as the result of any refinancing, refunding, or issuance actions taken or expected to be taken by the Commonwealth within the next twelve months.

E. Out of the amounts for this item shall be paid $1,075,178 for the relief of Thomas Edward Haynesworth, as provided for in Senate Bill 41 of the 2012 Acts of the General Assembly.

F. Out of the amounts for this item shall be paid $162,527 to the estate of Bennett Barbour, as provided for in Senate Bill 1132 of the 2013 Acts of the General Assembly.

277. Revenue Administration Services (73200)			$10,517,655	~~$10,523,164~~ *$10,517,948*
Unclaimed Property Administration (73207)	$5,010,880	$5,010,880		
Accounting and Trust Services (73213)	$1,542,526	$1,542,526		
Check Processing and Bank Reconciliation (73216)	$2,165,090	$2,165,090		
Administrative Services (73220)	$1,799,159	~~$1,804,668~~ *$1,799,452*		
Fund Sources: General	$3,208,691	~~$3,214,200~~ *$3,208,984*		
Special	$335,994	$335,994		
Trust and Agency	$6,267,213	$6,267,213		
Dedicated Special Revenue	$705,757	$705,757		

Authority: Title 2.2, Chapter 18 and §§ 55-210.1 through 55-210.30, Code of Virginia.

A. Included in this Item is a sum sufficient nongeneral fund appropriation for personal services and other operating expenses to process checks issued by the Department of Social Services. The estimated cost, excluding actual postage costs, is $87,500 the first year and $87,500 the second year.

B. Included in this Item is a sum sufficient nongeneral fund appropriation for administrative expenses to process the Virginia Employment Commission (VEC) and Virginia Retirement

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System (VRS) checks. The estimated cost for VEC is $4,500 the first year and $4,500 the second year, and for VRS is $24,000 the first year and $24,000 the second year.

C.1. The amounts for Unclaimed Property Administration are for administrative and related support costs of the Uniform Disposition of Unclaimed Property Act, to be paid solely from revenues derived pursuant to the Act.

2. The amounts also include a sum sufficient nongeneral fund amount estimated at $900,000 the first year and $900,000 the second year to pay fees for compliance services and securities portfolio custody services for unclaimed property administration.

3. Any revenue derived from the sale of the Department of the Treasury's new unclaimed property system is hereby appropriated to the Department for use in unclaimed property customer service and system enhancements.

4. Notwithstanding §55-210.13.C of the Uniform Disposition of Unclaimed Property Act, the State Treasurer is not required to publish any item of less than $250.

D. The State Treasurer is authorized to charge institutions of higher education participating in the private college financing program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Revenue collected from this administrative fee shall be deposited to a special fund in the Department of the Treasury to compensate the Department for direct and indirect staff time and expenses involved with this program.

E. The State Treasurer is authorized to sell any securities remitted as unclaimed demutualization proceeds of insurance companies at any time after delivery, pursuant to legislation enacted by the 2003 Session of the General Assembly. The funds derived from the sale of said securities shall be handled in accordance with § 55-210.19, Code of Virginia.

F.1. The State Treasurer is authorized to charge qualified public depositories holding public deposits, as defined in §2.2-4401, Code of Virginia, an annual administrative fee of not more that one-half of one basis point of their average public deposit balances over a twelve month period. The State Treasurer shall issue guidelines to effect the implementation of this fee. However, the total fees collected from all qualified depositories shall not exceed $100,000 in any one year.

2. Any regulations or guidelines necessary to implement or change the amount of the fee may be adopted without complying with the Administrative Process Act (§2.2-4000 et seq.) provided that input is solicited from qualified public depositories. Such input requires only that notice and an opportunity to submit written comments be given.

G. The State Treasurer shall work with universities and community colleges to develop policies and procedures which minimize the use of paper checks when issuing any reimbursements of student loan balances. These efforts should include reimbursement through debit cards, direct deposits, or other electronic means. The Treasurer shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the status of these efforts on or before November 15, 2012.

278. 1. There is hereby appropriated to the Department of the Treasury a sum sufficient for the transfer to the federal government, in accordance with the provisions of the federal Cash Management Improvement Act of 1990 and related federal regulations, of the interest owed by the state on federal funds advanced to the state for federal assistance programs, where such funds are held by the state from the time they are deposited in the state's bank account until they are paid out to redeem warrants, checks or payments by other means. This sum sufficient appropriation is funded from the interest earned on federal funds deposited and invested by the state. The actual amount for transfer shall be established by the State Comptroller.

2. When permitted by applicable federal laws or administrative regulations, the State Comptroller shall first offset and reduce the amount to be transferred by any and all amounts of interest payments calculated to be received by the state from the federal government, where such payments are due to the state because the state was required to disburse its own funds for federal program purposes prior to the receipt of federal funds.

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3. Should the interest payments calculated to be made by the federal government to the state exceed the interest calculated to be transferred from the state to the federal government, reduced by the federally approved direct cost reimbursement to the state, the State Comptroller shall then notify the federal government of the net amount of interest due to the state and shall record such net interest, upon its receipt, as interest revenue earned by the general fund.				
Total for Department of the Treasury.....			**$19,417,233**	**~~$18,347,564~~** ***$18,504,875***
General Fund Positions.....	35.50	35.50		
Nongeneral Fund Positions.....	85.50	85.50		
Position Level	121.00	121.00		
Fund Sources: General.....	$8,679,439	~~$7,609,770~~ *$7,767,081*		
Special.....	$341,594	$341,594		
Commonwealth Transportation.....	$185,187	$185,187		
Trust and Agency	$9,505,256	$9,505,256		
Dedicated Special Revenue.....	$705,757	$705,757		
§ 1-87. TREASURY BOARD (155)				
279. Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			$2,636,520	$190,240
Financial Assistance for Regional Jails (35605)	$2,636,520	$190,240		
Fund Sources: General.....	$2,636,520	$190,240		
Authority: Title 53.1, Chapter 3, Code of Virginia.				
A. The Director, Department of Planning and Budget, is authorized to transfer appropriations between items in the Treasury Board to accommodate the refinancing of all, or any part, of Regional Jail Reimbursement Agreements through the Virginia Public Building Authority.				
B. Out of the amounts for Financial Assistance for Regional Jails where Regional Jail Reimbursement Agreements have been signed, the Commonwealth's share of the cost shall be appropriated from the general fund and paid as follows:				

	FY 2013	**FY 2014**
Arlington Regional Jail	$1,800,000	$0
Chesapeake City Jail	$836,520	$190,240

280. Bond and Loan Retirement and Redemption (74300)			~~$663,612,456~~ *$656,415,061*	~~$698,392,014~~ *$673,421,844*
Debt Service Payments on General Obligation Bonds (74301)	$107,702,159	$105,885,066		
Capital Lease Payments (74302).....	$12,762,630	$14,089,879		
Debt Service Payments on Public Building Authority Bonds (74303).....	~~$296,967,883~~ *$295,531,851*	~~$294,043,533~~ *$286,383,209*		
Debt Service Payments on College Building Authority Bonds (74304).....	~~$246,179,784~~ *$240,418,421*	~~$284,373,536~~ *$267,063,690*		
Fund Sources: General.....	~~$613,969,178~~ *$606,771,783*	~~$649,141,297~~ *$623,790,967*		
Special.....	$899,122	$524,772		
Higher Education Operating.....	$29,394,107	~~$29,394,107~~ *$29,774,267*		
Federal Trust.....	$19,350,049	$19,331,838		
Authority: Title 2.2, Chapter 18; Title 33.1, Chapter 3, Article 5, Code of Virginia; Article X,				

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Section 9, Constitution of Virginia.

A. The Director, Department of Planning and Budget is authorized to transfer appropriations between Items in the Treasury Board to address legislation affecting the Treasury Board passed by the General Assembly.

B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the following amounts are hereby appropriated from the general fund for debt service on general obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:

Series	**FY 2013**		**FY 2014**	
	General Fund	**Federal Funds**	**General Fund**	**Federal Funds**
2002 Refunding	$0	$0	$0	$0
2003A	$2,646,000	$0	$0	$0
2004A	$8,964,000	$0	$8,536,501	$0
2004B Refunding	$11,361,050	$0	$10,908,300	$0
2005	$7,424,727	$0	$7,115,976	$0
2006A Refunding	$9,005,500	$0	$8,468,000	$0
2006	$8,390,088	$0	$8,094,088	$0
2007A	$10,740,463	$0	$10,427,963	$0
2007B	$6,738,025	$0	$6,538,025	$0
2008A	$8,257,563	$0	$8,060,563	$0
2008B	$8,651,438	$0	$8,501,438	$0
2008B Refunding	$5,052,062	$0	$0	$0
2009A	$7,085,000	$0	$6,885,000	$0
2009B	$3,409,968	$562,675	$3,376,148	$544,464
2009 Refunding	$6,064,750	$0	$6,064,750	$0
2012 Refunding	$3,308,850	$0	$12,323,850	$0
Projected debt service & expenses	$40,000	$0	$40,000	$0
Total Service Area	**$107,139,484**	**$562,675**	**$105,340,602**	**$544,464**

2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums needed to fund issuance costs and other expenses are hereby appropriated.

C. Out of the amounts for Capital Lease Payments, the following amounts are hereby appropriated for capital lease payments:

	FY 2013	**FY 2014**
Big Stone Gap RHA (DOC) (Wallens Ridge, 1995)	$6,012,500	$6,008,625
Norfolk RHA (VCCS-TCC), Series 1995	$2,018,055	$2,012,610
Innovative and Entrepreneurship Investment Authority (VEDP) (1997)	$1,333,600	$1,311,744
Virginia Biotech Research Park, 2009	$3,398,475	$4,756,900
Total Capital Lease Payments	**$12,762,630**	**$14,089,879**

D.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority Bonds shall be paid to the Virginia Public Building Authority the following amounts for use by the authority for its various bond issues:

	FY 2013		**FY 2014**	
Series	**General Fund**	**Nongeneral Fund**	**General Fund**	**Nongeneral Fund**
2002	$2,593,250	$0	$0	$0
2003 Refunding	$4,866,787	$176,113	$4,867,859	$176,016
2004A	$23,867,256	$0	$23,294,756	$0

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2004B	$14,996,481	$0	$14,976,775	$0
2004C	$4,551,500	$0	$4,555,500	$0
2004D	$12,533,338	$0	$12,520,963	$0
2005A Refunding	$5,123,125	$0	$5,104,875	$0
2005B Refunding	$14,935,982	$348,543	$14,946,269	$348,756
2005C	$4,488,375	$0	$4,489,500	$0
STARS 2005C	$12,248,875	$0	$12,251,375	$0
2005D	~~$2,656,032~~	$0	~~$2,644,525~~	$0
	$1,220,000		*$2,220,000*	
2006A	$5,955,993	$0	$5,953,118	$0
STARS 2006A	$7,143,125	$0	$7,145,500	$0
2006B	$13,999,925	$0	$13,996,925	$0
STARS 2006B	$4,469,250	$0	$4,466,250	$0
2007A	$14,714,850	$0	$14,719,475	$0
STARS 2007A	$7,515,500	$0	$7,517,625	$0
2008A Refunding	$16,281,784	$374,466	$0	$0
2008B	$11,994,813	$0	$11,993,225	$0
2009A	$4,677,085	$0	$4,679,738	$0
2009B	$16,742,305	$0	$16,745,680	$0
2009B STARS	$6,583,725	$0	$6,585,100	$0
2009C	$1,086,531	$0	$1,088,693	$0
2009D	$3,684,125	$0	$6,277,400	$0
2010A	$22,020,957	$4,511,477	$21,894,332	$4,511,477
2010B	$22,235,001	$3,484,627	$22,234,826	$3,484,627
2011A STARS	$627,000	$0	$630,800	$0
2011A	$20,818,500	$0	$20,815,900	$0
2011B	$1,298,924	$0	$1,299,774	$0
2012 Refunding	$3,262,263	$0	$3,474,600	$0
Projected debt service and expenses	$100,000	$0	~~$14,351,299~~	$0
			$7,115,500	
Total Service Area	**$288,072,657**	**$8,895,226**	**~~$285,522,657~~**	**$8,520,876**
			$277,862,333	

2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82.2 of the Code of Virginia, for the following:

Project	Commonwealth Share of Approved Capital Costs
Loudoun County Adult Detention Center Phase 2	$8,389,677
Blue Ridge Regional Jail	$31,664,995
Meherrin River Regional Jail	$32,189,469
Richmond City Jail Replacement	$29,702,708
Newport News Public Safety Building Life Safety Renovation	$875,294
RSW Regional Jail	$32,840,850
Southwest Virginia Regional Jail	$16,910,186
Central Virginia Regional Jail	$8,464,891
Total Approved Capital Costs	**$161,038,070**

b. The Commonwealth's share of the total cost of construction for Meherrin River Regional Jail shall not exceed $32,189,469. The Commonwealth's share of the total cost of construction of the Richmond City Jail Replacement shall not exceed $29,702,708. The Commonwealth's share of the total cost of construction of the Newport News Public Safety Building Life Safety Renovation project shall not exceed $875,294. The Commonwealth's share of the total cost of construction of the RSW Regional Jail project shall not exceed $32,840,850. Reimbursement of the Commonwealth's portion of the construction costs of these projects shall be subject to the approval of the Department of Corrections of the final expenditures and will not occur before July 1, 2012.

c. This paragraph shall constitute the authority for the Virginia Public Building Authority to issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.

E.1. Out of the amounts for Debt Service Payments on Virginia College Building Authority

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Bonds shall be paid to the Virginia College Building Authority the following amounts for use by the Authority for payments on obligations issued for financing authorized projects under the 21st Century College Program:

Series	**FY 2013**	**FY 2014**
2003A	$5,262,400	$0
2004A	$6,245,750	$6,247,500
2004B Refunding	$9,469,825	$9,470,275
2005A	$3,483,250	$3,483,250
2006	$9,569,050	$9,557,000
2007A Refunding	$2,937,300	$3,867,300
2007B	$2,852,925	$2,854,125
2008A	$7,445,231	$7,446,981
2009A&B	$33,304,325	$33,301,007
2009C Refunding	$2,363,050	$1,297,550
2009E Refunding	$14,252,350	$19,514,750
2009F	$34,234,136	$34,229,886
2010B	$28,164,064	$28,162,314
2011 A	$17,777,344	$17,778,100
Projected 21st Century debt service & expenses	~~$25,484,444~~	~~$54,325,243~~
	$21,600,000	*$41,127,277*
Subtotal 21st Century	~~**$202,845,444**~~	~~**$231,535,281**~~
	$197,487,988	***$224,337,315***

2. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds shall be paid to the Virginia College Building Authority the following amounts for the payment of debt service on authorized bond issues to finance equipment:

Series	**FY 2013**	**FY 2014**
2008A	$8,230,750	$8,230,250
2009D	$9,046,175	$9,048,925
2010A	$8,756,500	$8,550,000
2011A	$8,534,115	$8,535,200
Projected debt service & expenses	~~$8,766,800~~	~~$18,473,880~~
	$8,362,893	*$8,362,000*
Subtotal Equipment	~~$43,334,340~~	~~$52,838,255~~
	$42,930,433	*$42,726,375*
Total Service Area	~~**$246,179,784**~~	~~**$284,373,536**~~
	$240,418,421	***$267,063,690***

3. Beginning with the FY 2008 allocation of the higher education equipment trust fund, the Treasury Board shall amortize equipment purchases at seven years, which is consistent with the useful life of the equipment.

4. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state students at institutions of higher education shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the 21st Century Program:

~~**Institution**~~	~~**FY 2013**~~	~~**FY 2014**~~
~~George Mason University~~	~~$2,281,257~~	~~$2,281,257~~
~~Old Dominion University~~	~~$1,063,161~~	~~$1,063,161~~
~~University of Virginia~~	~~$4,768,632~~	~~$4,768,632~~
~~Virginia Polytechnic Institute and State University~~	~~$4,625,280~~	~~$4,625,280~~
~~Virginia Commonwealth University~~	~~$1,714,383~~	~~$1,714,383~~
~~College of William and Mary~~	~~$1,412,532~~	~~$1,412,532~~
~~Christopher Newport University~~	~~$119,097~~	~~$119,097~~
~~University of Virginia's College at Wise~~	~~$41,085~~	~~$41,085~~
~~James Madison University~~	~~$2,672,109~~	~~$2,672,109~~
~~Norfolk State University~~	~~$499,356~~	~~$499,356~~
~~Longwood University~~	~~$118,701~~	~~$118,701~~
~~University of Mary Washington~~	~~$339,669~~	~~$339,669~~
~~Radford University~~	~~$277,002~~	~~$277,002~~

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~~Virginia Military Institute~~	~~$347,490~~		~~$347,490~~	
~~Virginia State University~~	~~$858,726~~		~~$858,726~~	
~~Richard Bland College~~	~~$6,930~~		~~$6,930~~	
~~Virginia Community College System~~	~~$3,406,095~~		~~$3,406,095~~	
~~**TOTAL**~~	~~**$24,551,505**~~		~~**$24,551,505**~~	
Institution	***FY 2013***		***FY 2014***	
George Mason University	*$2,281,257*		*$2,535,489*	
Old Dominion University	*$1,063,161*		*$1,059,300*	
University of Virginia	*$4,768,632*		*$4,670,622*	
Virginia Polytechnic Institute and State University	*$4,625,280*		*$4,656,663*	
Virginia Commonwealth University	*$1,714,383*		*$2,132,460*	
College of William and Mary	*$1,412,532*		*$1,493,811*	
Christopher Newport University	*$119,097*		*$112,167*	
University of Virginia's College at Wise	*$41,085*		*$48,510*	
James Madison University	*$2,672,109*		*$2,635,578*	
Norfolk State University	*$499,356*		*$458,766*	
Longwood University	*$118,701*		*$111,276*	
University of Mary Washington	*$339,669*		*$293,535*	
Radford University	*$277,002*		*$275,022*	
Virginia Military Institute	*$347,490*		*$370,260*	
Virginia State University	*$858,726*		*$845,856*	
Richard Bland College	*$6,930*		*$9,900*	
Virginia Community College System	*$3,406,095*		*$3,222,450*	
TOTAL	***$24,551,505***		***$24,931,665***	

5. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the following is the estimated general and nongeneral fund breakdown of each institution's share of the debt service on the Virginia College Building Authority bond issues to finance equipment. The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the equipment program:

	FY 2013		FY 2014	
Institution	**General Fund**	**Nongeneral Fund**	**General Fund**	**Nongeneral Fund**
College of William & Mary	$1,541,950	$259,307	$1,469,205	$259,307
University of Virginia	$10,093,515	$1,088,024	$9,339,830	$1,088,024
Virginia Polytechnic Institute and State University	$9,354,885	$992,321	$8,755,725	$992,321
Virginia Military Institute	$593,290	$88,844	$505,625	$88,844
Virginia State University	$949,330	$108,886	$872,855	$108,886
Norfolk State University	$1,337,165	$108,554	$806,885	$108,554
Longwood University	$520,085	$54,746	$487,775	$54,746
University of Mary Washington	$494,188	$97,063	$437,530	$97,063
James Madison University	$1,671,180	$254,504	$1,511,855	$254,504
Radford University	$1,115,115	$135,235	$1,066,500	$135,235
Old Dominion University	$3,379,770	$374,473	$3,147,225	$374,473
Virginia Commonwealth University	$7,726,995	$401,647	$7,322,975	$401,647
Richard Bland College	$121,730	$2,027	$111,875	$2,027

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Christopher Newport University	$558,715	$17,899	$512,725	$17,899	
University of Virginia's College at Wise	$211,295	$19,750	$184,280	$19,750	
George Mason University	$3,520,240	$205,665	$3,357,410	$205,665	
Virginia Community College System	$9,426,165	$633,657	$8,675,410	$633,657	
Virginia Institute of Marine Science	$516,760	$0	$489,925	$0	
Roanoke Higher Education Authority	$56,105	$0	$52,315	$0	
Southwest Virginia Higher Education Center	$53,375	$0	$49,810	$0	
Institute for Advanced Learning and Research	$680,565	$0	$135,475	$0	
Southern Virginia Higher Education Center	$19,175	$0	$23,435	$0	
New College Institute	$24,205	$0	$34,845	$0	
TOTAL	**$38,491,738**	**$4,842,602**	**$47,995,653**	**$4,842,602**	

F. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by the Treasury Board after transfer of these funds to the Treasury Board from the Commonwealth Transportation Board pursuant to Item 450, paragraph E of this act and §§ 58.1-815, 58.1-815.1 and 58.1-816.1, Code of Virginia.

G. Under the authority of this act, an agency may transfer funds to the Treasury Board for use as lease, rental, or debt service payments to be used for any type of financing where the proceeds are used to acquire equipment and to finance associated costs, including but not limited to issuance and other financing costs. In the event such transfers occur, the transfers shall be deemed an appropriation to the Treasury Board for the purpose of making the lease, rental, or debt service payments described herein.

281. A. There is hereby appropriated to the Treasury Board a sum sufficient from the general fund to pay obligations incurred pursuant to Article X, Sections 9 (a), 9 (c), and 9 (d), of the Constitution of Virginia, as follows:

1. Section 9 (a) To meet emergencies and redeem previous debt obligations.

2. Section 9 (c) Debt for certain revenue-producing capital projects.

3. Section 9 (d) Debt for variable rate obligations secured by general fund appropriations and a payment agreement with the Treasury Board.

4. For payment of the principal of and the interest on obligations, issued in accordance with the cited Sections 9 (c) and 9 (d), in the event pledged revenues are insufficient to meet the obligation of the Commonwealth.

B. There is hereby appropriated to the Treasury Board a sum sufficient to pay arbitrage rebate amounts and other penalties to the United States Government for bonds issued by the Commonwealth pursuant to Article X, Sections 9 (a), 9 (b), 9 (c), and 9 (d) (obligations secured by General Fund appropriations to Treasury Board) of the Constitution of Virginia.

Total for Treasury Board.....			~~$666,248,976~~	~~$698,582,254~~
			$659,051,581	*$673,612,084*
Fund Sources: General.....	~~$616,605,698~~	~~$649,331,537~~		
	$609,408,303	*$623,981,207*		

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	Special	$899,122	$524,772		
	Higher Education Operating	$29,394,107	~~$29,394,107~~		
			$29,774,267		
	Federal Trust	$19,350,049	$19,331,838		
	TOTAL FOR OFFICE OF FINANCE			~~**$2,529,411,016**~~	~~**$2,595,387,207**~~
				$2,523,484,234	***$2,689,790,400***
	General Fund Positions	1,096.50	~~1,096.50~~		
			1,094.50		
	Nongeneral Fund Positions	~~157.50~~	~~157.50~~		
		163.50	*184.50*		
	Position Level	~~1,254.00~~	~~1,254.00~~		
		1,260.00	*1,279.00*		
	Fund Sources: General	~~$1,856,157,514~~	~~$1,921,326,266~~		
		$1,850,230,732	*$2,074,165,149*		
	Special	$14,921,861	~~$14,547,511~~		
			$14,627,511		
	Higher Education Operating	$29,394,107	~~$29,394,107~~		
			$29,774,267		
	Commonwealth Transportation	$435,187	$435,187		
	Trust and Agency	$87,844,441	$87,844,441		
	Dedicated Special Revenue	$521,307,857	~~$522,507,857~~		
			$463,612,007		
	Federal Trust	$19,350,049	$19,331,838		

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	OFFICE OF HEALTH AND HUMAN RESOURCES				
	§ 1-88. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)				
282.	Administrative and Support Services (79900).....			$640,213	$640,954
	General Management and Direction (79901).....	$640,213	$640,954		
	Fund Sources: General.....	$640,213	$640,954		

Authority: Title 2.2, Chapter 2; Article 6, and §2.2-200, Code of Virginia.

A. On October 1 of each year, the Secretary of Health and Human Resources shall require agencies within the secretariat to report contracts negotiated with private providers when such contracts require automatic increases in funding. The Secretary shall report to the Chairmen of the House Appropriations and Senate Finance Committees with details on these contracts including the amount of funding involved, the duration of the contract and services delivered.

B. On October 1 of each year, the Secretary of Health and Human Resources shall prepare and submit fund balance statements to the Chairmen of the Senate Finance and House Appropriations Committees for agencies within the secretariat that oversee funds that generate annual revenues in excess of $1.0 million in the prior fiscal year. At a minimum, the Secretary shall report annual revenues, expenditures, and transfers for each fund subject to these criteria. The Secretary shall consult with the Senate Finance and House Appropriations Committee staff to develop a format to report this information.

C.1. The Secretary of Health and Human Resources, in collaboration with the Office of the Attorney General and the Secretary of Public Safety, shall present a six-year forecast of the adult offender population presently incarcerated in the Department of Corrections and approaching release who meet the criteria set forth in Chapter 863 and Chapter 914 of the 2006 Acts of Assembly, and who may be eligible for evaluation as sexually violent predators (SVPs) for each fiscal year within the six-year forecasting period. As part of the forecast, the secretary shall report on: (i) the number of Commitment Review Committee (CRC) evaluations to be completed; (ii) the number of eligible inmates recommended by the CRC for civil commitment, conditional release, and full release; (iii) the number of civilly committed residents of the Virginia Center for Behavioral Rehabilitation who are eligible for annual review; and (iv) the number of individuals civilly committed to the Virginia Center for Behavioral Rehabilitation and granted conditional release from civil commitment in a state SVP facility. The secretary shall complete a summary report of current SVP cases and a forecast of SVP eligibility, civil commitments, and SVP conditional releases, including projected bed space requirements, to the Governor and Senate Finance and House Appropriations Committees by October 1 of each year.

2. As part of the forecast process, the Department of Corrections shall administer a STATIC-99 screening to all potential Sexually Violent Predators eligible for civil commitment pursuant to §37.2-900 et seq., Code of Virginia, within six months of admission to the Department of Corrections. The results of such screenings shall be provided to the commissioner of the Department of Behavioral Health and Developmental Services (DBHDS) on a monthly basis and used for the SVP population forecast process.

3. The Office of the Attorney General shall also provide to the commissioner of DBHDS, on a monthly basis, the status of all SVP cases pending before their office for purposes of forecasting the SVP population.

D. The Secretary of Health and Human Resources shall provide the Governor and the Chairs of the Senate Finance and House Appropriations Committees a quarterly written assessment of the progress made by the Health Care Reform program office to implement new information technology systems as described in Item 427 D.2. of this Act. This report shall provide a program-level assessment, including a description of the expenditures that have been made and the activities to which any State or contract staff are assigned. The report shall also include a program-level description of steps taken to ensure that (i) individual projects and the use of project resources are prioritized across the program, (ii) a coordinated approach to program management across all projects is undertaken through the use of formal structures and processes, (iii) program governance and communication activities are sufficient to achieve

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benefit and stakeholder management objectives, and (iv) any changes in program and project-level objectives and resource needs are identified. This reporting requirement shall cease at such time as new program management standards are promulgated by the Virginia Information Technologies Agency.				
Total for Secretary of Health and Human Resources			**$640,213**	**$640,954**
General Fund Positions	5.00	5.00		
Position Level	5.00	5.00		
Fund Sources: General	$640,213	$640,954		
Comprehensive Services for At-Risk Youth and Families (200)				
283. Protective Services (45300)			~~$299,928,786~~ *$278,031,470*	~~$299,428,787~~ *$269,805,482*
Financial Assistance for Child and Youth Services (45303)	~~$299,928,786~~ *$278,031,470*	~~$299,428,787~~ *$269,805,482*		
Fund Sources: General	~~$247,321,040~~ *$225,423,724*	~~$246,821,041~~ *$217,197,736*		
Federal Trust	$52,607,746	$52,607,746		

Authority: Title 2.2, Chapter 52, Code of Virginia.

A. The Department of Education shall serve as fiscal agent to administer funds cited in paragraphs B and C.

B.1.a. Out of this appropriation, $185,893,500 the first year and ~~$189,044,197~~ *$159,538,257* the second year from the general fund and $51,609,746 the first year and $51,607,746 the second year from nongeneral funds shall be used for the state pool of funds pursuant to § 2.2-5211, Code of Virginia. This appropriation shall consist of a Medicaid pool allocation, and a non-Medicaid pool allocation.

b. The Medicaid state pool allocation shall consist of $28,526,197 the first year and $28,526,197 the second year from the general fund and $43,187,748 the first year and $43,187,748 the second year from nongeneral funds. The Office of Comprehensive Services will transfer these funds to the Department of Medical Assistance Services as they are needed to pay Medicaid provider claims.

c. The non-Medicaid state pool allocation shall consist of $157,367,303 the first year and ~~$160,557,979~~ $*131,011,060* the second year from the general fund and $8,419,998 the first year and $8,419,998 the second year from nongeneral funds. The nongeneral funds shall be transferred from the Department of Social Services.

d. The Office of Comprehensive Services, with the concurrence of the Department of Planning and Budget, shall have the authority to transfer the general fund allocation between the Medicaid and non-Medicaid state pools in the event that a shortage should exist in either of the funding pools.

e. The Office of Comprehensive Services, per the policy of the State Executive Council, shall deny state pool funding to any locality not in compliance with federal and state requirements pertaining to the provision of special education and foster care services funded in accordance with § 2.2-5211, Code of Virginia.

2.a. Out of this appropriation, ~~$58,857,540~~ *$36,960,524* the first year and $55,666,865 the second year from the general fund and $1,000,000 the first year and $1,000,000 the second year from nongeneral funds shall be set aside to pay for the state share of supplemental requests from localities that have exceeded their state allocation for mandated services. The nongeneral funds shall be transferred from the Department of Social Services.

b. In each year, the director of the Office of Comprehensive Services for At-Risk Youth and Families may approve and obligate supplemental funding requests in excess of the amount in

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2a above, for mandated pool fund expenditures up to 10 percent of the total general fund appropriation authority in B1a in this Item.

c. The State Executive Council shall maintain local government performance measures to include, but not be limited to, use of federal funds for state and local support of the Comprehensive Services Act.

d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall seek to ensure that services and funding are consistent with the Commonwealth's policies of preserving families and providing appropriate services in the least restrictive environment, while protecting the welfare of children and maintaining the safety of the public. Each locality shall submit to the Office of Comprehensive Services information on utilization of residential facilities for treatment of children and length of stay in such facilities. By December 15 of each year, the Office of Comprehensive Services shall report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees on utilization rates and average lengths of stays statewide and for each locality.

3. Each locality receiving funds for activities under the Comprehensive Services Act (CSA) shall have a utilization management process, including a uniform assessment, approved by the State Executive Council, covering all CSA services. Utilizing a secure electronic site, each locality shall also provide information as required by the Office of Comprehensive Services to include, but not be limited to case specific information, expenditures, number of youth served in specific CSA activities, length of stay for residents in core licensed residential facilities, and proportion of youth placed in treatment settings suggested by the uniform assessment instrument. The State Executive Council, utilizing this information, shall track and report on child specific outcomes for youth whose services are funded under the Comprehensive Services Act. Only non-identifying demographic, service, cost and outcome information shall be released publicly. Localities requesting funding from the set aside in paragraph 2.a. and 2.b. must demonstrate compliance with all CSA provisions to receive pool funding.

4. The Secretary of Health and Human Resources, in consultation with the Secretary of Education and ~~and~~ the Secretary of Public Safety, shall direct the actions for the Departments of Social Services, Education, and Juvenile Justice, Medical Assistance Services, Health, and Behavioral Health and Developmental Services, to implement, as part of ongoing information systems development and refinement, changes necessary for state and local agencies to fulfill CSA reporting needs.

5. The State Executive Council shall provide localities with technical assistance on ways to control costs and on opportunities for alternative funding sources beyond funds available through the state pool.

6. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for a combination of regional and statewide meetings for technical assistance to local community policy and management teams, family assessment and planning teams, and local fiscal agents. Training shall include, but not be limited to, cost containment measures, building community-based services, including creation of partnerships with private providers and non-profit groups, utilization management, use of alternate revenue sources, and administrative and fiscal issues. A state-supported institution of higher education, in cooperation with the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, may assist in the provisions of this paragraph. A training plan shall be presented to and approved by the State Executive Council before the beginning of each fiscal year. A training calendar and timely notice of programs shall be provided to Community Policy and Management Teams and family assessment and planning team members statewide as well as to local fiscal agents and chief administrative officers of cities and counties. A report on all regional and statewide training sessions conducted during the fiscal year, including (i) a description of each program and trainers, (ii) the dates of the training and the number of attendees for each program, (iii) a summary of evaluations of these programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the House Appropriations and Senate Finance Committees and to the members of the State Executive Council by December 1 of each year. Any funds unexpended for this purpose in the first year shall be reappropriated for the same use in the second year.

~~7. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be available for utilization management services. The Office of~~

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~~Comprehensive Services and the Department of Behavioral Health and Developmental Services, in cooperation with representatives of the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, shall develop the criteria and guidelines to be followed when providing these utilization management services~~.

8. Out of this appropriation, $70,000 the first year and $70,000 the second year from the general fund is provided for the Office of Comprehensive Services to contract for the support of uniform CSA reporting requirements.

9. The State Executive Council shall require a uniform assessment instrument.

10. The Office of Comprehensive Services, in conjunction with the Department of Social Services, shall determine a mechanism for reporting Temporary Assistance for Needy Families Maintenance of Effort eligible costs incurred by the Commonwealth and local governments for the Comprehensive Services Act for At-Risk Youth and Families.

11. For purposes of defining cases involving only the payment of foster care maintenance, pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by the Virginia Department of Social Services for federal Title IV-E shall be used.

C. The funding formula to carry out the provisions of the Comprehensive Services Act for At-Risk Youth and Families is as follows:

1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the amounts specified in paragraphs B.1.b. and B.1.c. in this Item. These funds shall be distributed to each locality in each year of the biennium based on the greater of that locality's percentage of actual 1997 Comprehensive Services Act pool fund program expenditures to total 1997 pool fund program expenditures or the latest available three-year average of actual pool fund program expenditures as reported to the state fiscal agent.

2. Local Match. All localities are required to appropriate a local match for the base year funding consisting of the actual aggregate local match rate based on actual total 1997 program expenditures for the Comprehensive Services Act for At-Risk Youth and Families. This local match rate shall also apply to all reimbursements from the state pool of funds in this Item and carryforward expenditures submitted prior to September 30 each year for the preceding fiscal year, including administrative reimbursements under paragraph C.4. in this Item.

3.a. Notwithstanding the provisions of C.2. of this Item, beginning July 1, 2008, the local match rate for community based services for each locality shall be reduced by 50 percent.

b. Localities shall review their caseloads for those individuals who can be served appropriately by community-based services and transition those cases to the community for services. Beginning July 1, 2009, the local match rate for non-Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base. Beginning July 1, 2011, the local match rate for Medicaid residential services for each locality shall be 25 percent above the fiscal year 2007 base. The Director of the Office of Comprehensive Services shall evaluate the impact of this policy change on the care and treatment of children and youth, including appropriate outcomes data, and report findings to the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2012.

c. By October 1 of each year, The State Executive Council (SEC) shall provide an update to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the outcomes of this initiative.

d. At the direction of the State Executive Council, local Community Policy and Management Teams (CPMTs) and Community Services Boards (CSBs) shall work collaboratively in their service areas to develop a local plan for intensive care coordination (ICC) services that best meets the needs of the children and families. If there is more than one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a region to develop a plan for ICC services. Local CPMTs and CSBs shall also work together to determine the most appropriate and cost-effective provider of ICC services for children in their community who are placed in, or at-risk of being placed in, residential care through the Comprehensive Services Act for At-Risk Youth and Families program, in accordance with guidelines developed by the State Executive Council. The State Executive Council and Office of Comprehensive Services

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shall establish guidelines for reasonable rates for ICC services and provide training and technical assistance to CPMTs and fiscal agents regarding these services.

e. The local match rate for all non-Medicaid services provided in the public schools after June 30, 2011 shall equal the fiscal year 2007 base.

4. Local Administrative Costs. Out of this appropriation, an amount equal to two percent of the fiscal year 1997 pool fund allocations, not to exceed $1,560,000 the first year and $1,560,000 the second year from the general fund, shall be allocated among all localities for administrative costs. Every locality shall be required to appropriate a local match based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state allocation and local matching funds, every locality shall receive the larger of $12,500 or an amount equal to two percent of the total pool allocation. No locality shall receive more than $50,000, inclusive of the state allocation and local matching funds. Localities are encouraged to use administrative funding to hire a full-time or part-time local coordinator for the Comprehensive Services Act program. Localities may pool this administrative funding to hire regional coordinators.

5. Definition. For purposes of the funding formula in the Comprehensive Services Act for At-Risk Youth and Families, "locality" means city or county.

D. Community Policy and Management Teams shall use Medicaid-funded services whenever they are available for the appropriate treatment of children and youth receiving services under the Comprehensive Services Act for At-Risk Children and Youth. Effective July 1, 2009, pool funds shall not be spent for any service that can be funded through Medicaid for Medicaid-eligible children and youth except when Medicaid-funded services are unavailable or inappropriate for meeting the needs of a child.

E. Pursuant to subdivision 3 of §2.2-52.06, Code of Virginia, Community Policy and Management Teams shall enter into agreements with the parents or legal guardians of children receiving services under the Comprehensive Services Act for At-Risk Children and Youth. The Office of Comprehensive Services shall be a party to any such agreement. If the parent or legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection action cannot be referred to the Division of Child Support Enforcement of the Department of Social Services, upon the request of the community policy management team, the Office of Comprehensive Services shall make a claim against the parent or legal guardian for such payment through the Department of Law's Division of Debt Collection in the Office of the Attorney General.

F. The Office of Comprehensive Services, in cooperation with the Department of Medical Assistance Services, shall provide technical assistance and training to assist residential and treatment foster care providers who provide Medicaid-reimbursable services through the Comprehensive Services Act for At-Risk Children and Youth (CSA) to become Medicaid-certified providers.

G. The Office of Comprehensive Services shall work with the State Executive Council and the Department of Medical Assistance Services to assist Community Policy and Management Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-eligible children and youth through the Comprehensive Services Act for At-Risk Children and Youth, thereby increasing Medicaid reimbursement for treatment services and decreasing the number of denials for Medicaid services related to medical necessity and utilization review activities.

H. Pursuant to subdivision 19 of §2.2-2648, Code of Virginia, no later than December 20 in the odd-numbered years, the State Executive Council shall biennially publish and disseminate to members of the General Assembly and Community Policy and Management Teams a progress report on comprehensive services for children, youth, and families and a plan for such services for the succeeding biennium.

I. Out of this appropriation, $275,000 the first year and $275,000 the second year from the general fund shall be used to purchase and maintain an information system to provide quality and timely child demographic, service, expenditure, and outcome data.

J. The State Executive Council shall work with the Department of Education to ensure that funding in this Item is sufficient to pay for the educational services of students that have been placed in or admitted to state or privately operated psychiatric or residential treatment facilities

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to meet the educational needs of the students as prescribed in the student's Individual Educational Plan (IEP).

K. The State Executive Council (SEC) shall authorize guidelines for therapeutic foster care (TFC) services, including a standardized definition of therapeutic foster care services, uniform service needs criteria required for the utilization of therapeutic foster care services, uniform placement outcome goals to include length of stay targets when the service is indicated and uniform contracting requirements when purchasing therapeutic foster care services. The SEC shall authorize the use of regional contracts for the provision of TFC services. The SEC shall direct the Office of Comprehensive Services to (i) work with stakeholders to develop these guidelines for the provision of TFC and (ii) develop regional contracts for the provision of TFC, with the goal of decreasing the unit cost of social services and maintaining or increasing the quality and effectiveness of the services. The SEC shall focus its attention on rural areas and areas with few service providers. Training will be provided for all local departments of social services, family assessment and planning teams, community policy and management teams and therapeutic foster care services providers on these guidelines. The Director of the Office of Comprehensive Services shall report the progress of these efforts to the SEC at its regularly scheduled meetings.

L.1. The Office of Comprehensive Services (OCS) shall report on funding for therapeutic foster care services including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition. In addition, the OCS shall provide guidance and training to assist localities in negotiating contracts with therapeutic foster care providers.

2. The Office of Comprehensive Services shall report on funding for special education day treatment and residential services, including but not limited to the number of children served annually, average cost of care, type of service provided, length of stay, referral source, and ultimate disposition.

3. The Office of Comprehensive Services shall report the information included in this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees beginning September 1, 2011 and each year thereafter.

M. Out of this appropriation, the Director, Office of Comprehensive Services, shall allocate $2,200,000 the first year and $2,200,000 the second year from the general fund to localities for wrap-around services for students with disabilities as defined in the Comprehensive Services Act policy manual. The Secretary of Health and Human Resources shall issue a report detailing an assessment of the effectiveness of such services in placing or maintaining children in least restrictive settings. The report shall be provided to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than January 1, 2013.

Total for Comprehensive Services for At-Risk Youth and Families			~~$299,928,786~~ *$278,031,470*	~~$299,428,787~~ *$269,805,482*
Fund Sources: General	~~$247,321,040~~ *$225,423,724*	~~$246,821,041~~ *$217,197,736*		
Federal Trust	$52,607,746	$52,607,746		
Grand Total for Secretary of Health and Human Resources			~~$300,568,999~~ *$278,671,683*	~~$300,069,741~~ *$270,446,436*
General Fund Positions	5.00	5.00		
Position Level	5.00	5.00		
Fund Sources: General	~~$247,961,253~~ *$226,063,937*	~~$247,461,995~~ *$217,838,690*		
Federal Trust	$52,607,746	$52,607,746		

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	§ 1-89. DEPARTMENT FOR THE AGING (163)				
284.	Individual Care Services (45500)			~~$31,677,689~~ *$31,702,689*	~~$31,898,716~~ *$0*
	Financial Assistance for Local Services to the Elderly (45504)	~~$29,819,987~~ *$29,844,987*	~~$30,041,014~~ *$0*		
	Rights and Protection for the Elderly (45506)	$1,857,702	~~$1,857,702~~ *$0*		
	Fund Sources: General	~~$10,885,783~~ *$10,910,783*	~~$11,106,810~~ *$0*		
	Special	$160,000	~~$160,000~~ *$0*		
	Federal Trust	$20,631,906	~~$20,631,906~~ *$0*		

Authority: Title 2.2, Chapter 7, Code of Virginia.

A. Out of this appropriation, $456,209 the first year ~~and $456,209 the second year~~ from the general fund shall be provided to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease.

B.1. Out of this appropriation, $877,000 the first year ~~and $877,000 the second year~~ from the general fund shall be provided to support local programs of the Virginia Public Guardian and Conservator Program. Up to $5,000 of this appropriation ~~each year~~ may be used for activities of the Virginia Public Guardian and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.

2. Out of this appropriation, $63,042 the first year ~~and $63,042 the second year~~ from the general fund shall be provided for the administration of the public guardianship programs and for no other purpose.

3. Out of this appropriation, $125,500 the first year ~~and $125,500 the second year~~ from the general fund shall be used to expand services through the Virginia Public Guardian and Conservator Program to individuals with mental illness and/or intellectual disability who are 18 years of age and older.

C. The Peninsula Agency on Aging, Bay Aging, Senior Services of Southeastern Virginia, and Valley Program for Aging Services shall be authorized to use funding provided for care coordination for the elderly to conduct a pilot program providing mobile, brief intervention and service linking as a form of care coordination. The Virginia Department for the Aging, in collaboration with the four pilot Area Agencies on Aging, shall analyze the resulting impact in these pilot agencies and determine if this model of service delivery is an appropriate and beneficial use of these funds.

D. Area Agencies on Aging shall be designated as the lead agency in each respective area for No Wrong Door.

E. The Virginia Department for the Aging, in collaboration with the 18 Area Agencies on Aging (AAAs) that are authorized to use funding for the Care Coordination for Elderly Program, shall examine and analyze existing state and national care coordination models to determine best practice models. The department and designated AAAs shall determine which models of service delivery are appropriate and demonstrate beneficial use of these funds and develop the accompanying service standards. Each AAA receiving care coordination funding shall submit its plan for care coordination with the annual area plan report beginning in fiscal year 2012.

F. Out of this appropriation, ~~$201,875~~ *$226,875* the first year ~~and $201,875 the second year~~ from the general fund shall be provided to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.

G. Out of this appropriation, $15,259 the first year from the general fund shall be provided for the Norfolk Senior Center.

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H. Out of this appropriation, $3,795 the first year from the general fund shall be provided for the Korean Intergenerational and Multi-purpose Senior Center.

I. Out of this appropriation, $33,311 the first year from the general fund shall be provided for the Jewish Family Service of Tidewater.

J. Out of this appropriation, $27,192 the first year from the general fund shall be provided for a companion care program to be administered by Mountain Empire Older Citizens, Inc.

K. Out of this appropriation, $215,500 the first year ~~and $215,500 the second year~~ from the general fund shall be provided for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.

L. Out of this appropriation, $7,554 the first year from the general fund shall be provided for the development of adult day care services to be managed by Mountain Empire Older Citizens, Inc. and the Junction Center for Independent Living, Inc.

M. Out of this appropriation, $125,573 the first year from the general fund shall be provided to Bay Aging. Of these amounts, $26,582 the first year shall be used to address unmet local needs and $98,991 the first year shall be used to supplement private donations and other resources for Adult Day Break Services provided by Bay Aging in partnership with local churches.

N. Out of this appropriation, $33,957 the first year from the general fund shall be provided to the Aging Together Partnership, an initiative of the Rappahannock Rapidan Community Services Board and Area Agency on Aging.

O. Out of this appropriation, $26,831 the first year from the general fund shall be provided to the Central Virginia Area Agency on Aging for Bedford Ride.

P. Out of this appropriation, $5,500 the first year from the general fund shall be provided to the Prince William Area Agency on Aging for their Care Coordination for the Elderly Virginians Program.

Q. Out of this appropriation, $1,000,000 the first year ~~and $1,500,000 the second year~~ from the general fund shall be provided to local Area Agencies on Aging (AAA). General funds shall be provided to AAAs that are subject to the loss of funds due to the decennial update of the federal formula for Area Agencies on Aging. Additional funding shall be used to address the growing number of elderly citizens in need of health, nutritional and other community-based services.

R. Notwithstanding § 2.2-703, Code of Virginia, the Department for the Aging may administer the state Long-Term Care Ombudsman program in accordance with Public Law 89-73. The department shall ensure the ombudsman operates with programmatic independence and autonomy consistent with federal law.

S. The Department for the Aging shall (i) recommend strategies to coordinate services and resources among agencies involved in the delivery of services to Virginians with dementia; (ii) monitor the implementation of the Dementia State Plan; (iii) recommend policies, legislation, and funding needed to implement the Plan; (iv) collect and monitor data related to the impact of dementia on Virginians; and (v) determine the services, resources, and policies that may be needed to address services for individuals with dementia.

285. Nutritional Services (45700)			$21,102,635	~~$21,102,635~~ *$0*
Meals Served in Group Settings (45701)	$8,611,079	~~$8,611,079~~ *$0*		
Distribution of Food (45702)	$418,042	~~$418,042~~ *$0*		
Delivery of Meals to Home-Bound Individuals (45703)	$12,073,514	~~$12,073,514~~ *$0*		
Fund Sources: General	$5,367,980	~~$5,367,980~~ *$0*		

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Federal Trust	$15,734,655	~~$15,734,655~~ *$0*		
Authority: Title 2.2, Chapter 7, Code of Virginia.				
Home delivered meals shall not require cost-sharing until such time as federal law permits cost-sharing with Older Americans Act funding.				
286. Administrative and Support Services (49900)			$2,775,006	~~$2,775,022~~ *$0*
General Management and Direction (49901)	$2,775,006	~~$2,775,022~~ *$0*		
Fund Sources: General	$1,005,341	~~$1,005,357~~ *$0*		
Federal Trust	$1,769,665	~~$1,769,665~~ *$0*		
Authority: Title 2.2, Chapter 7, Code of Virginia.				
287. A. Area Agencies on Aging are encouraged to continue seeking funds from a variety of sources which include cost-sharing in programs where not prohibited by funding sources; private sector voluntary contributions from older persons receiving services; families of individuals receiving services; and churches, service groups and other organizations. Such appropriations shall not be included in the appropriations used to match Older Americans Act funding. Revenue generated as a result of these projects shall be retained by the participating area agencies for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.				
B. It is the intent of the General Assembly that all Area Agencies on Aging use any new general fund revenue, with the exception of funding provided for the Long-term Care Ombudsman program, to implement sliding fees for services. However, priority for services should be given to applicants in the greatest need, regardless of ability to pay. Revenue from fees shall be retained by the Area Agencies on Aging for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.				
C. It is the intent of the General Assembly that Older Americans Act funds and general fund moneys be targeted to services which can assist the elderly to function independently for as long as possible. Area Agencies on Aging may use general fund moneys for consumer-directed services.				
D. At the request of the Commissioner, Department for the Aging, the Director, Department of Planning and Budget may transfer state general fund appropriations for services provided by Area Agencies on Aging between service categories. The amounts to be transferred between categories shall not exceed 40 percent of the total state general fund appropriations allocated for each category. Under no circumstances shall any funds be transferred from direct services to administration. State general fund appropriations shall be available to the area agencies on aging beginning July 1 of each year of the biennium, in compliance with the department's General Fund Cash Management Policy.				
Total for Department for the Aging			~~**$55,555,330**~~ ***$55,580,330***	~~**$55,776,373**~~ ***$0***
General Fund Positions	11.00	~~11.00~~ *0.00*		
Nongeneral Fund Positions	14.00	~~14.00~~ *0.00*		
Position Level	25.00	~~25.00~~ *0.00*		
Fund Sources: General	~~$17,259,104~~ *$17,284,104*	~~$17,480,147~~ *$0*		
Special	$160,000	~~$160,000~~		

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			$0		
	Federal Trust	$38,136,226	~~$38,136,226~~		
			$0		

§ 1-90. DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING (751)

288.	Social Services Research, Planning, and Coordination (45000)			$11,406,109	$11,783,168
	Technology Services for Deaf and Hard-Of-Hearing (45004)	$10,442,176	$10,819,226		
	Consumer, Interpreter, and Community Support Services (45005)	$635,591	$635,591		
	Administrative Services (45006)	$328,342	$328,351		
	Fund Sources: General	$844,985	$844,994		
	Special	$10,461,124	$10,838,174		
	Federal Trust	$100,000	$100,000		

Authority: Title 51.5, Chapter 13, Code of Virginia.

A. The Virginia Department for the Deaf and Hard-of-Hearing shall locate the relay center in Norton, Virginia. Any request for proposals issued for basic relay services shall require an employment level of 85 at the center unless, during the previous contract period, the employment level has been reduced to less than 85 through attrition, voluntary separation, transfers, voluntary retirements, and disability retirement, in which case the employment level of the subsequent contract may reflect the employment level at the end of the previous contract period, but may not be less than that level. The center is also prohibited from filling vacant positions, unless employment at the center drops below 75 positions.

B. Out of this appropriation, $40,000 the first year and $40,000 the second year from the general fund shall be provided to the Connie Reasor Deaf Resource Center in Planning District 1.

C. Notwithstanding § 58.1-662 of the Code of Virginia, prior to the distribution of monies from the Communications Sales and Use Tax Trust Fund to counties, cities and towns, there shall be distributed monies in the fund to pay for the Technology Assistance Program. This requirement shall not change any other distributions required by law from the Communications Sales and Use Tax Trust Fund.

Total for Department for the Deaf and Hard-Of-Hearing			**$11,406,109**	**$11,783,168**
General Fund Positions	8.37	8.37		
Nongeneral Fund Positions	2.63	2.63		
Position Level	11.00	11.00		
Fund Sources: General	$844,985	$844,994		
Special	$10,461,124	$10,838,174		
Federal Trust	$100,000	$100,000		

§ 1-91. DEPARTMENT OF HEALTH (601)

289.	Higher Education Student Financial Assistance (10800)			$312,000	$312,000
	Scholarships (10810)	$312,000	$312,000		
	Fund Sources: General	$125,000	$125,000		
	Dedicated Special Revenue	$85,000	$85,000		
	Federal Trust	$102,000	$102,000		

Authority: §§ 23-35.9 through 23-35.13, 23-37.1 through 23-37.5, and 32.1-122.5:1 through 32.1-122.10, Code of Virginia.

A. Out of this appropriation, $25,000 the first year and $25,000 the second year from the general fund is provided for five nurse practitioner scholarships pursuant to § 32.1-122.6:02,

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Code of Virginia.

B. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for nursing scholarships and loan repayments. All financial incentives shall be awarded in accordance with regulations promulgated by the Board of Health. The department shall maintain an accounting of the numbers and amount of the awards made each year.

C. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund is provided for scholarships and loan repayments for nursing students pursuing an advanced degree towards becoming nursing faculty at the college level. Priority shall be given to master's degree candidates who will teach in the community colleges.

D. The department may move appropriation between scholarship or loan repayment program as long as the scholarship or loan repayment is in accordance with the regulations promulgated by the Board of Heath.

290.	Emergency Medical Services (40200).....		$36,120,756	$36,120,756
	Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203)...	$28,648,150	$28,648,150	
	State Office of Emergency Medical Services (40204).....	$7,472,606	$7,472,606	
	Fund Sources: Special.....	$17,847,721	$17,847,721	
	Dedicated Special Revenue.....	$17,867,452	$17,867,452	
	Federal Trust.....	$405,583	$405,583	

Authority: §§ 32.1-111.1 through 32.1-111.16, 32.1-116.1 through 32.1-116.3, and 46.2-694 A 13, Code of Virginia.

A. Out of this appropriation, $25,000 the first year and $25,000 the second year from special funds shall be provided to the Department of State Police for administration of criminal history record information for local volunteer fire and rescue squad personnel (pursuant to § 19.2-389 A 11, Code of Virginia).

B. Distributions made under § 46.2-694 A 13 b (iii), Code of Virginia, shall be made only to nonprofit emergency medical services organizations.

C. Out of this appropriation, $1,045,375 the first year and $1,045,375 the second year from the Virginia Rescue Squad Assistance Fund and $2,052,723 the first year and $2,052,723 the second year from the special emergency medical services fund shall be provided to the Department of State Police for aviation (med-flight) operations.

D. The State Health Commissioner shall review current funding provided to trauma centers to offset uncompensated care losses, report on feasible long-term financing mechanisms, and examine and identify potential funding sources on the federal, state and local level that may be available to Virginia's trauma centers to support the system's capacity to provide quality trauma services to Virginia citizens. As sources are identified, the commissioner shall work with any federal and state agencies and the Trauma System Oversight and Management Committee to assist in securing additional funding for the trauma system.

E. Notwithstanding any other provision of law or regulation, the Board of Health shall not modify the geographic or designated service areas of designated regional emergency medical services councils in effect on January 1, 2008, or make such modifications a criterion in approving or renewing applications for such designation or receiving and disbursing state funds.

F. Notwithstanding any other provision of law or regulation, funds from the $0.25 of the $4.25 for Life fee shall be provided for the payment of the initial basic level emergency medical services certification examination provided by the National Registry of Emergency Medical Technicians (NREMT). The Board of Health shall determine an allocation methodology upon recommendation by the State EMS Advisory Board to ensure that funds are available for the payment of initial NREMT testing and distributed to those individuals seeking certification as an Emergency Medical Services provider in the Commonwealth of Virginia.

G. Out of this appropriation, up to $400,000 the second year from the Virginia Rescue Squad

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	Assistance Fund shall be used for grants to emergency medical services organizations to purchase 12-lead electrocardiograph monitors.				
	H. Out of this appropriation, $90,000 the second year from the Virginia Rescue Squad Assistance Fund shall be provided for national background checks on persons applying to serve as a licensed provider in a licensed emergency medical services agency. The Office of Emergency Medical Services may transfer funding to the Office of State Police for national background checks as necessary.				
291.	Medical Examiner and Anatomical Services (40300).....			$10,428,918	$10,428,918
	Anatomical Services (40301).....	$451,431	$451,431		
	Medical Examiner Services (40302).....	$9,977,487	$9,977,487		
	Fund Sources: General.....	$9,098,893	$9,098,893		
	Special.....	$615,168	$615,168		
	Federal Trust.....	$714,857	$714,857		
	Authority: §§ 32.1-277 through 32.1-304, Code of Virginia.				
292.	Vital Records and Health Statistics (40400).....			$6,084,681	$6,084,681
	Health Statistics (40401).....	$938,759	$938,759		
	Vital Records (40402).....	$5,145,922	$5,145,922		
	Fund Sources: Special.....	$6,084,681	$6,084,681		
	Authority: §§ 8.01-217, 32.1-249 through 32.1-276, and 32.1-305 through 32.1-309, Code of Virginia; and P.L. 93-353, as amended, Federal Code.				
	A. Effective July 1, 2004, the standard vital records fee shall be $12.00 and the fee for the expedited record search shall be $48.00.				
	B. Notwithstanding § 32.1-273.1, Code of Virginia, $518,421 the first year and $518,421 the second year from the Vital Statistics Automation Fund shall be used to supplant general fund support from the Communicable Disease Prevention and Control Program.				
293.	Communicable Disease Prevention and Control (40500) .			$53,673,560	~~$52,821,109~~ *$52,971,109*
	Immunization Program (40502)	$9,608,000	$9,608,000		
	Tuberculosis Prevention and Control (40503).....	$1,889,411	$1,889,411		
	Sexually Transmitted Disease Prevention and Control (40504)	$2,105,807	$2,105,807		
	Disease Investigation and Control Services (40505).....	$3,685,888	~~$3,685,888~~ *$3,835,888*		
	HIV/AIDS Prevention and Treatment Services (40506)...	$35,384,454	$34,532,003		
	Pharmacy Services (40507)	$1,000,000	$1,000,000		
	Fund Sources: General.....	$10,302,510	~~$10,052,510~~ *$10,202,510*		
	Special.....	$1,209,263	$1,209,263		
	Federal Trust.....	$42,161,787	$41,559,336		
	Authority: §§ 32.1-11.1 through 32.1-11.2, 32.1-35 through 32.1-73, Code of Virginia; and P.L. 91-464, as amended, Federal Code.				
	A. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund shall be used to purchase medications for individuals who have tuberculosis but who do not qualify for free or reduced prescription drugs and who do not have adequate income or insurance coverage to purchase the required prescription drugs.				
	B. Out of this appropriation, $40,000 the first year and $40,000 the second year from the general fund shall be provided to the Division of Tuberculosis Control for the purchase of medications and supplies for individuals who have drug-resistant tuberculosis and require treatment with expensive, second-line antimicrobial agents.				

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C. The requirement for testing of tuberculosis isolates set out in § 32.1-50 E, Code of Virginia, shall be satisfied by the submission of samples to the Division of Consolidated Laboratory Services, or such other laboratory as may be designated by the Board of Health.

D. Out of this appropriation, $280,110 the first year and $280,110 the second year from the general fund and $840,288 the first year and $840,288 the second year from nongeneral funds shall be used to purchase the Tdap (tetanus/diptheria/pertussis) vaccine for children without insurance.

E. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to the State Pharmaceutical Assistance Program (SPAP) for insurance premium payments, coinsurance payments, and other out-of-pocket costs for individuals participating in the Virginia AIDS Drug Assistance Program (ADAP) with incomes between 135 percent and 300 percent of the federal poverty income guidelines and who are Medicare Part D beneficiaries.

F. The State Health Commissioner shall monitor patients who have been removed or diverted from the Virginia AIDS Drug Assistance Program due to budget considerations. At a minimum the Commissioner shall monitor patients to determine if they have been successfully enrolled in a private Pharmacy Assistance Program or other program to receive appropriate anti-retroviral medications. The commissioner shall also monitor the program to assess whether a waiting list has developed for services provided through the ADAP program. The commissioner shall report findings to the Chairmen of the House Appropriations and Senate Finance Committees annually on October 1.

294.	Health Research, Planning, and Coordination (40600).....		$13,870,954	$14,125,886
	Health Research, Planning and Coordination (40603).....	$2,794,251	$2,794,251	
	Regulation of Health Care Facilities (40607).....	$9,831,371	$10,086,303	
	Certificate of Public Need (40608).....	$1,245,332	$1,245,332	
	Fund Sources: General.....	$2,699,102	$2,965,734	
	Special.....	$1,989,234	$1,989,234	
	Dedicated Special Revenue.....	$451,798	$451,798	
	Federal Trust.....	$8,730,820	$8,719,120	

Authority: §§ 32.1-102.1 through 32.1-102.12; 32.1-122.01 through 32.1-122.08; and 32.1-123 through 32.1-138.5, Code of Virginia; and P.L. 96-79, as amended, Federal Code; and Title XVIII and Title XIX of the U.S. Social Security Act, Federal Code.

A. Supplemental funding for the regional health planning agencies shall be provided from the following sources:

1. Special funds from Certificate of Public Need (40608) application fees in excess of those required to operate the COPN Program, provided the program may retain special fund balances each year equal to of one month's operational needs in case of revenue shortfalls in the subsequent year.

2. The Department of Health shall revise annual agreements with the regional health planning agencies to require an annual independent financial audit to examine the use of state funds and the reasonableness of those expenditures.

B. Failure of any regional health planning agency to establish or sustain business operations shall cause funds to revert to the Central Office to support health planning and Certificate of Public Need functions.

C. The State Health Commissioner shall continue implementation of the "Five-Year Action Plan: Improving Access to Primary Health Care Services in Medically Underserved Areas and Populations of the Commonwealth." A minimum of $150,000 the first year and $150,000 the second year from the general fund shall be provided to the Virginia Office of Rural Health, as the state match for the federal Office of Rural Health Policy Grant. The commissioner is authorized to contract for services to accomplish the plan.

D. Out of the this appropriation, $278,000 the first year and $278,000 the second year is appropriated to the department from statewide indirect cost recoveries to match federal funds

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	and support the programs of the Office of Licensure and Certification. Amounts recovered in excess of the special fund appropriation shall be deposited to the general fund.				
	E. The State Health Commissioner shall accept applications for, and may issue a Certificate of Public Need authorizing an application for an increase of five licensed nursing home beds in Planning District 14, provided that any such application shall come from a facility (i) which offers independent living, assisted living, skilled nursing and rehabilitation on the same site, (ii) that is not a registered continuing care provider with the State Corporation Commission pursuant to Section 38.2-4900 et seq. of the Code of Virginia, and (iii) which is located within 10 miles of a general hospital.				
295.	State Health Services (43000)			$166,858,059	~~$174,958,059~~ *$175,251,638*
	Child and Adolescent Health Services (43002)	$10,510,415	~~$10,510,415~~ *$10,509,701*		
	Women's and Infant's Health Services (43005)	$4,658,712	~~$4,658,712~~ *$4,953,005*		
	Chronic Disease Prevention, Health Promotion, and Oral Heath (43015)	$4,525,921	$4,525,921		
	Injury and Violence Prevention (43016)	$5,332,960	$5,332,960		
	Women, Infants, and Children (WIC) and Community Nutrition Services (43017)	$141,830,051	$149,930,051		
	Fund Sources: General	$1,987,079	~~$1,987,079~~ *$1,780,792*		
	Special	$2,840,851	$2,840,851		
	Dedicated Special Revenue	$66,967,057	$66,967,057		
	Federal Trust	$95,063,072	~~$103,163,072~~ *$103,662,938*		
	Authority: §§ 32.1-11, 32.1-77, and 32.1-89 through 32.1-90, Code of Virginia; P.L. 94-566, as amended, Title V of the U.S. Social Security Act and Title X of the U.S. Public Health Service Act, Federal Code; and P.L. 95-627, as amended, Federal Code.				
	A. Out of this appropriation, $952,807 the first year and $952,807 the second year from special funds is provided to support the newborn screening program and its expansion pursuant to Chapters 717 and 721, Act of Assembly of 2005. Fee revenues sufficient to fund the Department of Health's costs of the program and its expansion shall be transferred from the Division of Consolidated Laboratory Services.				
	B. The Special Supplemental Nutrition Program for Women, Infants, and Children is exempt from the requirements of the Administrative Process Act (§ 2.2-4000 et seq.).				
	C. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to the department's sickle cell program to address rising pediatric caseloads in the current program. Any remaining funds shall be used to develop transition services for youth who will require adult services to ensure appropriate medical services are available and provided for youth who age out of the current program.				
	D. The State Health Commissioner, in cooperation with the director of the Division of Women, Infants, and Children (WIC) and Community Nutrition Services, shall provide a written report not later than December 15 of each year to the Chairmen of the House Appropriations and Senate Finance Committees on (i) the progress of the multi-state procurement of a multi-state computerized database "WIC System" known formally as the Crossroads Design, Development and Implementation WIC System; (ii) the division's efforts to ensure that in designing and successfully procuring the WIC System that adequate participant access can be achieved without the current use of slotting or other similar vendor-limiting criteria and the system allows peer groups to be changed to reflect marketplace dynamics and ensure a more equitable vendor comparison; and (iii) the division's efforts to coordinate these changes in collaboration with the division's existing Retail Advisory Groups and other stakeholders.				
	E. It is the intent of the General Assembly that the State Health Commissioner continue providing services through child development clinics and access to children's dental services.				

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296.	Community Health Services (44000)			~~$231,852,833~~ *$232,202,833*	~~$229,955,064~~ *$231,055,332*
	Local Dental Services (44002)	$7,036,703	~~$5,372,397~~ *$7,036,703*		
	Restaurant and Food Safety, Well and Septic Permitting and other Environmental Health Services (44004)	$34,502,864	$34,502,864		
	Local Family Planning Services (44005)	$23,756,626	$23,756,626		
	Support for Local Management, Business, and Facilities (44009)	~~$57,328,917~~ *$57,678,917*	~~$57,328,917~~ *$57,482,516*		
	Local Maternal and Child Health Services (44010)	$42,299,966	~~$42,299,966~~ *$41,582,329*		
	Local Immunization Services (44013)	$10,986,239	$10,986,239		
	Local Communicable Disease Investigation, Treatment, and Control (44014)	$17,644,195	$17,644,195		
	Local Personal Care Services (44015)	$4,139,638	$4,139,638		
	Local Chronic Disease and Prevention Control (44016)	$10,540,345	$10,306,882		
	Local Nutrition Services (44018)	$23,617,340	$23,617,340		
	Fund Sources: General	~~$94,327,893~~ *$94,677,893*	~~$93,126,486~~ *$93,474,358*		
	Special	$98,514,894	~~$97,818,532~~ *$98,570,928*		
	Dedicated Special Revenue	$2,472,715	$2,472,715		
	Federal Trust	$36,537,331	$36,537,331		

Authority: §§ 32.1-11 through 32.1-12, 32.1-31, 32.1-163 through 32.1-176, 32.1-198 through 32.1-211, 32.1-246, and 35.1-1 through 35.1-26, Code of Virginia; Title V of the U.S. Social Security Act; and Title X of the U.S. Public Health Service Act.

A. 1. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $425.00, for a construction permit for on-site sewage systems designed for less than 1,000 gallons per day, and alternative discharging systems not supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

2. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $350.00, for the certification letter for less than 1,000 gallons per day not supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

3. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $225.00, for a construction permit for an onsite sewage system designed for less than 1,000 gallons per day when the application is supported with certified work from a licensed onsite soil evaluator.

4. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $320.00, for the certification letter for less than 1,000 gallons per day supported with certified work from an authorized onsite soil evaluator or a professional engineer working in consultation with an authorized onsite soil evaluator.

5. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $300.00, for a construction permit for a private well.

6. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health Commissioner shall charge a fee of no more than $1,400.00, for a construction permit or certification letter designed for more than 1,000 gallons per day.

7. The State Health Commissioner shall appoint two manufacturers to the Advisory Committee on Sewage Handling and Disposal, representing one system installer and the Association of

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Onsite Soil Engineers.

B. The State Health Commissioner is authorized to develop, in consultation with the regulated entities, a hotel, campground, and summer camp plan and specification review fee, not to exceed $40.00, a restaurant plan and specification review fee, not to exceed $40.00, an annual hotel, campground, and summer camp permit renewal fee, not to exceed $40.00, and an annual restaurant permit renewal fee, not to exceed $40.00 to be collected from all establishments, except K-12 public schools, that are subject to inspection by the Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of Virginia. However, any such establishment that is subject to any health permit fee, application fee, inspection fee, risk assessment fee or similar fee imposed by any locality as of January 1, 2002, shall be subject to this annual permit renewal fee only to the extent that the Department of Health fee and the locally imposed fee, when combined, do not exceed the fee amount listed in this paragraph. This fee structure shall be subject to the approval of the Secretary of Health and Human Resources.

C. Pursuant to the Department of Health's Policy Implementation Manual (#07-01), individuals who participate in a local festival, fair, or other community event where food is sold, shall be exempt from the annual temporary food establishment permit fee of $40.00 provided the event is held only one time each calendar year and the event takes place within the locality where the individual resides.

D. Out of this appropriation, $504,205 the first year and $504,205 the second year from the general fund and $362,947 the first year and $362,947 the second year from nongeneral funds is provided to address the cost of leasing new or expanding existing local health department facilities. First priority shall be given to Prince William, Isle of Wight, Suffolk, and Roanoke City.

E. The State Health Commissioner shall work with public and private dental providers to develop options for delivering dental services in underserved areas, including the use of public-private partnerships in the development and staffing of facilities, the use of dental hygiene and dental students to expand services and enhance learning experiences, and the availability of reimbursement mechanisms and other public and private resources to expand services.

F.*1*. The State Health Commissioner, in consultation with the Department of Medical Assistance Services, shall appoint an advisory committee comprised of relevant stakeholders including representatives from the Virginia Dental Association, the Virginia Dental Hygienists Association, the Virginia Oral Health Coalition, the Virginia Health Care Foundation, the Virginia Association of Free Clinics, and the Virginia Community Healthcare Association to develop a comprehensive oral health plan. The plan shall evaluate the sustainability and efficiency of the current state-supported dental clinics operated by the department. The plan shall also include the feasibility of transitioning the department's current dental prevention/treatment model to a prevention-only model. The commissioner shall issue a final report from the advisory committee to the Chairmen of the Senate Finance and House Appropriations Committees no later than October 1, 2012.

2. Out of this appropriation $967,944 from the general fund and $696,362 from nongeneral funds the second year shall be used to provide access to dental services through local health departments. This level of funding shall continue to provide access to the current level of providers while the program is transitioning to a preventive model.

3. The Department of Health, in consultation with the Department of Medical Assistance Services, shall continue its work with the advisory committee to develop and implement a comprehensive targeted plan for transitioning the current dental model to a prevention model. The preventive dental model report shall consider at least the following: (i) the appropriate level of funding for a sustainable preventive model to begin July 1, 2014, while ensuring the safety net is secure and trained personnel are in place; (ii) the need to focus on those areas of the Commonwealth in the most need of these dental services, including those areas with higher risk factors including a concentration of diabetic and free lunch populations and a higher than average Medicaid-eligible population; and (iii) a review of dental program revenues and expenditures, including the development of evaluation metrics to assist in ensuring efficient and effective use of funding and services.

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4. The State Health Commissioner shall convene the advisory committee meeting no later than April 30, 2013 and additional meetings as agreed on by the stakeholders, and issue a final report from the advisory committee to the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1, 2013.

G.1. Notwithstanding any other provision of law, regulation, or contractual agreement, the Department of Health shall pay the full cost of the state and local share of the one-time bonus payment payable on December 1, 2012 to classified state employees in the local health departments.

2. Out of this appropriation, $350,000 general fund and $488,561 nongeneral fund from the state share of district revenues in the first year shall be used to support the local share of this bonus.

297. Financial Assistance to Community Human Services Organizations (49200)			$15,475,065	~~$12,497,162~~ *$14,150,518*
Payments to Human Services Organizations (49204)	$15,475,065	~~$12,497,162~~ *$14,150,518*		
Fund Sources: General	$15,475,065	~~$12,497,162~~ *$13,750,518*		
Federal Trust	*$0*	*$400,000*		

Authority: § 32.1-2, Code of Virginia.

A.1. Out of this appropriation, $1,910,574 the first year and ~~$1,182,946~~ *$1,382,946* the second year from the general fund *and $400,000 the second year from the federal Temporary Assistance for Needy Families (TANF) block grant* is provided to the Comprehensive Health Investment Project (CHIP) of Virginia.

2. In addition, the CHIP of Virginia shall receive $100,000 the first year and $100,000 the second year from other nongeneral funds subject to the availability of foster care prevention funding transferred from the Department of Social Services.

3. The purpose of the program is to develop, expand, and operate a network of local public-private partnerships providing comprehensive care coordination, family support and preventive medical and dental services to low-income, at-risk children.

4. The general fund appropriation in this Item for the CHIP of Virginia projects shall not be used for administrative costs.

5. CHIP of Virginia shall continue to pursue raising funds and in-kind contributions from local communities. It is the intent of the General Assembly that the CHIP program increases its efforts to raise funds from local communities and other private or public sources with the goal of reducing reliance on general fund appropriations in the future.

6. Of this appropriation, from the amounts in paragraph A.1., $48,371 the first year and $24,679 the second year from the general fund is provided to the CHIP of Roanoke and shall be used as matching funds to add three full-time equivalent public health nurse positions to expand services in the Roanoke Valley and Allegheny Highlands.

B. Out of this appropriation $69,496 the first year and $34,748 the second year from the general fund shall be provided to the Alexandria Neighborhood Health Services, Inc. The organization shall pursue raising funds and in-kind contributions from the local community.

C. Out of this appropriation $7,653 the first year and $3,904 the second year from the general fund shall be provided to the Louisa County Resource Council. The council shall continue to pursue raising funds and in-kind contributions from the local community.

D. Out of this appropriation, $10,230 the first year and $5,115 the second year from the general fund shall be provided to the Olde Towne Medical Center.

E.1. Out of this appropriation, $433,750 the first year and $433,750 the second year from the

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general fund shall be provided to the Virginia Community Healthcare Association for the purchase of pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Community and Migrant Health Centers throughout Virginia. The uninsured patients served with these funds shall have family incomes no greater than 200 percent of the federal poverty level. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the pharmacy needs of the greatest number of low-income, uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be provided to the Virginia Community Healthcare Association to expand access to care provided through community health centers.

3. Out of this appropriation, $1,800,000 the first year and $1,800,000 the second year from the general fund shall be provided to the Virginia Community Healthcare Association to support community health center operating costs for services provided to uninsured clients. The amount allocated to each Community and Migrant Health Center shall be determined through an allocation methodology developed by the Virginia Community Healthcare Association. The allocation methodology shall ensure that funds are distributed such that the Community and Migrant Health Centers are able to serve the needs of the greatest number of uninsured persons. The Virginia Community Healthcare Association shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

F.1. Out of this appropriation, $1,321,400 the first year and $1,321,400 the second year from the general fund shall be provided to the Virginia Association of Free Clinics for the purchase of pharmaceuticals and medically necessary pharmacy supplies, and to provide pharmacy services to low-income, uninsured patients of the Free Clinics throughout Virginia. The amount allocated to each Free Clinic shall be determined through an allocation methodology developed by the Virginia Association of Free Clinics. The allocation methodology shall ensure that funds are distributed such that the Free Clinics are able to serve the pharmacy needs of the greatest number of low-income, uninsured adults. The Virginia Association of Free Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

2. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be provided to the Virginia Association of Free Clinics to expand access to health care services.

3. Out of this appropriation, $1,700,000 the first year and $1,700,000 the second year from the general fund shall be provided to the Virginia Association of Free Clinics to support free clinic operating costs for services provided to uninsured clients. The amount allocated to each free clinic shall be determined through an allocation methodology developed by the Virginia Association of Free Clinics. The allocation methodology shall ensure that funds are distributed such that the free clinics are able to serve the needs of the greatest number of uninsured persons. The Virginia Association of Free Clinics shall establish accounting and reporting mechanisms to track the disbursement and expenditure of these funds.

G. Out of this appropriation, $38,250 the first year and $19,125 the second year from the general fund shall be provided to expand services at the Jeanie Schmidt Free Clinic.

H. Out of this appropriation, $210,759 the first year and $107,530 the second year from the general fund shall be provided to the Southwest Virginia Graduate Medical Education Consortium to create and support medical residency preceptor sites in rural and underserved communities in Southwest Virginia.

I. Out of this appropriation, $454,828 the first year and $232,055 the second year from the general fund shall be provided to the regional AIDS resource and consultation centers and one local early intervention and treatment center.

J. Out of this appropriation, $75,660 the first year and $37,830 the second year from the general fund shall be provided to the Arthur Ashe Health Center in Richmond.

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K. Out of this appropriation, $13,919 the first year and $6,959 the second year from the general fund shall be provided to the Fan Free Clinic for AIDS related services.

L.1. Out of this appropriation, $4,080,571 the first year and $4,080,571 the second year from the general fund shall be provided to the Virginia Health Care Foundation. These funds shall be matched with local public and private resources and shall be awarded to proposals which enhance access to primary health care for Virginia's uninsured and medically underserved residents, through innovative service delivery models. The foundation, in coordination with the Virginia Department of Health, the Area Health Education Centers program, the Joint Commission on Health Care, and other appropriate organizations, is encouraged to undertake initiatives to reduce health care workforce shortages. The foundation shall account for the expenditure of these funds by providing the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance Committees, the State Health Commissioner, and the Chairman of the Joint Commission on Health Care with a certified audit and full report on the foundation’s initiatives and results, including evaluation findings, not later than October 1 of each year for the preceding fiscal year ending June 30.

2. On or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation since its inception. The report shall include certification that an amount equal to the state appropriation for the preceding fiscal year ending June 30 has been matched from private and local government sources during that fiscal year.

3. Of this appropriation, from the amounts in paragraph L.1., $125,000 the first year and $125,000 the second year from the general fund shall be provided to the Virginia Health Care Foundation to expand the Pharmacy Connection software program to unserved or underserved regions of the Commonwealth.

4. Of this appropriation, from the amounts in paragraph L.1., $105,000 the first year and $105,000 the second year from the general fund shall be provided to the Virginia Health Care Foundation for the Rx Partnership to improve access to free medications for low-income Virginians.

5. Of this appropriation, from the amounts in paragraph L.1., $1,850,000 the first year and $1,850,000 the second year from the general fund shall be provided to the Virginia Health Care Foundation to increase the capacity of the Commonwealth’s health safety net providers to expand services to unserved or underserved Virginians. Of this amount, (i) $850,000 the first year and $850,000 the second year shall be used to underwrite service expansions and/or increase the number of patients served at existing sites or at new sites, (ii) $850,000 the first year and $850,000 the second year shall be used for Medication Assistance Coordinators who provide outreach assistance, and (iii) $150,000 the first year and $150,000 the second year shall be made available for locations with existing medication assistance programs.

M. Out of this appropriation, $17,371 the first year and $8,685 the second year from the general fund shall be provided to the Chesapeake Adult General Medical Clinic.

N. Out of this appropriation, $242,367 the first year and $247,313 the second year from the general fund is provided to support the administration of the patient level data base, including the outpatient data reporting system.

O. Out of this appropriation, $76,712 the first year and ~~$38,356~~ *$76,712* the second year from the general fund shall be provided to the St. Mary's Health Wagon.

P. Out of this appropriation, $88,200 the first year and ~~$90,000~~ *$105,000* the second year from the general fund shall be provided to the Statewide Sickle Cell Chapters of Virginia (SSCCV) for grants to community-based programs that provide patient assistance, education, and family-centered support for individuals suffering from sickle cell disease. The SSCCV shall develop criteria for distributing these funds including specific goals and outcome measures. A report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees detailing program outcomes by October 1 of each year.

Q. Out of this appropriation, $20,825 the first year and $10,625 the second year from the general fund shall be provided to the Virginia Dental Health Foundation for the Mission of

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Mercy (M.O.M.) dental project.

R.1. Out of this appropriation, $500,000 the first year *and $1,000,000 the second year* from the general fund shall be provided to fund ~~two~~ *three* Poison Control Centers. *The appropriation of general fund amounts the second year shall be divided between the three poison control centers in proportion to the Virginia population served by the centers.*

2. The State Health Commissioner shall report to the Chairmen of the Senate Finance and House Appropriations Committees by November 1, 2012 on the level of funding needed to support the operations and services of Poison Control Centers. The commissioner shall assess the level of funding needed to provide statewide coverage of poison control services by two centers and the services that are required to be provided.

3. The State Health Commissioner shall work with the poison control centers to ensure continued statewide coverage of poison control services through the existing centers.

S. Out of this appropriation, $42,500 the first year and $21,250 the second year from the general fund shall be provided to the Community Health Center of the Rappahannock Region.

T. The State Health Commissioner shall allocate $255,000 the second year from the general fund to health safety net providers contained within this item who have entered into performance agreements that are consistent with § 4-5.04, paragraph l. of the general provisions of this act.

U. Out of this appropriation, $2,010,000 the first year and ~~$500,000~~ *$510,000* the second year from the general fund is designated to the Hampton Roads Proton Beam Therapy Institute at Hampton University, LLC to support efforts for proton therapy in the treatment of cancerous tumors with fewer side effects.

298.	Drinking Water Improvement (50800)		$24,847,010	$24,847,010
	Drinking Water Regulation (50801)	$8,293,590	$8,293,590	
	Drinking Water Construction Financing (50802)	$16,146,712	$16,146,712	
	Public Health Toxicology (50805)	$406,708	$406,708	
	Fund Sources: General	$4,493,769	$4,493,769	
	Special	$4,594,504	$4,594,504	
	Dedicated Special Revenue	$13,004,512	$13,004,512	
	Federal Trust	$2,754,225	$2,754,225	

Authority: §§ 32.1-163 through 32.1-176.7, 32.1-246, 32.1-246.1, and 62.1-44.18 through 62.1-44.19:9, Code of Virginia; and P.L. 92-500, P.L. 93-523 and P.L. 95-217, Federal Code.

A. It is the intent of the General Assembly that the Department of Health be the agency designated to receive and manage general and nongeneral funds appropriated pursuant to the federal Safe Drinking Water Act of 1996.

B. The fee schedule for charges to community waterworks shall be adjusted to the level necessary to cover the cost of operating the Waterworks Technical Assistance Program, consistent with § 32.1-171.1, Code of Virginia, and shall not exceed $3.00 per connection to all community waterworks.

299.	Environmental Health Hazards Control (56500)		$8,234,675	$8,234,675
	State Office of Environmental Health Services (56501)	$3,738,237	$3,738,237	
	Shellfish Sanitation (56502)	$2,140,120	$2,140,120	
	Bedding and Upholstery Inspection (56503)	$403,295	$403,295	
	Radiological Health and Safety Regulation (56504)	$1,953,023	$1,953,023	
	Fund Sources: General	$4,877,047	$4,877,047	
	Special	$1,377,894	$1,377,894	
	Dedicated Special Revenue	$719,588	$719,588	
	Federal Trust	$1,260,146	$1,260,146	

Authority: §§ 2.2-4002 B 16; 28.2-800 through 28.2-825; and 32.1-212 through 32.1-245, Code

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	of Virginia.				
	Out of this appropriation, $12,500 the first year and $12,500 the second year from the general fund shall be provided for the activities of the Sewage Appeals Review Board.				
300.	Emergency Preparedness (77500)			$32,319,573	$32,319,573
	Emergency Preparedness and Response (77504)	$32,319,573	$32,319,573		
	Fund Sources: Federal Trust	$32,319,573	$32,319,573		
	Authority: §§ 32.1-2, 32.1-39, and 32.1-42, Code of Virginia.				
301.	Administrative and Support Services (49900)			$21,006,844	~~$21,039,587~~ *$21,061,532*
	General Management and Direction (49901)	$4,405,182	$4,437,925		
	Information Technology Services (49902)	$10,965,078	~~$10,965,078~~ *$10,987,023*		
	Accounting and Budgeting Services (49903)	$2,596,383	$2,596,383		
	Human Resources Services (49914)	$1,753,134	$1,753,134		
	Procurement and Distribution Services (49918)	$1,287,067	$1,287,067		
	Fund Sources: General	$13,106,264	~~$13,139,007~~ *$13,160,952*		
	Special	$3,572,172	$3,572,172		
	Federal Trust	$4,328,408	$4,328,408		
	Authority: §§ 3.1-530.1 through 3.1-530.9, 3.1-562.1 through 3.1-562.10, 32.1-11.3 through 32.1-16 through 32.1-23, 35.1-1 through 35.1-7, and 35.1-9 through 35.1-28, Code of Virginia.				
	The State Comptroller is hereby authorized to provide a line of credit of up to $200,000 to the Department of Health to cover the actual costs of expanding the availability of vital records through the Department of Motor Vehicles, to be repaid from administrative processing fees provided under Code of Virginia, § 32.1-273 until such time as the line of credit is repaid.				
	Total for Department of Health			~~**$621,084,928**~~ ***$621,434,928***	~~**$623,744,480**~~ ***$626,963,628***
	General Fund Positions	1,544.00	~~1,532.00~~ *1,544.00*		
	Nongeneral Fund Positions	2,215.00	~~2,207.00~~ *2,215.00*		
	Position Level	3,759.00	~~3,739.00~~ *3,759.00*		
	Fund Sources: General	~~$156,492,622~~ *$156,842,622*	~~$152,362,687~~ *$153,929,573*		
	Special	$138,646,382	~~$137,950,020~~ *$138,702,416*		
	Dedicated Special Revenue	$101,568,122	$101,568,122		
	Federal Trust	$224,377,802	~~$231,863,651~~ *$232,763,517*		
	§ 1-92. DEPARTMENT OF HEALTH PROFESSIONS (223)				
302.	Higher Education Student Financial Assistance (10800)			$65,000	$65,000
	Scholarships (10810)	$65,000	$65,000		
	Fund Sources: Special	$65,000	$65,000		
	Authority: § 54.1-3011.2, Chapter 30, Code of Virginia.				

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303.	Regulation of Professions and Occupations (56000)			$27,218,810	~~$27,218,810~~ *$27,466,810*
	Technical Assistance to Regulatory Boards (56044).....	$27,218,810	~~$27,218,810~~ *$27,466,810*		
	Fund Sources: Trust and Agency	$788,798	$788,798		
	Dedicated Special Revenue	$26,384,764	~~$26,384,764~~ *$26,632,764*		
	Federal Trust	$45,248	$45,248		
	Authority: Title 54.1, Chapter 25, Code of Virginia.				
	Total for Department of Health Professions.....			**$27,283,810**	~~**$27,283,810**~~ ***$27,531,810***
	Nongeneral Fund Positions.....	215.00	~~215.00~~ *218.00*		
	Position Level	215.00	~~215.00~~ *218.00*		
	Fund Sources: Special.....	$65,000	$65,000		
	Trust and Agency	$788,798	$788,798		
	Dedicated Special Revenue	$26,384,764	~~$26,384,764~~ *$26,632,764*		
	Federal Trust	$45,248	$45,248		
	§ 1-93. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)				
304.	Pre-Trial, Trial, and Appellate Processes (32100).....			~~$13,685,538~~ *$12,383,986*	~~$13,685,538~~ *$12,930,761*
	Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107).....	~~$13,685,538~~ *$12,383,986*	~~$13,685,538~~ *$12,930,761*		
	Fund Sources: General	~~$13,685,538~~ *$12,383,986*	~~$13,685,538~~ *$12,930,761*		
	Authority: § 37.2-809, Code of Virginia.				
	A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to Involuntary Mental Commitments (32107), may be transferred between Items 43, 44, 45, and 304 as needed, to address any deficits incurred for Involuntary Mental Commitments by the Supreme Court or the Department of Medical Assistance Services.				
	B. Out of this appropriation, payments may be made to licensed health care providers for medical screening and assessment services provided to persons with mental illness while in emergency custody pursuant to § 37.2-808, Code of Virginia.				
	C. To the extent that the appropriation in this Item is insufficient, the Department of Planning and Budget shall transfer general fund appropriation from Items 306, 307, and 309 to this Item, if available.				
305.	Financial Assistance for Health Research (40700).....			$20,000,000	~~$20,000,000~~ *$48,810,945*
	Grants for Improving the Quality of Health Services (40703)	$20,000,000	~~$20,000,000~~ *$48,810,945*		
	Fund Sources: Federal Trust.....	$20,000,000	~~$20,000,000~~ *$48,810,945*		
	Authority: P.L. 111-5, Federal Code.				

ITEM 305.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
306.	Children's Health Insurance Program Delivery (44600)...			~~$147,856,918~~ *$162,328,462*	~~$153,927,667~~ *$196,844,869*
	Reimbursements for Medical Services Provided Under the Family Access to Medical Insurance Security Plan (44602)	~~$147,856,918~~ *$162,328,462*	~~$153,927,667~~ *$196,844,869*		
	Fund Sources: General	~~$37,639,636~~ *$42,749,335*	~~$39,712,161~~ *$54,830,077*		
	Dedicated Special Revenue	$14,065,627	$14,065,627		
	Federal Trust	~~$96,151,655~~ *$105,513,500*	~~$100,149,879~~ *$127,949,165*		

Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act, Federal Code.

A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the Comptroller of the Commonwealth to transfer such amounts to the Family Access to Medical Insurance Security Plan Trust Fund as established on the books of the State Comptroller.

B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance Security Plan Trust Fund, shall be used to match federal funds for the Children's Health Insurance Program.

C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code of Virginia, shall be enrolled and served in the program.

D. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation from Items 307 and 309, if available, into this Item, to be used as state match for federal Title XXI funds.

E. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month.

F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

G. The Department of Medical Assistance Services shall have authority to amend the Virginia State Plan for Title XXI of the Social Security Act and the Virginia Health Insurance Flexibility and Accountability (HIFA) Waiver to require that Family Access to Medical Insurance Security (FAMIS) and FAMIS MOMS applicants and enrollees furnish their Social Security numbers as a condition of eligibility in order to have citizenship and identity verified by the Social Security Administration, unless the applicant is otherwise exempt from this requirement. The department shall have the authority to implement this change prior to the completion of any regulatory process undertaken in order to effect such change.

H. The Department of Medical Assistance Services is directed to develop enrollment and retention provisions, consistent with those outlined in Section 104 of the Children's Health Insurance Program (CHIP) Reauthorization Act of 2009, P.L. 111-3, and implement provisions

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determined to be budget-neutral, cost-effective or that would lead to an award of a CHIP performance bonus.

I. The Department of Medical Assistance Services shall have the authority to amend the Title XIX State Plan of Medical Assistance Services, the Virginia Plan for Title XXI of the Social Security Act and the Family Access to Medical Insurance Security Plan (FAMIS) MOMS waiver to include coverage of pregnant women who are lawfully residing in the United States and who are otherwise eligible for Medicaid services, pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009. The department shall have the authority to promulgate emergency regulations to implement this change effective July 1, 2012.

307. Medicaid Program Services (45600)			~~$7,535,659,149~~	~~$9,094,189,450~~
			$7,610,298,210	*$8,060,716,025*
Reimbursements to State-Owned Mental Health and Intellectual Disabilities Facilities (45607)	$263,128,981	$263,128,981		
~~Reimbursements for Mental Health and Intellectual Disability Services (45608)~~	~~$707,115,488~~	~~$927,887,105~~		
Reimbursements for Behavioral Health Services (45608)	*$663,363,194*	*$725,639,169*		
Reimbursements for Professional and Institutional Medical Services (45609)	~~$4,223,376,178~~	~~$5,447,823,278~~		
	$4,427,240,033	*$4,681,408,063*		
Reimbursements for Long-Term Care Services (45610)	~~$2,342,038,502~~	~~$2,455,350,086~~		
	$2,256,566,002	*$2,390,539,812*		
Fund Sources: General	~~$3,523,786,312~~	~~$3,690,520,488~~		
	$3,401,990,672	*$3,689,869,927*		
Dedicated Special Revenue	~~$281,409,770~~	~~$296,501,853~~		
	$450,208,672	*$370,765,117*		
Federal Trust	~~$3,730,463,067~~	~~$5,107,167,109~~		
	$3,758,098,866	*$4,000,080,981*		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Title XIX, Social Security Act, Federal Code.

A. Out of this appropriation, $131,564,490 the first year and $131,564,490 the second year from the general fund and $131,564,490 the first year and $131,564,490 the second year from the federal trust fund is provided for reimbursement to the institutions within the Department of Behavioral Health and Developmental Services.

B.1. Included in this appropriation is ~~$70,038,387~~ *$69,408,988* the first year and ~~$67,722,682~~ *$66,984,546* the second year from the general fund and ~~$86,004,871~~ *$85,375,471* the first year and ~~$92,799,256~~ *$86,665,429* the second year from nongeneral funds to reimburse the Virginia Commonwealth University Health System for indigent health care costs. This funding is composed of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

2. Included in this appropriation is ~~$38,136,946~~ *$37,921,346* the first year and ~~$33,126,307~~ *$38,172,887* the second year from the general fund and ~~$49,156,087~~ *$48,940,486* the first year and ~~$52,769,918~~ *$51,955,177* the second year from nongeneral funds to reimburse the University of Virginia Health System for indigent health care costs. This funding is comprised of disproportionate share hospital (DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized by the Health System. Payments made from the federal DSH fund shall be made in accordance with 42 USC 1396r-4.

3. The general fund amounts for the state teaching hospitals have been reduced to mirror the general fund impact of no inflation for inpatient services, including DSH, GME and IME, for private hospitals plus an additional reduction for indigent care. However, the nongeneral funds are appropriated. In order to receive the nongeneral funds in excess of the amount of the general fund appropriated, the health systems shall certify the public expenditures.

4. The Department of Medical Assistance Service shall have the authority to increase Medicaid payments for Type One hospitals and physicians consistent with the appropriations to

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compensate for limits on disproportionate share hospital (DSH) payments to Type One hospitals that the department would otherwise make. In particular, the department shall have the authority to amend the State Plan for Medical Assistance to increase physician supplemental payments for physician practice plans affiliated with Type One hospitals up to the average commercial rate as demonstrated by University of Virginia Health System and Virginia Commonwealth University Health System, to change reimbursement for Graduate Medical Education to cover costs for Type One hospitals, to case mix adjust the formula for indirect medical education reimbursement for HMO discharges for Type One hospitals and to increase the adjustment factor for Type One hospitals to 1.0. The department shall have the authority to implement these changes prior to completion of any regulatory process undertaken in order to effect such change.

C.1. The estimated revenue for the Virginia Health Care Fund is ~~$281,409,770~~ *$450,208,672* the first year and ~~$296,501,853~~ *$370,765,117* the second year, to be used pursuant to the uses stated in §32.1-367, Code of Virginia.

2. Notwithstanding §32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5 percent of the Commonwealth's allocation of the Master Settlement Agreement with tobacco product manufacturers, as defined in §3.2-3100, Code of Virginia, to the Virginia Health Care Fund.

3. Notwithstanding any other provision of law, the State Comptroller shall deposit 50 percent of the Commonwealth's allocation of the Strategic Contribution Fund payment pursuant to the Master Settlement Agreement with tobacco product manufacturers into the Virginia Health Care Fund.

4. Notwithstanding any other provision of law, revenues deposited to the Virginia Health Care Fund shall only be used as the state share of Medicaid unless specifically authorized by this act.

D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application thereof is declared by the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation, such decisions shall not affect the validity of the remaining portions of this Item, which shall remain in force as if this Item had passed without the conflicting part, section, subsection, paragraph, clause, or phrase. Further, if the United States Department of Health and Human Services or the Centers for Medicare and Medicaid Services determines that the process for accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict with federal law and regulation and recommends another method of accomplishing the same intent, the Director, Department of Medical Assistance Services, after consultation with the Attorney General, is authorized to pursue the alternative method.

E.1. The Director, Department of Medical Assistance Services shall seek the necessary waivers from the United States Department of Health and Human Services to authorize the Commonwealth to cover health care services and delivery systems, as may be permitted by Title XIX of the Social Security Act, which may provide less expensive alternatives to the State Plan for Medical Assistance.

2. The director shall promulgate such regulations as may be necessary to implement those programs which may be permitted by Titles XIX and XXI of the Social Security Act, in conformance with all requirements of the Administrative Process Act.

F. It is the intent of the General Assembly to develop and cause to be developed appropriate, fiscally responsible methods for addressing the issues related to the cost and funding of long-term care. It is the further intent of the General Assembly to promote home-based and community-based care for individuals who are determined to be in need of nursing facility care.

G. To the extent that appropriations in this Item are insufficient, the Department of Planning and Budget shall transfer general fund appropriation from Item 306 and 309, if available, to be used as state match for federal Title IX funds.

H. It is the intent of the General Assembly that the medically needy income limits for the Medicaid program are adjusted annually to account for changes in the Consumer Price Index.

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I. It is the intent of the General Assembly that the use of the new atypical medications to treat seriously mentally ill Medicaid recipients should be supported by the formularies used to reimburse claims under the Medicaid fee-for-service and managed care plans.

J. The Department of Medical Assistance Services shall establish a program to more effectively manage those Medicaid recipients who receive the highest cost care. To implement the program, the department shall establish uniform criteria for the program, including criteria for the high cost recipients, providers and reimbursement, service limits, assessment and authorization limits, utilization review, quality assessment, appeals and other such criteria as may be deemed necessary to define the program. The department shall seek any necessary approval from the Centers for Medicare and Medicaid Services, and shall promulgate such regulations as may be deemed necessary to implement this program.

K. The Department of Medical Assistance Services and the Virginia Department of Health shall work with representatives of the dental community: to expand the availability and delivery of dental services to pediatric Medicaid recipients; to streamline the administrative processes; and to remove impediments to the efficient delivery of dental services and reimbursement thereof. The Department of Medical Assistance Services shall report its efforts to expand dental services to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget by December 15 each year.

L. The Department of Medical Assistance Services shall not require dentists who agree to participate in the delivery of Medicaid pediatric dental care services, or services provided to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of the managed care vendor, unless the dentist is a willing participant in the commercial managed care plan.

M. The Department of Medical Assistance Services shall implement continued enhancements to the drug utilization review (DUR) program. The department shall continue the Pharmacy Liaison Committee and the DUR Board. The department shall continue to work with the Pharmacy Liaison Committee to implement initiatives for the promotion of cost-effective services delivery as may be appropriate. The department shall report on the Pharmacy Liaison Committee's and the DUR Board’s activities to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than December 15 each year of the biennium.

N.1. The Department of Medical Assistance Services shall have the authority to seek federal approval of changes to its MEDALLION waiver and its Medallion II waiver.

2. In order to conform the state regulations to the federally approved changes and to implement the provisions of this act, the department shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. The department shall implement these necessary regulatory changes to be consistent with federal approval of the waiver changes.

O. The Department of Medical Assistance Services shall have the authority to seek federal approval of changes to its managed care waiver to limit the Primary Case Management program to localities of the state with only one participating managed care organization. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

P.1. The Department of Medical Assistance Services shall develop and pursue cost saving strategies internally and with the cooperation of the Department of Social Services, Virginia Department of Health, Office of the Attorney General, Comprehensive Services Act program, Department of Education, Department of Juvenile Justice, Department of Behavioral Health and Developmental Services, Virginia Department for the Aging, Department of the Treasury, University of Virginia Health System, Virginia Commonwealth University Health System Authority, Department of Corrections, federally qualified health centers, local health departments, local school divisions, community service boards, local hospitals, and local governments, that focus on optimizing Medicaid claims and cost recoveries. Any revenues generated through these activities shall be transferred to the Virginia Health Care Fund to be used for the purposes specified in this Item.

2. The Department of Medical Assistance Services shall retain the savings necessary to

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reimburse a vendor for its efforts to implement paragraph ~~M~~. *P* 1. of this Item. However, prior to reimbursement, the department shall identify for the Secretary of Health and Human Resources each of the vendor's revenue maximization efforts and the manner in which each vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the above plan by the Secretary.

Q. The Department of Medical Assistance Services shall have the authority to pay contingency fee contractors, engaged in cost recovery activities, from the recoveries that are generated by those activities. All recoveries from these contractors shall be deposited to a special fund. After payment of the contingency fee any prior year recoveries shall be transferred to the Virginia Health Care Fund. Beginning November 1, 2011, and each year thereafter, the Director, Department of Medical Assistance Services shall report to the Chairmen of the House Appropriations and Senate Finance Committees the increase in recoveries associated with this program as well as the areas of audit targeted by contractors.

R. The Department of Medical Assistance Services in cooperation with the State Executive Council, shall provide semi-annual training to local Comprehensive Services Act teams on the procedures for use of Medicaid for residential treatment and treatment foster care services, including, but not limited to, procedures for determining eligibility, billing, reimbursement, and related reporting requirements. The department shall include in this training information on the proper utilization of inpatient and outpatient mental health services as covered by the Medicaid State Plan.

S.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical Assistance Services, in consultation with the Department of Behavioral Health and Developmental Services, shall amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a Preferred Drug List. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.

2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the development and ongoing administration of the Preferred Drug List program. The Pharmacy and Therapeutics Committee shall be composed of 8 to 12 members, including the Commissioner, Department of Behavioral Health and Developmental Services, or his designee. Other members shall be selected or approved by the department. The membership shall include a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half of the physicians and pharmacists are either direct providers or are employed with organizations that serve recipients for all segments of the Medicaid population. Physicians on the committee shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes in care for the aging. Pharmacists on the committee shall be licensed in Virginia, one of whom shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in community-based mental health treatment. The Pharmacy and Therapeutics Committee shall recommend to the department (i) which therapeutic classes of drugs should be subject to the Preferred Drug List program and prior authorization requirements; (ii) specific drugs within each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for medications, including atypical anti-psychotics, used for the treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions for medications used for the treatment of brain disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic classes in which there is only one drug in the therapeutic class or there is very low utilization, or for which it is not cost-effective to include in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior authorization would interfere with established complex drug regimens that have proven to be clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness of any given drug shall be considered only after it is determined to be safe and clinically effective.

b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-annually and may meet at other times at the discretion of the chairperson and members. At the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to the Preferred Drug List that is newly approved by the Federal Food and Drug Administration, provided there is at least thirty (30) days notice of such approval prior to the date of the quarterly meeting.

3. The department shall establish a process for acting on the recommendations made by the

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Pharmacy and Therapeutics Committee, including documentation of any decisions which deviate from the recommendations of the committee.

4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour emergency supply of the prescribed drug when requested by a physician and a dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within 24 hours and timely notification of the recipient and/or the prescribing physician of any delays or negative decisions; (iii) an expedited review process of denials by the department; and (iv) consumer and provider education, training and information regarding the Preferred Drug List prior to implementation, and ongoing communications to include computer access to information and multilingual material.

5. The Preferred Drug List program shall generate savings as determined by the department that are net of any administrative expenses to implement and administer the program.

6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the Department of Medical Assistance Services shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. With respect to such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall not apply. In addition, the department shall work with the Department of Behavioral Health and Development Services to consider utilizing a Preferred Drug List program for its non-Medicaid clients.

7. The Department of Medical Assistance Services shall (i) exempt antidepressant, antianxiety and antipsychotic medications used for the treatment of mental illness from the Medicaid Preferred Drug List program through June 30, ~~2013~~ *2014*; (ii) continually review utilization of behavioral health medications under the State Medicaid Program for Medicaid recipients; and (iii) ensure appropriate use of these medications according to federal Food and Drug Administration (FDA) approved indications and dosage levels. The department may also require retrospective clinical justification according to FDA approved indications and dosage levels for the use of multiple behavioral health drugs for a Medicaid patient. For individuals 18 years of age and younger who are prescribed three or more behavioral health drugs, the department may implement clinical edits that target inefficient, ineffective, or potentially harmful prescribing patterns in accordance with FDA-approved indications and dosage levels.

8. The Department of Medical Assistance Services shall ensure that in the process of developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the value of including those prescription medications which improve drug regimen compliance, reduce medication errors, or decrease medication abuse through the use of medication delivery systems that include, but are not limited to, transdermal and injectable delivery systems.

T.1. The Department of Medical Assistance Services may amend the State Plan for Medical Assistance Services to modify the delivery system of pharmaceutical products to include a specialty drug program. In developing the modifications, the department shall consider input from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy Liaison Committee, and others as appropriate.

2. In developing the specialty drug program to implement appropriate care management and control drug expenditures, the department shall contract with a vendor who will develop a methodology for the reimbursement and utilization through appropriate case management of specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization guidelines to medical and pharmacy providers in a timely manner prior to the implementation of the specialty drug program and publish the same on the department's website.

3. In the event that the Department of Medical Assistance Services contracts with a vendor, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

4. The department shall: (i) review, update and publish the list of authorized specialty drugs,

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utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to revise the list or modify specialty drug program utilization guidelines and rates, consistent with changes in the marketplace; and (iii) provide an administrative appeals procedure to allow dispensing or prescribing provider to contest the listed specialty drugs and rates.

5. The department shall report on savings and quality improvements achieved through the implementation measures for the specialty drug program to the Chairmen of the House Appropriations and Senate Finance Committees, the Joint Commission on Health Care, and the Department of Planning and Budget by November 1 of each year.

6. The department shall have authority to enact emergency regulations under § 2.2-4011 of the Administrative Process Act to effect these provisions.

U.1. The Department of Medical Assistance Services shall reimburse school divisions who sign an agreement to provide administrative support to the Medicaid program and who provide documentation of administrative expenses related to the Medicaid program 50 percent of the Federal Financial Participation by the department.

2. The Department of Medical Assistance Services shall retain five percent of the Federal Financial Participation for reimbursement to school divisions for medical and transportation services.

V. In the event that the Department of Medical Assistance Services decides to contract for pharmaceutical benefit management services to administer, develop, manage, or implement Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor based on the reasonable cost of services provided. The department may not offer or pay directly or indirectly any material inducement, bonus, or other financial incentive to a program contractor based on the denial or administrative delay of medically appropriate prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the percentage of cost savings generated under the benefit management of services.

W. The Department of Medical Assistance Services, in cooperation with the Department of Social Services' Division of Child Support Enforcement (DSCE), shall identify and report third party coverage where a medical support order has required a custodial or noncustodial parent to enroll a child in a health insurance plan. The Department of Medical Assistance Services shall also report to the DCSE third party information that has been identified through their third party identification processes for children handled by DCSE.

X.1. Within the limits of this appropriation, the Department of Medical Assistance Services shall work with its contracted managed care organizations and fee-for-service health care providers to: (i) raise awareness among the providers who serve the Medicaid population about the health risks of chronic kidney disease; (ii) establish effective means of identifying patients with this condition; and (iii) develop strategies for improving the health status of these patients. The department shall work with the National Kidney Foundation to prepare and disseminate information for physicians and other health care providers regarding generally accepted standards of clinical care and the benefits of early identification of individuals at highest risk of chronic kidney disease.

2. The department shall request any clinical laboratory performing a serum creatinine test on a Medicaid recipient over the age of 18 years to calculate and report to the physician the estimated glomerular filtration rate (eGFR) of the patient and shall report it as a percent of kidney function remaining.

Y.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that an overpayment for medical assistance services has been made to a provider, the Director, Department of Medical Assistance Services shall notify the provider of the amount of the overpayment. Such notification of overpayment shall be issued within the earlier of (i) four years after payment of the claim or other payment request, or (ii) four years after filing by the provider of the complete cost report as defined in the Department of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost report as defined in the Department of Medical Assistance Services' regulations subsequent to sale of the facility or termination of the provider.

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2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue an informal fact-finding conference decision concerning provider reimbursement in accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and applicable federal law. The informal fact-finding conference decision shall be issued within 180 days of the receipt of the appeal request. If the agency does not render an informal fact-finding conference decision within 180 days of the receipt of the appeal request, the decision is deemed to be in favor of the provider. An appeal of the director's informal fact-finding conference decision concerning provider reimbursement shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code of Virginia. Once a final agency case decision has been made, the director shall undertake full recovery of such overpayment whether or not the provider disputes, in whole or in part, the informal fact-finding conference decision or the final agency case decision. Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case decision becomes final.

Z. Any hospital that was designated a Medicare-dependent small rural hospital, as defined in 42 U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be designated a rural hospital pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after September 30, 2004.

AA. The Department of Medical Assistance Services shall implement one or more Program for All Inclusive Care for the Elderly (PACE) programs.

BB. The Department of Medical Assistance Services shall amend its State Plan for Medical Assistance Services to develop and implement a regional model for the integration of acute and long-term care services. This model would be offered to elderly and disabled clients on a mandatory basis. The department shall promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

CC.1. Contingent upon approval by the Centers for Medicare and Medicaid Services as part of the Money Follows the Person demonstration grant, the Department of Medical Assistance Services shall seek federal approval for necessary changes to home and community-based 1915(c) waivers to allow individuals transitioning from institutions to receive care in the community. The Department of Medical Assistance Services shall promulgate any necessary emergency regulations within 280 days or less from the enactment date of this act.

2. The Department of Medical Assistance Services shall amend the Individual and Family Developmental Disabilities Support (DD) Waiver to add up to 30 new slots (up to 15 each fiscal year) and the Intellectual Disabilities (ID) Waiver to add up to 220 new slots (up to 110 each fiscal year) which will be reserved for individuals transitioning out of institutional settings through the Money Follows the Person Demonstration. The Department of Medical Assistance Services shall seek federal approval for necessary changes to the DD and ID waiver applications to add the additional slots.

DD. The Department of Medical Assistance Services shall have the authority to implement prior authorization and utilization review for community-based mental health services for children and adults. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

EE. The Department of Medical Assistance Services shall delay the last quarterly payment of certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first quarter of the following year. Quarterly payments that shall be delayed from each June to each July shall be Disproportionate Share Hospital payments, Indirect Medical Education payments, and Direct Medical Education payments. The department shall have the authority to implement this reimbursement change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change.

FF. The Department of Medical Assistance Services shall make the monthly capitation payment to managed care organizations for the member months of each month in the first week of the subsequent month. The department shall have the authority to implement this reimbursement schedule change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change.

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GG. In every June the remittance that would normally be paid to providers on the last remittance date of the state fiscal year shall be delayed one week longer than is normally the practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This change does not apply to providers who are paid a per-month capitation payment. The department shall have the authority to implement this reimbursement change effective upon passage of this act, and prior to the completion of any regulatory process undertaken in order to effect such change.

HH. Upon approval by the Centers for Medicare and Medicaid Services of the application for renewal of the Intellectual Disabilities Waiver, expeditious implementation of any revisions shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process Act. Therefore, to meet this emergency situation, the Department of Medical Assistance Services shall promulgate emergency regulations to implement the provisions of this act.

II. The Department of Medical Assistance Services shall provide information to personal care agency providers regarding the options available to meet staffing requirements for personal care aides including the completion of provider-offered training or DMAS Personal Care Aide Training Curriculum.

JJ. The Department of Medical Assistance Services, in consultation with the Department of Behavioral Health and Developmental Services, shall amend the State Plan for Medical Assistance Services in order to comply with the payor of last resort requirements of Part C of the Individuals with Disabilities Education Act (IDEA) of 2004. The Department of Medical Assistance Services shall promulgate regulations to become effective within 280 days or less from the enactment date of this act. The department shall implement these necessary regulatory changes to be consistent with federal requirements for the Part C program.

KK. The Department of Medical Assistance Services shall impose an assessment equal to 5.5 percent of revenue on all ICF-MR providers. The department shall determine procedures for collecting the assessment, including penalties for non-compliance. The department shall have the authority to adjust interim rates to cover new Medicaid costs as a result of this assessment.

LL. The Department of Medical Assistance Services shall make programmatic changes in the provision of Intensive In-Home services and Community Mental Health services in order ensure appropriate utilization and cost efficiency. The department shall consider all available options including, but not limited to, prior authorization, utilization review and provider qualifications. The Department of Medical Assistance Services shall promulgate regulations to implement these changes within 280 days or less from the enactment date of this act.

MM. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and §32.1-323.2 of the Code of Virginia, the Department of Medical Assistance Services shall not add any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and Family Developmental Disabilities and Support Medicaid Waiver other than those slots authorized to specifically to support the Money Follows the Person Demonstration, individuals who are exiting state institutions, any slots authorized under Chapters 724 and 729 of the 2011 Virginia Acts of Assembly or §37.2-319, Code of Virginia, or authorized elsewhere in this act.

NN. The Department of Medical Assistance Services shall not adjust rates or the rate ceiling of residential psychiatric facilities for inflation.

OO.1. Effective July 1, 2010, the Department of Medical Assistance Services (DMAS) shall amend the State Plan for Medical Assistance to modify reimbursement for Durable Medical Equipment (DME) to:

a. Reduce reimbursement for DME that has a Durable Medical Equipment Regional Carrier (DMERC) rate from 100 percent of Medicare reimbursement level to 90 percent of the Medicare level.

b. Reduce fee schedule rates for DME and supplies by category-specific amounts as recommended in the November 1, 2009, Report on Durable Medical Equipment Reimbursement to the Senate Finance and House Appropriations Committees. The Department of Medical Assistance Services shall also modify the pricing of incontinence supplies from case to item, which is the industry standard.

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c. Establish rates for additional procedure codes where benchmark rates are available.

d. Reimburse at cost plus 30 percent for any item not on the fee schedule. Cost shall be no more than the net manufacturer's charge to the provider, less shipping and handling.

e. Determine alternate pricing for any code that does not have a rate.

f. Limit service day reimbursement to intravenous and oxygen therapy equipment.

2. The department shall promulgate regulations to implement this amendment within 280 days or less from the enactment of this act. The department shall implement these reimbursement changes prior to the completion of the regulatory process.

PP. The Department of Medical Assistance Services shall have the authority to modify reimbursement for Durable Medical Equipment for incontinence supplies based on competitive bidding subject to approval by the Centers for Medicare and Medicaid Services (CMS). The department shall have the authority to promulgate regulations to become effective within 280 days or less from the enactment of this act.

QQ. The Department of Medical Assistance Services shall work with the Department of Behavioral Health and Developmental Services in consultation with the Virginia Association of Community Services Boards, the Virginia Network of Private Providers, the Virginia Coalition of Private Provider Associations, and the Association of Community Based Providers, to establish rates for the Intensive In-Home Service based on quality indicators and standards, such as the use of evidence-based practices.

RR. The Department of Medical Assistance Services shall seek federal authority through the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to expand principles of care coordination to all geographic areas, populations, and services under programs administered by the department. The expansion of care coordination shall be based on the principles of shared financial risk such as shared savings, performance benchmarks or risk and improving the value of care delivered by measuring outcomes, enhancing quality, and monitoring expenditures. The department shall engage stakeholders, including beneficiaries, advocates, providers, and health plans, during the development and implementation of the care coordination projects. Implementation shall include specific requirements for data collection to ensure the ability to monitor utilization, quality of care, outcomes, costs, and cost savings. The department shall report by November 1 of each year to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees detailing implementation progress including, but not limited to, the number of individuals enrolled in care coordination, the geographic areas, populations and services affected and cost savings achieved. Unless otherwise delineated, the department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change. The intent of this Item may be achieved through several steps, including, but not limited to, the following:

a. In fulfillment of this Item, the department may seek any necessary federal authority through amendment to the State Plans under Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to expand the current managed care program, Medallion II, to the Roanoke/Alleghany area by January 1, 2012, and far Southwest Virginia by July 1, 2012. The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

b. In fulfillment of this Item, the department may seek federal authority through amendments to the State Plans under Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to allow, on a pilot basis, foster care children, under the custody of the City of Richmond Department of Social Services, to be enrolled in Medicaid managed care (Medallion II) effective July 1, 2011. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

c. In fulfillment of this item, the department may seek federal authority to implement a care coordination program for Elderly or Disabled with Consumer Direction (EDCD) waiver participants effective October 1, 2011. This service would be provided to adult EDCD waiver participants on a mandatory basis. The department shall have authority to promulgate

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emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

d. In fulfillment of this item, the department may seek federal authority through amendments to the State Plan under Title XIX of the Social Security Act, and any necessary waivers, to allow individuals enrolled in Home and Community Based Care (HCBC) waivers to also be enrolled in contracted Medallion II managed care organizations for the purposes of receiving acute and medical care services. The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

e. In fulfillment of this item, the department and the Department of Behavioral Health and Developmental Services, in collaboration with the Community Services Boards and in consultation with appropriate stakeholders, shall develop a blueprint for the development and implementation of a care coordination model for individuals in need of behavioral health services not currently provided through a managed care organization. The overall goal of the project is to improve the value of behavioral health services purchased by the Commonwealth of Virginia without compromising access to behavioral health services for vulnerable populations. Targeted case management services will continue to be the responsibility of the Community Services Boards. The blueprint shall: (i) describe the steps for development and implementation of the program model(s) including funding, populations served, services provided, timeframe for program implementation, and education of clients and providers; (ii) set the criteria for medical necessity for community mental health rehabilitation services; and (iii) include the following principles:

1. Improves value so that there is better access to care while improving equity.

2. Engages consumers as informed and responsible partners from enrollment to care delivery.

3. Provides consumer protections with respect to choice of providers and plans of care.

4. Improves satisfaction among providers and provides technical assistance and incentives for quality improvement.

5. Improves satisfaction among consumers by including consumer representatives on provider panels for the development of policy and planning decisions.

6. Improves quality, individual safety, health outcomes, and efficiency.

7. Develops direct linkages between medical and behavioral services in order to make it easier for consumers to obtain timely access to care and services, which could include up to full integration.

8. Builds upon current best practices in the delivery of behavioral health services.

9. Accounts for local circumstances and reflects familiarity with the community where services are provided.

10. Develops service capacity and a payment system that reduces the need for involuntary commitments and prevents default (or diversion) to state hospitals.

11. Reduces and improves the interface of vulnerable populations with local law enforcement, courts, jails, and detention centers.

12. Supports the responsibilities defined in the Code of Virginia relating to Community Services Boards and Behavioral Health Authorities.

13. Promotes availability of access to vital supports such as housing and supported employment.

14. Achieves cost savings through decreasing avoidable episodes of care and hospitalizations, strengthening the discharge planning process, improving adherence to medication regimens, and utilizing community alternatives to hospitalizations and institutionalization.

15. Simplifies the administration of acute psychiatric, community mental health rehabilitation,

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and medical health services for the coordinating entity, providers, and consumers.

16. Requires standardized data collection, outcome measures, customer satisfaction surveys, and reports to track costs, utilization of services, and outcomes. Performance data should be explicit, benchmarked, standardized, publicly available, and validated.

17. Provides actionable data and feedback to providers.

18. In accordance with federal and state regulations, includes provisions for effective and timely grievances and appeals for consumers.

f. The department may seek the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to develop and implement a care coordination model, that is consistent with the principles in Paragraph e, for individuals in need of behavioral health services not currently provided through managed care to be effective July 1, 2012. This model may be applied to individuals on a mandatory basis. The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

g. The department may seek the necessary waiver(s) and/or State Plan authorization under Title XIX of the Social Security Act to develop and implement a care coordination model for individuals dually eligible for services under both Medicare and Medicaid. The Director of the Department of Medical Assistance Services, in consultation with the Secretary of Health and Human Resources, shall establish a stakeholder advisory committee to support implementation of dual-eligible care coordination systems. The advisory committee shall support the dual-eligible initiatives by identifying care coordination and quality improvement priorities, assisting in securing analytic and care management support resources from federal, private and other sources and helping design and communicate performance reports. The advisory committee shall include representation from health systems, health plans, long-term care providers, health policy researchers, physicians, and others with expertise in serving the aged, blind, and disabled, and dual-eligible populations. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

h. In fulfillment of this item, the department may seek the federal authority through amendment to the State Plan under Title XIX of the Social Security Act, and any necessary waivers, to allow for the implementation of a Health Home Program for Chronic Kidney Disease utilizing available funding included in the Patient Protection and Affordable Care Act of 2010 to be effective May 1, 2012. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

SS. The Department of Medical Assistance Services shall make programmatic changes in the provision of Residential Treatment Facility (Level C) and Levels A and B residential services (group homes) for children with serious emotional disturbances in order ensure appropriate utilization and cost efficiency. The department shall consider all available options including, but not limited to, prior authorization, utilization review and provider qualifications. The department shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this act.

TT. The Department of Medical Assistance Services, in consultation with the appropriate stakeholders, shall seek federal authority to implement a pricing methodology to modify or replace the current pricing methodology for pharmaceutical products as defined in 12 VAC 30-80-40, including the dispensing fee, with an alternative methodology that is budget neutral or that creates cost savings. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

UU. The Department of Medical Assistance Services shall make programmatic changes to the recipient utilization (Client Medical Management) program in order ensure appropriate utilization, prevent abuse, and promote improved and cost efficient medical management of essential Medicaid client health care. The department shall consider all available options including, but not limited to, utilization review, program criteria, and client enrollment. The Department of Medical Assistance Services shall promulgate regulations to implement these

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changes within 280 days or less from the enactment date of this act.

VV. The Department of Medical Assistance Services shall mandate that payment rates negotiated between participating Medicaid managed care organizations and out-of-network providers for emergency or otherwise authorized treatment shall be considered payment in full. In the absence of rates negotiated between the managed care organization and the out-of-network provider, these services shall be reimbursed at the Virginia Medicaid fees and/or rates and shall be considered payment in full. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

WW. The Department of Medical Assistance Services shall, contingent on federal approval, amend the Elderly and Disabled with Consumer Direction waiver to allow individuals in the waiver with special needs, who have a diagnosis of intellectual disability (ID), to receive respite services from a residential facility licensed for respite for individuals with ID. The department shall promulgate emergency regulations to become effective within 280 days or less from the enactment of this act. The department shall implement these changes to be consistent with federal approval of the waiver changes.

XX. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to convert the current cost-based reimbursement methodology for outpatient hospitals to an Enhanced Ambulatory Patient Group (EAPG) methodology. Reimbursement for laboratory services shall be included in the new outpatient hospital reimbursement methodology. The new EAPG reimbursement methodology shall be implemented in a budget-neutral manner. The department shall have the authority to promulgate regulations to become effective within 280 days or less from the enactment of this act.

YY. The Department of Medical Assistance Services shall amend certain 1915 (c) home- and community-based waivers to cap agency and consumer directed personal care at 56 hours per week. The 1915 (c) waivers shall include the Elderly or Disabled with Consumer Direction, and HIV/AIDS Waivers. The department shall provide for individual exceptions to this limit using criteria based on dependency in activities of daily living, level of care, and taking into account the risk of institutionalization if additional hours are not provided. The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

ZZ. The Department of Medical Assistance Services shall seek federal authority to move the family planning eligibility group from a demonstration waiver to the State Plan for Medical Assistance. The department shall seek approval of coverage under this new state plan option for individuals with income up to 200 percent of the federal poverty level. For the purposes of this section, family planning services shall not cover payment for abortion services and no funds shall be used to perform, assist, encourage or make direct referrals for abortions. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

AAA. The Department of Medical Assistance Services (DMAS) shall have the authority to amend the State Plan for Medical Assistance to enroll and reimburse freestanding birthing centers accredited by the Commission for the Accreditation of Birthing Centers. Reimbursement shall be based on the Enhanced Ambulatory Patient Group methodology applied in a manner similar to the reimbursement methodology for ambulatory surgery centers. The department shall have authority to implement necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to pay Medicare rates for primary care services performed by primary care physicians as mandated in §1202 of the federal Health Care and Education Reconciliation Act of 2010 ("HCERA"; P.L. 111-152). Primary care services are defined as certain evaluation and management (E&M) services and services related to immunization administration for vaccines and toxoids. Eligible physicians are defined as physicians with a primary specialty designation of family medicine, general internal medicine, or pediatric medicine. The department shall have the authority to establish procedures to determine which providers meet the criteria. The rate increase shall be effective for a two-year period with dates of service beginning January 1, 2013, through December 31, 2014. As prescribed in HCERA, the department shall claim 100

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percent federal matching funds for the difference in payments between the Medicaid fee schedule effective July 1, 2009, and the Medicare rate effective January 1, 2013. HCERA also mandates that the increase be applied to Managed Care services. The department shall have authority to implement these reimbursement changes, including any requirements as a result of the federal rule implementing §1202 of HCERA *and consistent with the State Plan Amendment approved by the Centers for Medicare and Medicaid Services*, prior to the completion of any regulatory process undertaken in order to effect such change.

CCC.1. *In response to the* ~~Pending an~~ unfavorable outcome to an appeal by the Department of Medical Assistance Services in federal court regarding reimbursement for services furnished to Medicaid members in a residential treatment center or freestanding psychiatric hospital, the department shall have the authority to implement this paragraph.

2. Notwithstanding current regulations, the department shall have the authority to implement the amendment to the State Plan for Medical Assistance submitted by the department and as approved by the Centers for Medicare and Medicaid Services (CMS) effective April 1, 2010, until a new prospective reimbursement methodology is finalized. The department has the authority to recover payments, which have been disallowed by CMS, to providers for services furnished to Medicaid members in residential treatment centers or freestanding psychiatric hospitals for dates of service on or after April 1, 2010. Subject to approval of the State Plan Amendment by CMS, the department shall make supplemental payments to residential treatment centers or freestanding psychiatric hospitals so that they can reimburse providers for services furnished to Medicaid members in residential treatment centers or freestanding psychiatric hospitals for dates of service on or after April 1, 2010. The supplemental payment shall be determined based on the number of services furnished times the Medicaid rate. For claims after the effective date of this act, the department shall establish an interim rate for residential treatment centers and freestanding psychiatric facilities to cover the cost of reimbursing other providers. Providers shall submit information to DMAS on reimbursement paid to providers, which DMAS will settle.

3. The department shall develop a prospective payment methodology to be implemented as soon as practicable after the unfavorable federal court decision to reimburse residential treatment centers and freestanding psychiatric hospitals for services furnished by the facility and services furnished by other providers in and by the facility. *The department shall revise reimbursement for services furnished Medicaid members in residential treatment centers and freestanding psychiatric hospitals to include professional, pharmacy and other services to be reimbursed separately as long as the services are in the plan of care developed by the residential treatment center or the freestanding psychiatric hospital and arranged by the residential treatment center or the freestanding psychiatric hospital. The department shall require residential treatment centers to include all services in the plan of care needed to meet the member's physical and psychological well-being while in the facility but may also include services in the community or as part of an emergency.*

4. The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days from the enactment of this act.

DDD. The Department of Medical Assistance Services may seek federal authority through amendments to the State Plans under Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to allow foster care children, on a regional basis to be determined by the department, to be enrolled in Medicaid managed care (Medallion II). The department shall have the authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

EEE. The Department of Medical Assistance Services shall have the authority to amend the State Plans under Title XIX and Title XXI of the Social Security Act in order to comply with the mandated provider screening provisions of the federal Affordable Care Act (P.L. 111-148 and 111-152). The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment of this act.

FFF. The department may seek federal authority through amendments to the State Plans under Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to develop and implement programmatic and system changes that allow expedited enrollment of Medicaid eligible recipients into Medicaid managed care, most importantly for pregnant women. The department shall have the authority to promulgate emergency regulations to implement this

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amendment within 280 days or less from the enactment date of this act.

GGG.1. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to eliminate inflation adjustments in FY 2013 and FY 2014 for: (i) outpatient rehabilitation agency rates; and (ii) home health agency rates.

2. The department shall have the authority to implement these reimbursement changes effective July 1, 2012, and prior to completion of any regulatory process undertaken in order to effect such changes.

HHH. The Department of Medical Assistance Services shall amend the Children's Mental Health demonstration program to provide coverage of transition coordinator services for up to 15 months. The department shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this act.

III.1. The Department of Medical Assistance Services, related to appeals administered by and for the department, shall have authority to amend regulations to:

i. Utilize the method of transmittal of documentation to include email, fax, courier, and electronic transmission.

ii. Clarify that the day of delivery ends at normal business hours of 5:00 pm.

iii. Eliminate an automatic dismissal against DMAS for alleged deficiencies in the case summary that do not relate to DMAS's obligation to substantively address all issues specified in the provider's written notice of informal appeal. A process shall be added, by which the provider shall file with the informal appeals agent within 12 calendar days of the provider's receipt of the DMAS case summary, a written notice that specifies any such alleged deficiencies that the provider knows or reasonably should know exist. DMAS shall have 12 calendar days after receipt of the provider's timely written notification to address or cure any of said alleged deficiencies. The current requirement that the case summary address each adjustment, patient, service date, or other disputed matter identified in the provider's written notice of informal appeal in the detail set forth in the current regulation shall remain in force and effect, and failure to file a written case summary with the Appeals Division in the detail specified within 30 days of the filing of the provider's written notice of informal appeal shall result in dismissal in favor of the provider on those issues not addressed by DMAS.

iv. Clarify that appeals remanded to the informal appeal level via Final Agency Decision or court order shall reset the timetable under DMAS' appeals regulations to start running from the date of the remand.

v. Clarify the department's authority to administratively dismiss untimely filed appeal requests.

vi. Clarify the time requirement for commencement of the formal administrative hearing.

2. The Department of Medical Assistance Services shall have authority to promulgate regulations to implement these changes within 280 days or less from the enactment date of this act.

JJJ. The Department of Medical Assistance Services shall have the authority to amend the 1915(c) home-and-community-based Elderly or Disabled with Consumer-Direction waiver, subject to approval by the Centers for Medicare and Medicaid Services to incorporate the HIV/AIDS waiver. Pending CMS approval, the HIV/AIDS waiver will cease as of June 30, ~~2011~~ *2012*. The department shall implement this change effective July 1, 2012, and prior to the completion of any regulatory process undertaken in order to effect such changes.

~~KKK.1. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce the income limit for eligibility under the 300 percent Supplemental Security Income (SSI) eligibility group to 267 percent of the SSI payment level. The department shall implement this change effective January 1, 2014, or the earliest date thereafter when it is determined that such change is in compliance with the maintenance of effort requirements of §2001 of the federal Patient Protection and Affordable Care Act (P.L. 111-148).~~

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~~2. Prior to the implementation of the reduction in paragraph KKK.1., the Director of the Department of Medical Assistance Services shall provide a detailed report and analysis of the impact of the reduction of income eligibility from 300 percent to 267 percent of Supplemental Security Income (SSI) on current Medicaid recipients. The report shall include a comprehensive review and analysis of the estimated savings, costs and effects of the eligibility change. The final report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees as well as the Joint Commission on Health Care no later than October 1, 2012.~~

LLL. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to limit hospital inflation to 2.6 percent in fiscal year 2013 and 0 percent in fiscal year 2014. This shall apply to inpatient hospital (including long-stay and freestanding psychiatric) operating, graduate medical education (GME) and disproportionate share hospital (DSH) rates. The department shall have the authority to implement these reimbursement changes effective July 1, 2012, and prior to completion of any regulatory process undertaken in order to effect such changes.

MMM. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to eliminate ceiling rebasing in fiscal year 2013, to increase rates and current ceilings for regular and specialized care nursing facilities by 2.2 percent in fiscal year 2013 and 2.2 percent in fiscal year 2014, and to increase ceilings an additional one percent in fiscal year 2013. The department shall have the authority to implement these reimbursement changes effective July 1, 2012, and prior to completion of any regulatory process undertaken in order to effect such changes.

NNN. Out of this appropriation, $3,187,405 from the general fund and $3,187,405 from nongeneral funds the first year and $3,527,562 from the general fund and $3,527,526 from nongeneral funds the second year shall be used to increase personal care reimbursement rates provided under community-based Medicaid waiver programs by one percent effective July 1, 2012.

OOO. The Department of Medical Assistance Services shall increase reimbursement rates for congregate care provided through Medicaid home- and community-based waivers by one percent effective July 1, 2012.

PPP. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to increase the rate for Part C Early Intervention Targeted Case Management from $120 to $132 per month. The department shall have the authority to implement this reimbursement change effective July 1, 2012, and prior to the completion of any regulatory process undertaken in order to effect such change.

QQQ. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to set reimbursement rates for ground and air emergency transportation and neonatal transport at 40 percent of the Medicare Virginia urban rates in effect for calendar year 2011. The department shall have the authority to implement these reimbursement changes effective July 1, 2012, and prior to the completion of any regulatory process undertaken in order to effect such a change.

RRR. The Department of Medical Assistance Services shall amend the 1915 (c) home- and community-based Intellectual Disabilities waiver to add 75 slots effective July 1, 2012 and an additional ~~150~~ *350* slots effective July 1, 2013.

SSS. The Department of Medical Assistance Services shall amend the Individual and Family Developmental Disabilities Support (DD) waiver to add 25 new slots effective July 1, 2012 and an additional ~~55~~ *105* slots effective July 1, 2013. The Department of Medical Assistance Services shall seek federal approval for necessary changes to the DD waiver to add the additional slots.

TTT. The Department of Medical Assistance Services shall have the authority to amend the Title XIX State Plan of Medical Assistance Services, the Virginia Plan for Title XXI of the Social Security Act and the Family Access to Medical Insurance Security Plan (FAMIS) MOMS waiver to include coverage of pregnant women who are lawfully residing in the United States and who are otherwise eligible for Medicaid services, pursuant to Section 214 of the Children's Health Insurance Program Reauthorization Act of 2009. The department shall have

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the authority to promulgate emergency regulations to implement this change effective July 1, 2012.

UUU. Effective July 1, 2012, the Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to provide that the reimbursement floor for the nursing facility FRV "rental rate" shall be 8.5 percent in fiscal year 2013 and fiscal year 2014. The department shall have the authority to implement these reimbursement changes prior to the completion of any regulatory process undertaken in order to effect such change.

VVV. The Director of the Department of Medical Assistance Services, in consultation with the Secretary of Health and Human Resources and the Director of the Medicaid Fraud Control Unit within the Office of the Attorney General, shall develop a report containing recommendations to strengthen the prevention, detection, and prosecution of Medicaid fraud and abuse committed by recipients and service providers. To the extent feasible, the report shall provide estimates of the cost of implementing any new strategies to reduce and prevent Medicaid fraud and abuse as well as the potential cost savings that might be achieved. Specific consideration shall be given to enhancing the Commonwealth's ability, within federal law, of excluding or removing providers that are determined to pose a threat to the health and safety of recipients and/or to the fiscal integrity of the program. The report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by December 1, 2012.

WWW. The Department of Medical Assistance Services shall develop a plan to strengthen its authority to use liens to recover the cost of providing long-term care services to Medicaid recipients. In developing the plan, the department shall survey other state Medicaid programs to determine the most effective strategies to impose Medicaid liens for estate recovery. The plan shall explain at what stage of the application process individuals will be notified about the department's use of liens to recover Medicaid costs. The plan shall also detail the additional resources that may be required to enforce lien authority and the potential cost-savings that might be achieved. The report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2012.

XXX. The Department of Medical Assistance Services shall amend its regulations, subject to the federal Centers for Medicare and Medicaid Services approval, to strengthen the qualifications and responsibilities of the Consumer Directed Service Facilitator to ensure the health, safety and welfare of Medicaid home- and community-based waiver enrollees. The department shall have the authority to promulgate emergency regulations to implement this change effective July 1, 2012.

YYY. The Department of Medical Assistance Services shall establish an advisory group of representatives of providers of home- and community-based care services to continue improvements in the audit process and procedures for home- and community-based utilization and review audits. The Department of Medical Assistance Services shall report on any revisions to the methodology for home- and community-based utilization and review audits, including progress made in addressing provider concerns and solutions to improve the process for providers while ensuring program integrity. The report shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2012.

ZZZ. It is the intent of the General Assembly that the implementation and administration of the care coordination contract for behavioral health services be conducted in a manner that insures system integrity and engages private providers in the independent assessment process. In addition, it is the intent that in the provision of services that ethical and professional conflicts are avoided and that sound clinical decisions are made in the best interests of the individuals receiving behavioral health services. As part of this process, the department shall monitor the performance of the contract to ensure that these principles are met and that stakeholders are involved in the assessment, approval, provision, and use of behavioral health services provided as a result of this contract.

AAAA. 1. Notwithstanding the requirements of Code of Virginia §2.2-4000, et seq., the Department of Medical Assistance Services shall amend the state plan and appropriate waivers under Title XIX of the Social Security Act to implement a process for administrative appeals of Medicaid/Medicare dual eligible recipients in accordance with terms of the Memorandum of Understanding between the department and the Centers for Medicare and Medicaid Services for the financial alignment demonstration program for dual eligible recipients. The department shall implement this change within 280 days or less from the enactment of this Appropriation

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2. The department shall report by November 1 of each year to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget detailing implementation progress of the financial alignment demonstration waiver. This report shall include, but is not limited to, costs of implementation, projected cost savings, number of individuals enrolled, and any other implementation issues that arise.

BBBB.1. Effective July 1, 2013, the Department of Medical Assistance Services shall have the authority, to establish a 25 percent higher reimbursement rate for congregate residential services for individuals with complex medical or behavioral needs currently residing in an institution and unable to transition to integrated settings in the community due to the need for services that cannot be provided within the maximum allowable rate, or individuals whose needs present imminent risk of institutionalization and enhanced waiver services are needed beyond those available within the maximum allowable rate. The department shall have authority to promulgate regulations to implement this change within 280 days or less from the enactment of this act.

2. The department, in cooperation with the Department of Behavioral Health and Developmental Services, shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget on the effectiveness of this rate increase in addressing the transition of institutionalized individuals to the community. This report shall include, but is not limited to, the number of individuals eligible for the higher reimbursement rate, whether they transitioned from an institution or were already receiving community services, and the costs to the Medicaid program. A report shall be due by February 1, 2014, that covers the first six months of FY 2014 and another report is due by August 1, 2014, that covers the last six months of FY 2014.

CCCC. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to reduce the occupancy requirement for indirect operating and capital reimbursement for nursing facilities from 90 percent to 88 percent. The department shall have the authority to implement these reimbursement changes effective July 1, 2013, and prior to the completion of any regulatory process undertaken in order to effect such change.

DDDD. The Department of Medical Assistance Services shall not rebase hospital Disproportionate Share Hospital (DSH) amounts in FY 2014 and instead shall freeze DSH at the FY 2013 eligible providers and amounts. The department shall have the authority to implement these reimbursement changes effective July 1, 2013, and prior to the completion of any regulatory process undertaken in order to effect such change.

EEEE. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to allow for delivery of notices of program reimbursement or other items referred to in the regulations related to provider appeals by electronic means consistent with the Uniform Electronic Transactions Act. The department shall implement this change effective July 1, 2013, and prior to completion of any regulatory process undertaken in order to effect such changes.

FFFF. The Department of Medical Assistance Services shall have the authority to amend the State Plan for Medical Assistance to convert the current cost-based reimbursement methodology for nursing facility operating rates to a price-based methodology. The new price-based reimbursement methodology shall be implemented in a budget neutral manner. The department shall promulgate regulations to become effective within 280 days or less from the enactment of this act.

GGGG. The Department of Medical Assistance Services shall amend its State Plan under Title XIX of the Social Security Act to implement reasonable restrictions on the amount of incurred dental expenses allowed as a deduction from income for nursing facility residents. Such limitations shall include: (i) that routine exams and x-rays, and dental cleaning shall be limited to twice yearly; (ii) full mouth x-rays shall be limited to once every three years; and (iii) deductions for extractions and fillings shall be permitted only if medically necessary as determined by the department.

HHHH. Notwithstanding §32.1-325, et seq. and §32.1-351, et seq. of the Code of Virginia, and effective upon the availability of subsidized private health insurance offered through a Health

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Benefits Exchange in Virginia as articulated through the federal Patient Protection and Affordable Care Act (PPACA), the Department of Medical Assistance Services shall eliminate, to the extent not prohibited under federal law, Medicaid Plan First and FAMIS Moms program offerings to populations eligible for said subsidized coverage in order to remove disincentives for subsidized private healthcare coverage through publicly-offered alternatives. To ensure, to the extent feasible, a smooth transition from public coverage, DMAS shall endeavor to phase out such coverage for existing enrollees once subsidized private insurance is available through a Health Benefits Exchange in Virginia. The department shall implement any necessary changes upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

IIII. The Department of Medical Assistance Services shall have authority to amend the State Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any waivers thereof, to implement requirements of the federal Patient Protection and Affordable Care Act (PPACA) as it pertains to implementation of Medicaid and CHIP eligibility determination and case management standards and practices, including the Modified Adjusted Gross Income (MAGI) methodology. The department shall have authority to implement such standards and practices upon federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

JJJJ. Out of this appropriation, $800,000 from the general fund the first year is provided for the Center for Health Innovation for grants to public and private organizations for projects designed to reduce the rising cost of health care. The department shall provide a report on the allocation of funds to the Chairmen of the House Appropriations and Senate Finance Committee by September 30, 2013.

KKKK. Out of this appropriation, $754,854 from the general fund and $754,854 from nongeneral funds the second year shall be used to increase reimbursement rates by 5 percent for private duty nursing services provided under the Medicaid home- and community-based Technology Assisted waiver program. The department shall have the authority to implement this reimbursement change effective July 1, 2013, and prior to the completion of any regulatory process undertaken in order to effect such change.

LLLL. Out of this appropriation, $667,902 from the general fund and $667,902 from nongeneral funds the second year shall be used to increase reimbursement rates for adult day health services provided through Medicaid home- and community-based waiver programs by $10.00 per unit. The department shall have the authority to implement this reimbursement change effective July 1, 2013, and prior to the completion of any regulatory process undertaken in order to effect such change.

MMMM. Effective July 1, 2013, the Department of Medical Assistance Services shall establish a Medicaid Physician and Managed Care Liaison Committee including, but not limited to, representatives from the following organizations: the Virginia Academy of Family Physicians; the American Academy of Pediatricians - Virginia Chapter; the Virginia College of Emergency Physicians; the American College of Obstetrics and Gynecology - Virginia Section; Virginia Chapter, American College of Radiology; the Psychiatric Society of Virginia; the Virginia Medical Group Management Association; and the Medical Society of Virginia. The committee shall also include representatives from each of the department's contracted managed care organizations and a representative from the Virginia Association of Health Plans. The committee will work with the department to investigate the implementation of quality, cost-effective health care initiatives, to identify means to increase provider participation in the Medicaid program, to remove administrative obstacles to quality, cost-effective patient care, and to address other matters as raised by the department or members of the committee. The committee shall meet semi-annually, or more frequently if requested by the department or members of the committee. The department, in cooperation with the committee, shall report on the committee's activities annually to the Board of Medical Assistance Services and to the Chairmen of the House Appropriations and Senate Finance Committees and the Department of Planning and Budget no later than October 1 each year.

NNNN. The Department of Medical Assistance Services shall establish a work group of representatives of providers of home- and community-based care services to continue improvements in the audit process and procedures for home- and community-based utilization and review audits. The Department of Medical Assistance Services shall report on any revisions to the methodology for home- and community-based utilization and review audits,

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including progress made in addressing provider concerns and solutions to improve the process for providers while ensuring program integrity. In addition, the report shall include documentation of the past year's audits, a summary of the number of audits to which retractions were assessed and the total amount, the number of appeals received and the results of appeals. The report shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by December 1 of each year.

OOOO. The Department of Medical Assistance Services shall amend the State Plan for Medical Assistance to calculate an indirect medical education (IME) factor for Virginia freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009. Total payments for IME in combination with other payments for freestanding children's hospitals with greater than 50 percent Medicaid utilization in 2009 may not exceed the federal uncompensated care cost limit that disproportionate share hospital payments are subject to. The department shall have the authority to implement these reimbursement changes effective July 1, 2013, and prior to completion of any regulatory process undertaken in order to effect such change.

PPPP. The Department of Medical Assistance Services shall realign the billable activities paid for individual supported employment provided under the Medicaid home- and community-based waivers to be consistent with job development and job placement services provided through employment services organizations that are reimbursed by the Department for Aging and Rehabilitative Services. The department shall have the authority to implement this reimbursement change effective July 1, 2013, and prior to the completion of any regulatory process undertaken in order to effect such change.

QQQQ. Effective July 1, 2013, the Department of Medical Assistance Services shall take the steps necessary to amend the Intellectual Disability Waiver and the Individual and Family Developmental Disabilities Support Waiver to change the unit of service for skilled and private duty nursing from the current one hour to one-quarter of an hour. The department shall implement this change using a methodology that is budget neutral.

RRRR. The Department of Medical Assistance Services shall seek federal authority through any necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social Security Act to implement a comprehensive value-driven, market-based reform of the Virginia Medicaid/FAMIS programs. This reform shall be implemented in three phases as outlined in paragraphs 2, 3 and 4. The department shall have authority to implement necessary changes when feasible after federal approval and prior to the completion of any regulatory process undertaken in order to effect such change.

2. In the first phase of reform, the Department of Medical Assistance Services shall continue currently authorized reforms of the Virginia Medicaid/FAMIS service delivery model to include (i) implementation of a Medicare-Medicaid Enrollee (dual eligible) Financial Alignment demonstration; (ii) enhanced program integrity and fraud prevention efforts; (iii) inclusion of children enrolled in foster care in managed care; and (iv) implementation of a new eligibility and enrollment information system for Medicaid and other social services.

3. In the second phase of reform, the Department of Medical Assistance Services shall implement reforms for all recipients subject to a Modified Adjusted Gross Income (MAGI) methodology for program eligibility and any other recipient categories not excluded from the Medallion II managed care program. Such reforms shall include the following: (i) the services and benefits provided are similar to the services and benefits provided by commercial insurers with the exception of non-traditional behavioral health and substance use disorder services; (ii) reasonable limitations on non-essential benefits such as non-emergency transportation are implemented; and (iii) patient responsibility is required including reasonable cost-sharing and active engagement in health and wellness activities to improve health and control costs.

To administer this reformed delivery model, the department is authorized to contract with qualified health plans to offer recipients a Medicaid benefit package adhering to these principles. Any coordination of non-traditional behavioral health services covered under contract with qualified health plans or through other means shall adhere to the principles outlined in paragraph RR. e. This reformed service delivery model shall be mandatory, to the extent allowed under the relevant authority granted by the federal government.

The second phase of reform shall also include administrative simplification of the Medicaid program through any necessary waiver(s) and/or State Plan authorization under Titles XIX and

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XXI of the Social Security Act and outline agreed upon parameters and metrics to provide maximum flexibility and expedited ability to develop and implement pilot programs to test innovative models that (i) leverage innovations and variations in regional delivery systems; (ii) link payment and reimbursement to quality and cost containment outcomes; or (iii) encourage innovations that improve service quality and yield cost savings to the Commonwealth.

4. In the third phase of reform, the Department of Medical Assistance Services shall seek reforms to include all remaining Medicaid populations and services in cost-effective, managed and coordinated delivery systems. The department shall make recommendations to the 2014 General Assembly to implement managed and coordinated care for long-term care services, including home- and community-based Medicaid waivers.

5. The Department of Medical Assistance Services shall provide a report to the Medicaid Innovation and Reform Commission on the specific waiver and/or State Plan changes that have been approved and status of implementing such changes, and associated cost savings or cost avoidance to Medicaid/FAMIS expenditures.

6.a. The Department shall seek the approval of the Medicaid Innovation and Reform Commission to amend the State Plan for Medicaid Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act. If the Medicaid Innovation and Reform Commission determines that the conditions in paragraphs 2, 3, 4, and 5 have been met, then the Commission shall approve implementation of coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act.

b. Upon approval by the Medicaid Innovation and Reform Commission, the department shall implement the provisions in paragraph 6.a. of this item by July 1, 2014, or as soon as feasible thereafter.

7.a. Contingent upon the expansion of eligibility in paragraph 6.a., there is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Health Reform and Innovation Fund, hereafter referred to as the "Fund." The Fund shall be established on the books of the Comptroller and any moneys remaining in the Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. For purposes of the Comptroller's preliminary and final annual reports required by § 2.2-813, however, all deposits to and disbursements from the Fund shall be accounted for as part of the general fund of the state treasury.

b. The Director of the Department of Medical Assistance Services, in consultation with the Director of the Department of Planning and Budget, shall annually identify projected general fund savings attributable to enrollment of newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA, including behavioral health services, inmate health care, and indigent care. Beginning with development of the fiscal year 2015 budget, these projected savings shall be reflected in reduced appropriations to the affected agencies and the amounts deposited into the Fund net of any appropriation increases necessary to meet resulting programmatic requirements of the Department of Medical Assistance Services. Beginning in fiscal year 2015, funding to support health innovations described in Paragraph 3 shall be appropriated from the Fund not to exceed $3.5 million annually. Funding shall be distributed through health innovation grants to private and public entities in order to reduce the annual rate of growth in health care spending or improve the delivery of health care in the Commonwealth. When the department, in consultation with the Department of Planning and Budget, determines that the general fund expenses incurred from coverage of newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA exceed any associated savings, a percentage of the principle of the Fund as determined necessary by the department and the Department of Planning and Budget to cover the cost of the newly eligible population shall be reallocated to the general fund and appropriated to the department to offset the cost of this population. Principle shall be allocated on an annual basis for as long as funding is available.

8. In the event that the increased federal medical assistance percentages for newly eligible individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA is modified through federal law or regulation from the methodology in effect on January 1, 2014, resulting in a reduction in federal medical assistance as determined by the department in consultation with

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the Department of Planning and Budget, the Department of Medical Assistance Services shall disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C. § 1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other providers that coverage will cease as soon as allowable under federal law from the date the department is notified of a reduction in Federal Medical Assistance Percentage.

9. There is hereby appropriated sum sufficient nongeneral funds for such costs as may be incurred to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act.

SSSS.1. The Director of the Department of Medical Assistance Services shall continue to make improvements in the provision of health and long-term care services under Medicaid/FAMIS that are consistent with evidence-based practices and delivered in a cost effective manner to eligible individuals.

2. In order to effect such improvements and ensure that reform efforts are cost effective relative to current forecasted Medicaid/FAMIS expenditure levels, the Department of Medical Assistance Services shall (i) develop a five-year consensus forecast of expenditures and savings associated with the Virginia Medicaid/FAMIS reform efforts by September 1 of each year in conjunction with the Department of Planning and Budget, and with input from the House Appropriations and Senate Finance Committees, and (ii) engage stakeholder involvement in meeting annual targets for quality and cost-effectiveness.

TTTT. Contingent upon the Commonwealth not receiving the expected revenue in fiscal year 2013 from the arbitration settlement with tobacco companies as part of the Master Settlement Agreement, the Director, Department of Planning and Budget, is authorized to appropriate from the unappropriated general fund balance in this act, and, if necessary, transfer general fund appropriation from the second year to the first year to backfill the shortage of up to $21,680,000 in general fund for the Medicaid program.

308. Medical Assistance Services (Non-Medicaid) (46400)			$821,702	$821,702
Insurance Premium Payments for HIV-Positive Individuals (46403)	$556,702	$556,702		
Reimbursements From the Uninsured Medical Catastrophe Fund (46405)	$265,000	$265,000		
Fund Sources: General	$781,702	$781,702		
Dedicated Special Revenue	$40,000	$40,000		

Authority: §32.1-320.1 and §32.1-324.3, Code of Virginia.

A. Out of this appropriation, $556,702 the first year and $556,702 the second year from the general fund shall be provided for insurance payment assistance to HIV-infected persons in accordance with § 32.1-330.1, Code of Virginia, except that the eligibility threshold for assistance shall allow a maximum income of no more than 250 percent of the federal poverty threshold.

B. Out of this appropriation, $225,000 the first year and $225,000 the second year from the general fund shall be transferred to the Uninsured Medical Catastrophe Fund under § 32.1-324.3, Code of Virginia.

309. Medical Assistance Services for Low Income Children (46600)			~~$119,566,842~~ *$120,286,661*	~~$73,041,690~~ *$135,725,727*
Reimbursements for Medical Services Provided to Low-Income Children (46601)	~~$119,566,842~~ *$120,286,661*	~~$73,041,690~~ *$135,725,727*		
Fund Sources: General	~~$41,848,394~~ *$41,607,923*	~~$25,564,591~~ *$46,478,149*		
Federal Trust	~~$77,718,448~~ *$78,678,738*	~~$47,477,099~~ *$89,247,578*		

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Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.				
To the extent that appropriations in this Item are insufficient, the Director, Department of Planning and Budget shall transfer general fund appropriation from Items 306 and 307, if available, into this Item, to be used as state match for federal Title XXI funds.				
310. Administrative and Support Services (49900).....			~~$146,365,841~~ *$146,765,841*	~~$119,676,231~~ *$120,141,276*
General Management and Direction (49901).....	~~$129,408,704~~ *$129,808,704*	~~$102,779,094~~ *$103,245,833*		
Information Technology Services (49902).....	$10,970,975	~~$10,970,975~~ *$10,969,281*		
Administrative Support for the Family Access to Medical Insurance Security Plan (49932).....	$5,986,162	$5,926,162		
Fund Sources: General.....	$48,247,694	~~$44,307,136~~ *$43,383,941*		
Special.....	~~$1,065,000~~ *$1,465,000*	~~$1,065,000~~ *$1,565,000*		
Dedicated Special Revenue.....	$300,000	$0		
Federal Trust.....	$96,753,147	~~$74,304,095~~ *$75,192,335*		

Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX and XXI, Social Security Act, Federal Code.

A. By November 15 of each year, the Department of Planning and Budget, in cooperation with the Department of Medical Assistance Services, shall prepare and submit a forecast of Medicaid expenditures, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees.

B. The Department of Medical Assistance Services shall submit expenditure reports of the Medicaid program to the Department of Planning and Budget and the Chairmen of the House Appropriations and Senate Finance Committees. These reports shall be submitted on a quarterly basis.

C. Out of this appropriation, $50,000 the first year and $50,000 the second year from the special fund is appropriated to the Department of Medical Assistance Services for the administration of the disbursement of civil money penalties levied against and collected from Medicaid nursing facilities for violations of rules identified during survey and certification as required by federal law and regulation. Based on the nature and seriousness of the deficiency, the Agency or the Centers for Medicare and Medicaid Services may impose a civil money penalty, consistent with the severity of the violations, for the number of days a facility is not in substantial compliance with the facility's Medicaid participation agreement. Civil money penalties collected by the Commonwealth must be applied to the protection of the health or property of residents of nursing facilities found to be deficient. Penalties collected are to be used for (1) the payment of costs incurred by the Commonwealth for relocating residents to other facilities; (2) payment of costs incurred by the Commonwealth related to operation of the facility pending correction of the deficiency or closure of the facility; and (3) reimbursement of residents for personal funds or property lost at a facility as a result of actions by the facility or individuals used by the facility to provide services to residents. These funds are to be administered in accordance with the revised federal regulations and law, 42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in accordance with this provision.

D. The Department of Medical Assistance Services, to the extent permissible under federal law, shall enter into an agreement with the Department of Behavioral Health and Developmental Services to share Medicaid claims and expenditure data on all Medicaid-reimbursed mental health, intellectual disability and substance abuse services, and any new or expanded mental health, intellectual disability retardation and substance abuse services that are covered by the

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State Plan for Medical Assistance. The information shall be used to increase the effective and efficient delivery of publicly funded mental health, intellectual disability and substance abuse services.

E. In addition to any regional offices that may be located across the Commonwealth, any statewide, centralized call center facility that operates in conjunction with a brokerage transportation program for persons enrolled in Medicaid or the Family Access to Medical Insurance Security plan shall be located in Norton, Virginia.

F. The Department of Planning and Budget, is authorized to transfer amounts, as needed, from Medicaid Program Services (45600), Medical Assistance Services for Low Income Children (46600) and Children's Health Insurance Program Delivery (44600), to Administrative and Support Services (49900), to fund administrative expenditures associated with contracts between the department and companies providing dental benefit services, consumer-directed payroll services, claims processing, behavioral health management services and disease state / chronic care programs for Medicaid and FAMIS recipients.

G. The Department of Medical Assistance Services shall report on the results of the federally required review in the Payment Error Rate Measurement program for federal fiscal year 2012. This report shall include the error rates for both claims and eligibility determinations. If locality specific error rates for the eligibility review are available, they should be included in the report. The department shall report the findings to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2013.

H. The Department of Medical Assistance Services shall report on the feasibility and potential savings to the Medicaid program of an initiative, in cooperation with the Department of Veterans Services, to assist veterans, who also happen to be Medicaid members, in accessing veterans benefits through the federal government. The department shall submit the report to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2012.

I. The Department of Medical Assistance Services shall, to the extent possible, require web-based electronic submission of provider enrollment applications, revalidations and other related documents necessary for participation in the fee-for-service program under the State Plans for Title XIX and XXI of the Social Security Act.

Total for Department of Medical Assistance Services.....			~~$7,983,955,990~~ ***$8,072,884,862***	~~$9,475,342,278~~ ***$8,575,991,305***
General Fund Positions.....	183.82	~~183.82~~ *195.82*		
Nongeneral Fund Positions.....	212.18	~~212.18~~ *224.18*		
Position Level	396.00	~~396.00~~ *420.00*		
Fund Sources: General.....	~~$3,665,989,276~~ *$3,547,761,312*	~~$3,814,571,616~~ *$3,848,274,557*		
Special.....	~~$1,065,000~~ *$1,465,000*	~~$1,065,000~~ *$1,565,000*		
Dedicated Special Revenue.....	~~$295,815,397~~ *$464,614,299*	~~$310,607,480~~ *$384,870,744*		
Federal Trust.....	~~$4,021,086,317~~ *$4,059,044,251*	~~$5,349,098,182~~ *$4,341,281,004*		

§ 1-94. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)

311. Regulation of Public Facilities and Services (56100).....			$2,223,579	$2,223,579
Regulation of Health Care Service Providers (56103).....	$2,223,579	$2,223,579		
Fund Sources: General.....	$2,173,579	$2,173,579		
Special.....	$50,000	$50,000		

Authority: Title 37.1, Chapters 8 and 11, Code of Virginia.

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The department shall post on its Web site information concerning (i) any application for initial licensure of or renewal of a license, denial of an application for an initial license or renewal of a license, or issuance of provisional licensure of for any residential facility for children located in the locality and (ii) all inspections and investigations of any residential facility for children licensed by the department, including copies of any reports of such inspections or investigations. Information concerning inspections and investigations of residential facilities for children shall be posted on the department's Web site within seven days of the issuance of any report and shall be maintained on the department's website for a period of at least six years from the date on which the report of the inspection or investigation was issued.				
312. Inspection, Monitoring, and Auditing Services (78700)...			$509,819	~~$509,819~~ *$0*
~~Facility and Community Programs Inspection and Monitoring (78701)~~.....	$509,819	~~$509,819~~		
Inspection and Compliance of Program Operations (78701)		*$0*		
Fund Sources: General.....	$355,076	~~$355,076~~ *$0*		
Special.....	$154,743	~~$154,743~~ *$0*		
313. A. It is the intent of the General Assembly that the Department of Behavioral Health and Developmental Services proceed in transforming its system of care into a model that embodies best practices and state-of-the art services. The consumer-driven system of services and supports shall promote self-determination, empowerment, recovery, resilience, health, and the highest possible level of consumer participation in all aspects of community life. The transformed system shall include investments in a suitable array and adequate quantity of community-based services, with an emphasis on consumer choice and the appropriate use of facility resources. State facilities shall be redesigned to ensure high quality care, efficient operation, and capacity necessary for persons most in need of such care. Amounts authorized herein, and in related legislation, shall be used to support the transformation of the system of care and to promote the provision of behavioral health and developmental services in the most efficient and appropriate setting. The Department of Behavioral Health and Developmental Services may consider the use of public-private partnerships to deliver behavioral health and intellectual disability services as part of the comprehensive behavioral health and intellectual disability system of care, in facilities that are being planned for renovation or replacement. These partnerships may include contracts with private entities for facility operations, unless the Department of Behavioral Health and Developmental Services can demonstrate that continued state operation of the facility is at least as cost effective and provides at least an equivalent or higher level quality care than operation by a private entity.				
B. Notwithstanding any law to the contrary, on July 1, ~~2012,~~ *of each year*, the State Comptroller shall transfer to the general fund any nongeneral fund balance accumulated by the Department of Behavioral Health and Developmental Services, except for federal grant funds, in excess of $35,000,000.				
C. The Department of Behavioral Health and Developmental Services, with approval of the Governor and the Attorney General in the manner set forth in § 2.2-1150B, is authorized to convey title for the following four properties: 1) Wythe House Group Home, located in Wytheville, Virginia, to the Mount Rogers Community Services Board; 2) Addington Hall, located in Duffield, Virginia, to the Planning District One Behavioral Health Services Board; 3) New Horizons Crisis Stabilization Center, located in Radford, Virginia, to the New River Valley Community Services Board; and 4) Baxter House, located in Oakwood, Virginia, to the Cumberland Mountain Community Services Board. The conveyance of the properties listed above shall be for such consideration as the Governor may deem appropriate.				
314. Administrative and Support Services (49900).....			~~$61,710,488~~ *$64,939,952*	~~$55,929,229~~ *$60,536,435*
General Management and Direction (49901).....	~~$6,770,350~~ *$6,999,814*	~~$6,969,091~~ *$7,811,949*		
Information Technology Services (49902).....	~~$26,933,506~~ *$27,683,506*	~~$20,953,506~~ *$21,207,854*		

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Architectural and Engineering Services (49904)	$2,465,094	$2,465,094		
Collection and Locator Services (49905)	$2,584,316	$2,584,316		
Human Resources Services (49914)	$1,685,838	$1,685,838		
Planning and Evaluation Services (49916)	$356,956	$356,956		
Program Development and Coordination (49933)	~~$20,914,428~~	~~$20,914,428~~		
	$23,164,428	*$24,424,428*		
Fund Sources: General	~~$32,828,084~~	~~$30,546,825~~		
	$36,014,066	*$34,980,102*		
Special	~~$18,019,971~~	~~$14,519,971~~		
	$18,063,453	*$14,693,900*		
Federal Trust	$10,862,433	$10,862,433		

Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2, Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.

A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at the beginning of each fiscal year, establish the current capacity for each facility within the system. When a facility becomes full, the commissioner or his designee shall give notice of the fact to all sheriffs.

B. The Commissioner, Department of Behavioral Health and Developmental Services shall work in conjunction with community services boards to develop and implement a graduated plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings generated from statewide gains in system efficiencies.

C. Notwithstanding ~~§ 4-5.12~~ *§ 4-5.09* of this act and paragraph C of § 2.2-1156, Code of Virginia, the Department of Behavioral Health and Developmental Services is hereby authorized to deposit the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual disability facilities into a revolving trust fund. The trust fund may initially be used for expenses associated with restructuring such facilities. Remaining proceeds after such expenses shall be dedicated to continuing services for current patients as facility services are restructured. The trust fund will receive any savings resulting from facility restructuring. Thereafter, the fund will be used to enhance services to individuals with mental illness, intellectual disability and substance abuse problems.

D. The Department of Behavioral Health and Developmental Services shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.

E. The Department of Behavioral Health and Developmental Services, in cooperation with the Department of Juvenile Justice, where appropriate, shall identify and create opportunities for public-private partnerships and develop the incentives necessary to establish and maintain an adequate supply of residential beds for the treatment of juveniles with behavioral health treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.

F. Out of this appropriation, $656,538 the first year and $656,538 the second year from the general fund shall be provided for placement and restoration services for juveniles found to be incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.

G. Out of this appropriation, $50,000 the first year and $50,000 the second year from the general fund shall be used to pay for legal and medical examinations needed for individuals living in the community and in need of guardianship services.

H. Out of this appropriation, $1,388,423 the first year and $1,388,423 the second year from the general fund shall be provided for services for the civil commitment of sexually violent predators as follows: (i) $642,700 the first year and $642,700 the second year for clinical evaluations and court testimony for sexually violent predators who are being considered for release from state correctional facilities and who will be referred to the Clinical Review Committee for psycho-sexual evaluations prior to the state seeking civil commitment, (ii) $529,465 the first year and $529,465 the second year for conditional release services, including treatment, and (iii) $216,528 the first year and $216,258 the second year for the costs associated with contracting with a Global Positioning System service to closely monitor the

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movements of individuals who are civilly committed to the sexually violent predator program but conditionally released.

I. Out of this appropriation, $25,000 the first year and $25,000 the second year from the general fund shall be used to operate a real-time reporting system for public and private acute psychiatric beds in the Commonwealth.

J.1. The Commissioner, Department of Behavioral Health and Developmental Services shall work in collaboration with the Health Planning Region (HPR) V Community Services Boards to plan, develop and implement transitional mental health services to qualified individuals discharged from the Eastern State Hospital.

2. The HPR V Community Services Boards shall involve local and regional partners, including local governments, in the planning and development of these programs and services.

K. The Department of Behavioral Health and Developmental Services shall submit a report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1 of each year for the preceding fiscal year that provides information on the operation of Virginia's publicly-funded behavioral health and developmental services system. The report shall include a brief narrative and data on the numbers of individuals receiving state facility services or CSB services, including purchased inpatient psychiatric services, the types and amounts of services received by these individuals, and CSB and state facility service capacities, staffing, revenues, and expenditures. The annual report also shall describe major new initiatives implemented during the past year and shall provide information on the accomplishment of systemic outcome and performance measures during the year.

L. The Commissioner of the Department of Behavioral Health and Developmental Services shall provide a plan to the General Assembly, developed in consultation with the Secretary of Health and Human Resources and the Chairmen of the House Appropriations and Senate Finance Committees, related to the closure of state training centers by the end fiscal year 2021, in compliance with the settlement agreement relating to United States of America v. Commonwealth of Virginia (Civil Action No. 312cv0059-JAG), subject to judicial approval. In developing the plan, the Commissioner shall solicit input from all relevant stakeholders including, but not limited to, individuals with intellectual or developmental disabilities or their guardians, and public and private providers. The plan shall be completed within one year of the effective date of the settlement agreement.

M. Out of this appropriation, $250,000 the first year from the general fund is designated for the Department to preplan the construction/renovation of the Virginia Center for Behavioral Rehabilitation II (VCBR II) facility on state-owned property in and around the current VCBR site. The project options shall include costs for any relocation of current services as well as re-purposing of current facilities. The Department shall report the options for this project to the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2013. If an agreement on an option is reached by the Secretary of Health and Human Resources and the Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Finance is authorized to allocate up to $1,000,000 from the Central Capital Planning Fund established under § 2.2-1520, Code of Virginia for detailed planning of this project.

N. Out of this appropriation, $500,000 the second year from the general fund shall be used to develop and implement a comprehensive statewide suicide prevention program. The Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS), in collaboration with the Departments of Health, Education, Veterans Services, Aging and Rehabilitative Services, and other partners shall develop and implement a statewide program of public education, evidence-based training, health and behavioral health provider capacity-building, and related suicide prevention activity. The Commissioner shall provide a progress report on this effort to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2013.

O.1. Beginning October 1, 2013, the Commissioner of the Department of Behavioral Health and Developmental Services shall provide quarterly reports to the House Appropriations and Senate Finance Committees on progress in implementing the plan to close state training centers and transition residents to the community. The reports shall provide the following information on each state training center: (i) the number of authorized representatives who

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have made decisions regarding the long-term type of placement for the resident they represent and the type of placement they have chosen; (ii) the number of authorized representatives who have not yet made such decisions; (iii) barriers to discharge; (iv) the general fund and nongeneral fund cost of the services provided to individuals transitioning from training centers; and (v) the use of increased Medicaid reimbursement for congregate residential services to meet exceptional needs of individuals transitioning from state training centers in fiscal year 2014, provided in item 307, paragraphs BBB.1. and BBB.2.				
2. At least six months prior to the closure of a state intellectual disabilities training center, the Commissioner of Behavioral Health and Developmental Services shall complete a comprehensive survey of each individual residing in the facility slated for closure to determine the services and supports the individual will need to receive appropriate care in the community. The survey shall also determine the adequacy of the community to provide care and treatment for the individual, including but not limited to, the appropriateness of current provider rates, adequacy of waiver services, and availability of housing. The Commissioner shall report quarterly findings to the Governor and Chairmen of the House Appropriations and Senate Finance Committees beginning October 1, 2013.				
3. The department shall convene quarterly meetings with authorized representatives, families, and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to (i) promote routine collaboration between families and authorized representatives, the department, community services boards, and private providers; (ii) ensure the successful transition of training center residents to the community; and (iii) gather input on Medicaid waiver redesign to better serve individuals with intellectual and developmental disability.				
4. In the event that provider capacity cannot meet the needs of individuals transitioning from training centers to the community, the department shall work with community services boards and private providers to explore the feasibility of developing (i) a limited number of small community group homes or intermediate care facilities to meet the needs of residents transitioning to the community, and/or (ii) a regional support center to provide specialty services to individuals with intellectual and developmental disabilities whose medical, dental, rehabilitative or other special needs cannot be met by community providers. The Commissioner shall report on these efforts to the House Appropriations and Senate Finance Committees as part of his quarterly report, pursuant to paragraph 1."				
Total for Department of Behavioral Health and Developmental Services.....			~~**$64,443,886**~~ ***$67,673,350***	~~**$58,662,627**~~ ***$62,760,014***
General Fund Positions.....	~~201.85~~ *208.85*	~~205.85~~ *214.85*		
Nongeneral Fund Positions.....	~~10.40~~ *13.40*	~~10.40~~ *11.40*		
Position Level	~~212.25~~ *222.25*	~~216.25~~ *226.25*		
Fund Sources: General.....	~~$35,356,739~~ *$38,542,721*	~~$33,075,480~~ *$37,153,681*		
Special.....	~~$18,224,714~~ *$18,268,196*	~~$14,724,714~~ *$14,743,900*		
Federal Trust.....	$10,862,433	$10,862,433		
Grants to Localities (790)				
315. Financial Assistance for Health Services (44500).....			~~$348,371,560~~ *$347,621,560*	~~$318,671,560~~ *$331,621,560*
Community Substance Abuse Services (44501).....	$95,871,968	$95,871,968		
Community Mental Health Services (44506)	$187,403,320	~~$187,653,320~~ *$192,553,320*		
Community Developmental Disability Services (44507)..	~~$65,096,272~~ *$64,346,272*	~~$35,146,272~~ *$43,196,272*		
Fund Sources: General.....	~~$286,147,318~~ *$285,397,318*	~~$256,397,318~~ *$269,347,318*		

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Special	$544,795	$594,795		
Federal Trust	$61,679,447	$61,679,447		

Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.

A. It is the intent of the General Assembly that community mental health, intellectual disability and substance abuse services are to be improved throughout the state. Funds provided in this Item shall not be used to supplant the funding effort provided by localities for services existing as of June 30, 1996.

B. Further, it is the intent of the General Assembly that funds appropriated for this Item may be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the provision of residential services funded by this Item.

C. Out of the appropriation for this Item, funds are provided to Community Services Boards in an amount sufficient to reimburse the Virginia Housing Development Authority for principal and interest payments on residential projects for the mentally disabled financed by the Housing Authority.

D. The Department of Behavioral Health and Developmental Services shall make payments to the Community Services Boards from this Item in twenty-four equal semimonthly installments, except for necessary budget revisions or the operational phase-in of new programs.

E. Failure of a board to participate in Medicaid covered services and to meet all requirements for provider participation shall result in the termination of a like amount of state grant support.

F. Community Services Boards may establish a line of credit loan for up to three months' operating expenses to assure adequate cash flow.

G. Out of this appropriation $190,000 the first year and $190,000 the second year from the general fund shall be provided to Grafton School for the continued operation and expansion of the Virginia Autism Resource Center.

H.1. Out of this appropriation, ~~$7,203,366~~ *$9,453,366* the first year and ~~$7,203,366~~ *$13,203,366* the second year from the general fund shall be provided for Virginia's Part C Early Intervention System for infants and toddlers with disabilities.

2. By October 1 of each year, the department shall report to the Chairmen of the House Appropriations and Senate Finance Committees on the (a) total revenues used to support Part C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and families served using all Part C revenues, and (d) services provided to those infants, toddlers, and families.

3. Any additional funds received by local early intervention systems pursuant to the federal American Recovery and Reinvestment Act (ARRA) of 2009 for early intervention services through Part C of the Individuals with Disabilities Education Act (IDEA) of 2004 shall be used to supplement, not supplant federal, state and local funding at the level in effect upon the date of enactment of the ARRA.

4. The Department of Behavioral Health and Developmental Services shall promulgate regulations to comply with 34 CFR Parts 300 and 303. The department shall have authority to promulgate emergency regulations to implement this amendment within 280 days or less from the enactment date of this act.

I. Out of this appropriation $6,148,128 the first year and $6,148,128 the second year from the general fund shall be provided for mental health services for children and adolescents with serious emotional disturbances and related disorders, with priority placed on those children who, absent services, are at-risk for custody relinquishment, as determined by the Family and Assessment Planning Team of the locality. The Department of Behavioral Health and Developmental Services shall provide these funds to Community Services Boards through the annual Performance Contract. These funds shall be used exclusively for children and adolescents, not mandated for services under the Comprehensive Services Act for At-Risk Youth, who are identified and assessed through the Family and Assessment Planning Teams

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and approved by the Community Policy and Management Teams of the localities. The department shall provide these funds to the Community Services Boards based on an individualized plan of care methodology.

J. Beginning July 1, 2007, the Commissioner, Department of Behavioral Health and Developmental Services shall allocate $1,000,000 the first year and $1,000,000 the second year from the federal Community Mental Health Services Block Grant for two specialized geriatric mental health services programs. One program shall be located in Health Planning Region II and one shall be located in Health Planning Region V. The programs shall serve elderly populations with mental illness who are transitioning from state mental health geriatric units to the community or who are at risk of admission to state mental health geriatric units.

K. Beginning July 1, 2007, the Commissioner, Department of Behavioral Health and Developmental Services shall allocate $750,000 the first year and $750,000 the second year from the federal Community Mental Health Services Block Grant for consumer-directed programs offering specialized mental health services that promote wellness, recovery and improved self-management.

L. Out of this appropriation, $2,197,050 the first year and $2,197,050 the second year from the general fund shall be used for jail diversion and reentry services. Funds shall be distributed to community-based contractors based on need and community preparedness as determined by the commissioner.

M. Out of this appropriation, $2,400,000 the first year and $2,400,000 the second year from the general fund shall be used for treatment and support services for substance use disorders. Funded services shall focus on recovery models and the use of best practices.

N. Out of this appropriation, $2,780,645 the first year and $2,780,645 the second year from the general fund shall be used to provide outpatient clinician services to children with mental health needs. Each Community Services Board shall receive funding as determined by the commissioner to increase the availability of specialized mental health services for children. The department shall require that each Community Services Board receiving these funds agree to cooperate with Court Service Units in their catchment areas to provide services to mandated and nonmandated children, in their communities, who have been brought before Juvenile and Domestic Relations Courts and for whom treatment services are needed to reduce the risk these children pose to themselves and their communities or who have been referred for services through family assessment and planning teams through the Comprehensive Services Act for At-Risk Youth and Families.

~~O. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be used for start-up funding for the establishment of community residential services to support the Intellectual Disability Home and Community-Based Waiver Program. The Department of Behavioral Health and Developmental Services shall manage the distribution of these funds to Community Services Boards to support public and private sector implementation of service plans for individuals enrolled for those services under the expanded community waivers.~~

P. Out of this appropriation, $17,701,997 the first year and $17,701,997 the second year from the general fund shall be used to provide emergency services, crisis stabilization services, case management, and inpatient and outpatient mental health services for individuals who are in need of emergency mental health services or who meet the criteria for mental health treatment set forth pursuant to House Bill 559 and Senate Bill 246, 2008 Session of the General Assembly. Funding provided in this item also shall be used to offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and Senate Bill 246, 2008 Session of the General Assembly; and (ii) attendance at involuntary commitment hearings by community services board staff who have completed the prescreening report, pursuant to House Bill 560 and Senate Bill 246, 2008 Session of the General Assembly.

Q. Out of this appropriation, $5,000,000 the first year and ~~$5,000,000~~ *$8,800,000* the second year from the general fund shall be used to provide community crisis intervention services in each region for individuals with intellectual disabilities and co-occurring mental health or behavioral disorders.

R. Out of this appropriation, $1,900,000 the first year and $1,900,000 the second year from the

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general fund shall be used to expand community-based services in Health Planning Region V. These funds shall be used for services intended to delay or deter placement, or provide discharge assistance for patients in a state mental health facility.

S. Out of this appropriation, $2,000,000 the first year and $2,000,000 the second year from the general fund shall be used to expand crisis stabilization and related services statewide intended to delay or deter placement in a state mental health facility.

T.*1.* Out of this appropriation, $30,000,000 the first year from the general fund shall be used to implement the provisions of the settlement agreement relating to United States of America v. Commonwealth of Virginia (Civil Action No. 312cv0059-JAG).

2. Any funds appropriated for the purposes of complying with the agreement that are unspent in the first year may be carried forward into the second year.

U. Notwithstanding any contrary provision of law, the unexpended appropriation as of June 30, 2012 in the Behavioral Health and Developmental Services Trust Fund, appropriated for the expansion of community-based services in anticipation of an agreement with the U.S. Department of Justice, pursuant to Item 305, Chapter 890, 2011 Acts of Assembly, shall be reappropriated. Upon approval by the Secretary of Health and Human Resources and the Secretary of Finance, the Director, Department of Planning and Budget, shall transfer the reappropriated amount from the Trust Fund to the general fund. The general fund appropriation shall be transferred to Item 315 of this act and made available for the purposes of complying with the agreement with the U.S. Department of Justice. The State Comptroller shall transfer the equivalent amount of cash from the Trust Fund to the general fund. Any cash in the fund not associated with implementation of the agreement shall remain in the fund.

V.1. In order to meet the terms of the settlement agreement, the appropriations in Items 307 and 315 include the following estimated general fund amounts.

Estimated Amounts

	FY 2013	**FY 2014**
Facility Transition	$11,309,540	$19,534,660
Community Waiver Slots	$19,615,150	$27,642,275
Program of Individual and Family Supports	$2,400,000	$3,200,000
Rental Subsidies	$800,000	$0
Crisis Stabilization	$5,000,000	$10,000,000
Facility Closure Costs	$2,749,885	$8,397,855
Administration	$1,313,682	$1,807,338
Quality Management	$1,787,000	$1,537,000
Independent Review	$300,000	$300,000
Facility Savings	($5,846,989)	($23,364,535)
Total	**$39,428,269**	**$49,054,594**

These amounts may vary as needs are identified throughout the year. Changes to the amounts described above require the review and approval of the Secretary of Health and Human Resources and the Secretary of Finance. Upon approval of the Secretary of Health and Human Resources and the Secretary of Finance, the Director, Department of Planning and Budget, shall transfer appropriation between Items 307, 311, 312, and 314, as needed. The Department of Behavioral Health and Developmental Services shall provide updates on July 1 and December 1 of each year to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees regarding expenditures and progress in meeting implementation targets established in the agreement.

2.a. The Department of Medical Assistance Services shall amend the Intellectual Disabilities Waiver to add 160 slots each year for individuals who are exiting training centers and 225 slots each year to address the community waiting list in accordance with the agreement.

b. The Department of Medical Assistance Services shall amend the Individual and Family Developmental Disabilities Supports Waiver to add 25 slots each year in accordance with the agreement.

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3. The State Board of Behavioral Health and Developmental Services shall promulgate emergency regulations to implement an individual and family supports program. These regulations shall become effective within 280 days or less from the enactment date of this act.

4. Any funds appropriated for the purposes of complying with the agreement that are unspent in the first year may be carried forward into the second year.

W. Out of this appropriation, $1,500,000 the first year and ~~$1,750,000~~*$3,650,000* the second year from the general fund shall be used to provide child psychiatry and children's crisis response services for children with mental health and behavioral disorders. These funds, divided among the health planning regions based on the current availability of the services, shall be used to hire or contract with child psychiatrists who can provide direct clinical services, including crisis response services, as well as training and consultation with other children's health care providers in the health planning region such as general practitioners, pediatricians, nurse practitioners, and community service boards staff, to increase their expertise in the prevention, diagnosis, and treatment of children with mental health disorders. Funds may also be used to create new or enhance existing community-based crisis response services in a health planning region, including mobile crisis teams and crisis stabilization services, with the goal of diverting children from inpatient psychiatric hospitalization to less restrictive services in or near their communities. The Department of Behavioral Health and Developmental Services shall report on the use and impact of this funding to the Chairmen of the House Appropriations and Senate Finance Committees beginning on October 1, 2013 and each year thereafter.

X. Out of this appropriation, $600,000 the first year and ~~$600,000~~ *$1,500,000* the second year from the general fund shall be used to expand capacity for up to ~~five~~ *eight* drop-off centers to provide an alternative to incarceration for people with serious mental illness. Priority for new funding shall be given to programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to implement drop-off centers.

Y. Out of this appropriation, $1,250,000 the second year from the general fund shall be used to develop and implement crisis services for children with intellectual or developmental disabilities.

Z. Out of this appropriation, $1,500,000 the second year from the general fund shall be used to provide community-based services to individuals residing in state hospitals who have been determined clinically ready for discharge.

AA. Out of this appropriation, $600,000 the second year from the general fund shall be used to provide mental health first aid training and certification to recognize and respond to mental or emotional distress. Funding shall be used to cover the cost of personnel dedicated to this activity, training and certification, and manuals and certification for all those receiving the training.

Total for Grants to Localities			~~$348,371,560~~	~~$318,671,560~~
			$347,621,560	*$331,621,560*
Fund Sources: General	~~$286,147,318~~	~~$256,397,318~~		
	$285,397,318	*$269,347,318*		
Special	$544,795	$594,795		
Federal Trust	$61,679,447	$61,679,447		

Mental Health Treatment Centers (792)

316. Instruction (19700)			$2,162,704	$2,162,704
Facility-Based Education and Skills Training (19708)	$2,162,704	$2,162,704		
Fund Sources: General	$2,025,418	$2,025,418		
Special	$786	$786		

ITEM 316.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Federal Trust	$136,500	$136,500		
	Authority: §§ 37.1-10.01 and 37.1-96, Code of Virginia; P.L. 102-73 and 102-119, Federal Code.				
317.	Secure Confinement (35700)			$12,709,002	$12,709,002
	Forensic and Behavioral Rehabilitation Security (35707)	$12,709,002	$12,709,002		
	Fund Sources: General	$12,400,904	$12,400,904		
	Special	$308,098	$308,098		
	Authority: Title 37.1, Chapters 1 and 2, Code of Virginia.				
318.	Pharmacy Services (42100)			$19,006,396	$19,006,396
	Aftercare Pharmacy Services (42101)	$11,722,896	~~$11,722,896~~ *$0*		
	Inpatient Pharmacy Services (42102)	$7,283,500	~~$7,283,500~~ *$19,006,396*		
	Fund Sources: General	$4,464,733	$4,464,733		
	Special	$14,541,663	$14,541,663		
	Authority: Title 37.2, Chapters 8, Code of Virginia.				
319.	State Health Services (43000)			$190,511,094	~~$189,911,094~~ *$189,062,510*
	Geriatric Care Services (43006)	$34,917,634	$34,917,634		
	Inpatient Medical Services (43007)	$19,262,750	~~$19,262,750~~ *$19,962,750*		
	State Mental Health Facility Services (43014)	$136,330,710	~~$135,730,710~~ *$134,182,126*		
	Fund Sources: General	$128,758,156	~~$128,158,156~~ *$127,309,572*		
	Special	$61,752,938	$61,752,938		
	Authority: Title 37.1, Chapters 1 and 2; Title 16.1, Article 16, Code of Virginia.				

A.1. Out of this appropriation, $600,000 the first year *and $700,000 the second year* from the general fund shall be used to continue operating up to 13 beds at Northern Virginia Mental Health Institute (NVMHI) that have been scheduled for closure in fiscal year 2013. The Commissioner of the Department of Behavioral Health and Developmental Services shall ensure continued operation of ~~up to 13 beds through fiscal year 2013~~ *at least 123 beds*.

2. The Commissioner of the Department of Behavioral Health and Developmental Services shall convene a workgroup to develop a long-term funding plan for inpatient bed capacity in the catchment area served by NVMHI. The report shall outline specific strategies and plans to meet the psychiatric inpatient and inpatient diversion needs of individuals with serious and persistent mental illness who are served by the publicly funded mental health system. The Commissioner shall also assess the cost and feasibility of creating an alternative to re-opening beds at NVMHI. The Commissioner shall report his findings no later than October 1, 2012 to the Chairmen of the Senate Finance and House Appropriations Committees as well as the Joint Commission on Health Care.

320.	Facility Administrative and Support Services (49800)			$77,801,589	$77,801,589
	General Management and Direction (49801)	$27,060,897	$27,060,897		
	Information Technology Services (49802)	$4,083,110	$4,083,110		
	Food and Dietary Services (49807)	$12,421,830	$12,421,830		
	Housekeeping Services (49808)	$7,404,873	$7,404,873		
	Linen and Laundry Services (49809)	$1,528,546	$1,528,546		
	Physical Plant Services (49815)	$18,719,895	$18,719,895		
	Power Plant Operation (49817)	$4,000,450	$4,000,450		
	Training and Education Services (49825)	$2,581,988	$2,581,988		

ITEM 320.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Fund Sources: General	$58,741,079	$58,741,079		
Special	$18,997,010	$18,997,010		
Federal Trust	$63,500	$63,500		

Authority: § 37.1-42.1, Code of Virginia.

A. Out of this appropriation, $759,000 the first year and $759,000 the second year from the general fund shall be used to ensure proper billing and maximum reimbursement for prescription drugs purchased by mental health treatment centers through the Medicare Part D drug program.

B. The department shall take necessary step to develop an employee transition assistance plan for positions at Eastern State Hospital and Western State Hospital reduced due to the replacement of these facilities.

C. Notwithstanding § 37.2-319 of the Code of Virginia, the Commissioner shall prepare a plan to address the capital and programmatic needs of other state mental health facilities and state mental retardation training centers when considering expenditures from the trust fund. No less than 30 days prior to the expenditure of funds, the Commissioner shall present an expenditure plan to the Chairmen of the Senate Finance and House Appropriations Committees for their review and consideration.

321. *A.* The appropriations for the Mental Health Treatment Centers include the following approximate amounts. These amounts may vary dependent on facility or Department of Behavioral Health and Developmental Services needs identified throughout the year:

FY2013

	Facility	Position Level	General	Special	Federal Trust	Total
724	Catawba	334.00	$8,741,585	$12,049,426	$0	$20,791,009
703	Central State	719.00	$44,155,724	$3,165,755	$12,000	$47,333,479
708	Commonwealth Center	140.00	$8,387,322	$1,800,000	$0	$10,187,322
704	Eastern State	1,028.00	$37,376,829	$29,186,754	$81,350	$66,644,933
748	Hiram W. Davis	192.00	$8,651,170	$7,713,937	$0	$16,365,107
728	Northern Virginia	360.00	$22,563,203	$3,534,471	$0	$26,097,674
729	Piedmont	347.00	$2,503,283	$18,602,033	$0	$21,105,316
739	Southern Virginia	160.00	$9,780,985	$2,627,843	$0	$12,408,828
705	Southwestern Virginia	479.00	$22,189,393	$10,617,940	$103,650	$32,910,983
706	Western State	765.00	$42,040,796	$6,302,336	$3,000	$48,346,132
	Total	**4,524.00**	**$206,390,290**	**$95,600,495**	**$200,000**	**$302,190,785**

FY2014

	Facility	Position Level	General	Special	Federal Trust	Total
724	Catawba	334.00	$8,741,585	$12,049,426	$0	$20,791,009
703	Central State	719.00	$44,155,724	$3,165,755	$12,000	$47,333,479
708	Commonwealth Center	140.00	$8,387,322	$1,800,000	$0	$10,187,322
704	Eastern State	1,028.00	$37,376,829	$29,186,754	$81,350	$66,644,933
748	Hiram W. Davis	192.00	$8,651,170	$7,713,937	$0	$16,365,107
728	Northern Virginia	360.00	~~$21,963,203~~	$3,534,471	$0	~~$25,497,674~~
			$22,663,203			*$25,197,674*
729	Piedmont	347.00	$2,503,283	$18,602,033	$0	$21,105,316
739	Southern Virginia	160.00	$9,780,985	$2,627,843	$0	$12,408,828
705	Southwestern Virginia	479.00	$22,189,393	$10,617,940	$103,650	$32,910,983
706	Western State	765.00	$42,040,796	$6,302,336	$3,000	$48,346,132
	Total	**4,524.00**	**~~$205,790,290~~**	**$95,600,495**	**$200,000**	**~~$301,590,785~~**
			$206,490,290			***$302,290,786***

B. The approximate amounts for treatment centers listed in the table in this Item shall be reduced system-wide by $1,548,684. The reductions shall be applied to each facility budget as determined by the commissioner.

ITEM 321.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Total for Mental Health Treatment Centers.....			**$302,190,785**	**~~$301,590,785~~** ***$300,742,201***
	General Fund Positions.....	3,759.00	3,759.00		
	Nongeneral Fund Positions.....	765.00	765.00		
	Position Level	4,524.00	4,524.00		
	Fund Sources: General.....	$206,390,290	~~$205,790,290~~ *$204,941,706*		
	Special.....	$95,600,495	$95,600,495		
	Federal Trust.....	$200,000	$200,000		
	Intellectual Disabilities Training Centers (793)				
322.	Instruction (19700).....			$9,310,678	$9,310,678
	Facility-Based Education and Skills Training (19708)	$9,310,678	$9,310,678		
	Fund Sources: General.....	$8,331,394	$8,331,394		
	Special.....	$779,284	$779,284		
	Federal Trust.....	$200,000	$200,000		
	Authority: Title 37.2, Chapter 3, Code of Virginia.				
323.	Pharmacy Services (42100)			$4,906,719	$4,906,719
	Inpatient Pharmacy Services (42102).....	$4,906,719	$4,906,719		
	Fund Sources: General.....	$40,732	$40,732		
	Special.....	$4,865,987	$4,865,987		
	Authority: §§ 37.1-10.01 and 37.1-96, Code of Virginia; P.L. 102-119, Federal Code.				
324.	State Health Services (43000)			$172,751,127	$172,751,127
	Inpatient Medical Services (43007)	$38,898,721	$38,898,721		
	State Intellectual Disabilities Training Center Services (43010)	$133,852,406	$133,852,406		
	Fund Sources: General.....	$18,005,727	$18,005,727		
	Special.....	$154,745,400	$154,745,400		
	Authority: Title 37.1, Chapters 1 and 2, Code of Virginia.				
	A. Out of this appropriation, $400,000 the first year and $400,000 the second year from the general fund shall be used to support two Regional Community Support Centers located at the Southwest Virginia Training Center and the Central Virginia Training Center.				
	B. The department shall take necessary steps to develop an employee transition assistance plan for positions at Central Virginia Training Center and Southeastern Virginia Training Center reduced due to the downsizing of these facilities.				
	C. Out of this appropriation, $400,000 the first year and $400,000 the second year from the general fund shall be used to support Regional Community Support Centers at Southside Virginia Training Center and Southeastern Virginia Training Center.				
	D. The Commissioner of Behavioral Health and Developmental Services shall comply with all relevant state and federal laws and Supreme Court decisions that govern the discharge of residents from state intellectual disability training centers and the granting of intellectual disability waiver slots.				
325.	Facility Administrative and Support Services (49800)			$75,461,611	$75,461,611
	General Management and Direction (49801).....	$16,618,349	$16,618,349		
	Information Technology Services (49802).....	$2,251,588	$2,251,588		
	Food and Dietary Services (49807)	$16,696,430	$16,696,430		
	Housekeeping Services (49808)	$10,555,800	$10,555,800		
	Linen and Laundry Services (49809).....	$2,737,335	$2,737,335		

ITEM 325.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Physical Plant Services (49815)	$17,442,358	$17,442,358		
Power Plant Operation (49817)	$7,423,665	$7,423,665		
Training and Education Services (49825)	$1,736,086	$1,736,086		
Fund Sources: General	$5,745,225	$5,745,225		
Special	$69,716,386	$69,716,386		

Authority: Title 37.1, Chapters 1 and 2, Code of Virginia; P.L. 74-320, Federal Code.

326. The appropriations for the Intellectual Disability Training Centers include the following approximate amounts. These amounts may vary dependent on facility or Department Behavioral Health and Developmental Services needs identified throughout the year:

FY2013

	Facility	Position Level	General	Special	Federal Trust	Total
707	Central Virginia	1,300.00	$19,071,482	$67,281,959	$0	$86,353,442
725	Northern Virginia	530.00	$1,407,075	$39,208,844	$118,000	$40,733,919
726	Southside Virginia	1,404.00	$10,999,426	$68,530,015	$0	$79,529,441
723	Southeastern Virginia	381.00	$394,052	$27,510,886	$42,000	$27,946,938
738	Southwestern Virginia	453.00	$251,042	$27,575,353	$40,000	$27,866,396
	Total	**4,068.00**	**$32,123,078**	**$230,107,057**	**$200,000**	**$262,430,135**

FY2014

	Facility	Position Level	General	Special	Federal Trust	Total
707	Central Virginia	1,300.00	$19,071,482	$67,281,959	$0	$86,353,442
725	Northern Virginia	530.00	$1,407,075	$39,208,844	$118,000	$40,733,919
726	Southside Virginia	1,404.00	$10,999,426	$68,530,015	$0	$79,529,441
723	Southeastern Virginia	381.00	$394,052	$27,510,886	$42,000	$27,946,938
738	Southwestern Virginia	453.00	$251,042	$27,575,353	$40,000	$27,866,396
	Total	**4,068.00**	**$32,123,078**	**$230,107,057**	**$200,000**	**$262,430,135**

Total for Intellectual Disabilities Training Centers			**$262,430,135**	**$262,430,135**
General Fund Positions	2,219.00	2,219.00		
Nongeneral Fund Positions	1,849.00	1,849.00		
Position Level	4,068.00	4,068.00		
Fund Sources: General	$32,123,078	$32,123,078		
Special	$230,107,057	$230,107,057		
Federal Trust	$200,000	$200,000		

Virginia Center for Behavioral Rehabilitation (794)

326.05. Instruction (19700)			*$0*	*$500,000*
Facility-Based Education and Skills Training (19708)	*$0*	*$500,000*		
Fund Sources: General	*$0*	*$500,000*		
327. Secure Confinement (35700)			$16,112,960	~~$17,086,048~~ *$15,586,048*
Forensic and Behavioral Rehabilitation Security (35707)	$16,112,960	~~$17,086,048~~ *$15,586,048*		
Fund Sources: General	$16,112,960	~~$17,086,048~~ *$15,586,048*		

Authority: Title 37.1, Chapter 2, Article 1.1, and 37.1-70.1 through 37.1-70.l9. Code of Virginia.

ITEM 327.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
327.05.	*Pharmacy Services (42100)*			*$0*	*$1,000,000*
	Inpatient Pharmacy Services (42102)	*$0*	*$1,000,000*		
	Fund Sources: General	*$0*	*$1,000,000*		
328.	State Health Services (43000)			$2,175,316	$2,175,316
	State Mental Health Facility Services (43014)	$2,175,316	$2,175,316		
	Fund Sources: General	$2,175,316	$2,175,316		
	Authority: Title 37.1, Chapters 1 and 2; Title 16.1, Article 16, Code of Virginia.				
329.	Facility Administrative and Support Services (49800)			$8,976,635	$8,976,635
	General Management and Direction (49801)	$8,930,600	$8,930,600		
	Information Technology Services (49802)	$15,345	$15,345		
	Food and Dietary Services (49807)	$10,230	$10,230		
	Housekeeping Services (49808)	$10,230	$10,230		
	Physical Plant Services (49815)	$10,230	$10,230		
	Fund Sources: General	$8,976,635	$8,976,635		

Authority: Title 37.1, Chapter 2, Article 1.1, and 37.1-70.1 through 37.1-70.l9. Code of Virginia.

~~A.~~1. The Department of Behavioral Health and Developmental Services (DBHDS) shall implement a plan to accommodate additional sexually violent predators committed to the Virginia Center for Behavioral Rehabilitation (VCBR). Such plan may include double-bunking dormitory-style, repurposing existing space, or the addition of new housing units at the current VCBR site. The department shall not reopen a temporary facility for the housing, confinement and treatment of civilly committed sexually violent predators at the Southside Virginia Training Center in Dinwiddie County. Further, the department shall not undertake a capital project to expand or construct additional units or facilities at a new site for the housing, confinement and treatment of these individuals until a comprehensive review of the current program for the civil commitment of sexually violent predators is completed. The Department of Corrections shall assist DBHDS in developing the plan to accommodate additional capacity and shall provide risk assessment data of the affected population. The department may make necessary capital renovations to the facility in Nottoway County to accommodate the increased capacity in order to ensure resident safety.

2. In the event that services are not available in Virginia to address the specific needs of an individual committed for treatment at the VCBR or conditionally released, or additional capacity cannot be met at the VCBR, the Commissioner is authorized to seek such services from another state.

3. Beginning on July 1, 2011, the department shall provide quarterly reports to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the plan for the housing of additional individuals committed for treatment.

	Total for Virginia Center for Behavioral Rehabilitation			**$27,264,911**	**$28,237,999**
	General Fund Positions	449.00	475.50		
	Position Level	449.00	475.50		
	Fund Sources: General	$27,264,911	$28,237,999		
	Grand Total for Department of Behavioral Health and Developmental Services			~~**$1,004,701,277**~~ ***$1,007,180,741***	~~**$969,593,106**~~ ***$985,791,909***
	General Fund Positions	~~6,628.85~~ *6,635.85*	~~6,659.35~~ *6,668.35*		
	Nongeneral Fund Positions	~~2,624.40~~	~~2,624.40~~		

ITEM 329.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
		2,627.40	*2,625.40*		
	Position Level	~~9,253.25~~	~~9,283.75~~		
		9,263.25	*9,293.75*		
	Fund Sources: General	~~$587,282,336~~	~~$555,624,165~~		
		$589,718,318	*$571,803,782*		
	Special	~~$344,477,061~~	~~$341,027,061~~		
		$344,520,543	*$341,046,247*		
	Federal Trust	$72,941,880	$72,941,880		

~~§ 1-95. DEPARTMENT OF REHABILITATIVE SERVICES (262)~~

§ 1-95.1. DEPARTMENT FOR AGING AND REHABILITATIVE SERVICES (262)

330.	Rehabilitation Assistance Services (45400)			$97,492,683	~~$97,493,111~~ *$99,388,111*
	Vocational Rehabilitation Services (45404)	$81,180,260	~~$81,180,688~~ *$82,720,688*		
	Community Rehabilitation Programs (45406)	$16,312,423	~~$16,312,423~~ *$16,667,423*		
	Fund Sources: General	$25,703,485	~~$25,703,913~~ *$27,598,913*		
	Special	$4,656,801	$4,656,801		
	Dedicated Special Revenue	$2,016,499	$2,016,499		
	Federal Trust	$65,115,898	$65,115,898		

Authority: Title 51.5, Chapters 5 and 6, Code of Virginia; P.L. 93-112, Federal Code.

A.1. Out of this appropriation, $6,684,358 the first year and ~~$6,684,358~~ *$7,984,358* the second year from the general fund shall be used as state matching dollars for the federal Vocational Rehabilitation State Grant provided under the Rehabilitation Act of 1973, as amended, hereafter referred to as the federal vocational rehabilitation grant. The Department of Rehabilitative Services (DRS) shall not transfer or expend these dollars for any purpose other than to support activities related to vocational rehabilitation.

2. The federal vocational rehabilitation grant award amount for DRS is estimated at $62,398,658 in federal fiscal year 2013 and $62,398,658 in federal fiscal year 2014. Based on these projections, DRS shall not expend, without prior written concurrence from the Director, Department of Planning and Budget, more than $16,888,074 the first year and $16,888,074 the second year in state appropriation to meet the annual 21.3 percent state matching requirement and avoid the loss of federal dollars. This provision applies to the annual federal vocational rehabilitation grant award as well as any additional allotments requiring state match that may be made available to DRS. Any increases in total grant award spending shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees within 30 days.

B. Recovery of administrative costs for the Long Term Employment Support Services program shall be limited to 1.87 percent each fiscal year.

C. A minimum of $4,387,672 the first year and $4,387,672 the second year from all funds is allocated to support Centers for Independent Living.

D. The Department of Rehabilitative Services shall fulfill the administrative responsibilities pertaining to the Personal Attendant Services program, without interruption or discontinuation of personal attendant services currently provided.

E.1. Out of this appropriation, $4,053,981 the first year and ~~$4,053,981~~ *$4,158,981* the second year from the general fund shall be provided for expanding the continuum of services used to assist persons with brain injuries in returning to work and community living.

2. Of this amount, $1,725,000 the first year and ~~$1,725,000~~ *$1,830,000* the second year from the general fund shall be used to provide a continuum of brain injury services to individuals in unserved or underserved regions of the Commonwealth. Up to $150,000 each year shall be awarded to successful program applicants. Programs currently receiving more than $250,000

ITEM 330.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

from the general fund each year are ineligible for additional assistance under this section. To be determined eligible for a grant under this section, program applicants shall submit plans to pursue non-state resources to complement the provision of general fund support.

3. Of this amount, $285,000 the first year and $285,000 the second year shall be provided from the general fund to support direct case management services for brain injured individuals and their families in Southwestern Virginia.

4. Of this amount, $150,000 the first year and $150,000 the second year from the general fund shall be used to support case management services for individuals with brain injuries in unserved or underserved regions of the Commonwealth.

5. In allocating additional funds for brain injury services, the Department of Rehabilitative Services shall consider recommendations from the Virginia Brain Injury Council (VBIC).

6. The Department of Rehabilitative Services (DRS) shall submit an annual report to the Chairmen of the Senate Finance and House Appropriations Committees documenting the number of individuals served, services provided, and success in attracting non-state resources.

F. In allocating funds for Extended Employment Services, Long Term Employment Support Services (LTESS) and Economic Development, the Department of Rehabilitative Services shall consider recommendations from the established Employment Service Organizations/LTESS Steering Committee.

G.1. For Commonwealth Neurotrauma Initiative Trust Fund grants awarded after July 1, 2004, the commissioner shall require applicants to submit a plan to achieve self-sufficiency by the end of the grant award cycle in order to receive funding consideration.

2. Notwithstanding any other law to the contrary, the commissioner may reallocate up to $500,000 from unexpended balances in the Commonwealth Neurotrauma Initiative Trust Fund to fund new grant awards for research on traumatic brain and spinal cord injuries.

H. Notwithstanding the provisions of § 51.5-47, Code of Virginia, every county and city, either singly or in combination with another political subdivision, may establish a local disability services board to provide input to state agencies on service needs and priorities of persons with physical and sensory disabilities, to provide information and resource referral to local governments regarding the Americans with Disabilities Act, and to provide such other assistance and advice to local governments as may be requested. Notwithstanding the provisions of § 51.5-48, Code of Virginia, local disability services boards shall follow some or all of the provisions of this code section, at their discretion.

I.1. Out of this appropriation, $388,279 the first year and $388,279 the second year from the general fund shall be allocated to the Long-Term Rehabilitation Case Management Services Program.

2. Of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to Didlake for vocational services for people with disabilities.

J. The Commissioner of Rehabilitative Services, in collaboration with employment services stakeholders, shall report on the provision of vocational rehabilitation services and long-term employment support services for individuals with disabilities. At a minimum, the report shall include an analysis of the effectiveness of these services, the number of individuals served, and the duration, average cost, and type of services provided including whether services are provided by the Department of Rehabilitative Services, or other public or private vendors. The report shall also include an update on the current waiting list, closed categories under order of selection and employment status or employment support needs of prior year program participants. The report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2012.

K. Out of this appropriation, $250,000 the second year from the general fund shall be used to increase access to personal assistance services for individuals with disabilities.

ITEM 330.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
330.05.	*Individual Care Services (45500)*			*$0*	*$31,898,716*
	Financial Assistance for Local Services to the Elderly (45504)	*$0*	*$30,041,014*		
	Rights and Protection for the Elderly (45506)	*$0*	*$1,857,702*		
	Fund Sources: General	*$0*	*$11,106,810*		
	Special	*$0*	*$60,000*		
	Dedicated Special Revenue	*$0*	*$100,000*		
	Federal Trust	*$0*	*$20,631,906*		

Authority: Title 2.2, Chapter 7, Code of Virginia.

A. Out of this appropriation, $456,209 the second year from the general fund shall be provided to continue a statewide Respite Care Initiative program for the elderly and persons suffering from Alzheimer's Disease.

B.1. Out of this appropriation, $877,000 the second year from the general fund shall be provided to support local programs of the Virginia Public Guardian and Conservator Program. Up to $5,000 of this appropriation may be used for activities of the Virginia Public Guardian and Conservator Program Advisory Board, including but not limited to, paying expenses for the members to attend four meetings per year.

2. Out of this appropriation, $63,042 the second year from the general fund shall be provided for the administration of the public guardianship programs and for no other purpose.

3. Out of this appropriation, $125,500 the second year from the general fund shall be used to expand services through the Virginia Public Guardian and Conservator Program to individuals with mental illness and/or intellectual disability who are 18 years of age and older.

C. The Peninsula Agency on Aging, Bay Aging, Senior Services of Southeastern Virginia, and Valley Program for Aging Services shall be authorized to use funding provided for care coordination for the elderly to conduct a pilot program providing mobile, brief intervention and service linking as a form of care coordination. The Virginia Department for Aging and Rehabilitative Services, in collaboration with the four pilot Area Agencies on Aging, shall analyze the resulting impact in these pilot agencies and determine if this model of service delivery is an appropriate and beneficial use of these funds.

D. Area Agencies on Aging shall be designated as the lead agency in each respective area for No Wrong Door.

E. The Virginia Department for Aging and Rehabilitative Services, in collaboration with the 18 Area Agencies on Aging (AAAs) that are authorized to use funding for the Care Coordination for Elderly Program, shall examine and analyze existing state and national care coordination models to determine best practice models. The department and designated AAAs shall determine which models of service delivery are appropriate and demonstrate beneficial use of these funds and develop the accompanying service standards. Each AAA receiving care coordination funding shall submit its plan for care coordination with the annual area plan report beginning in fiscal year 2012.

F. Out of this appropriation, $201,875 the second year from the general fund shall be provided to support the distribution of comprehensive health and aging information to Virginia's senior population, their families and caregivers.

G. Out of this appropriation, $215,500 the second year from the general fund shall be provided for the Pharmacy Connect Program in Southwest Virginia, administered by Mountain Empire Older Citizens, Inc.

H. Out of this appropriation, $1,500,000 the second year from the general fund shall be provided to local Area Agencies on Aging (AAA). General funds shall be provided to AAAs that are subject to the loss of funds due to the decennial update of the federal formula for Area Agencies on Aging. Additional funding shall be used to address the growing number of elderly citizens in need of health, nutritional and other community-based services.

I. Notwithstanding § 2.2-703, Code of Virginia, the Department for Aging and Rehabilitative

ITEM 330.05.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

Services may administer the state Long-Term Care Ombudsman program in accordance with Public Law 89-73. The department shall ensure the ombudsman operates with programmatic independence and autonomy consistent with federal law.

J. The Department for Aging and Rehabilitative Services shall (i) recommend strategies to coordinate services and resources among agencies involved in the delivery of services to Virginians with dementia; (ii) monitor the implementation of the Dementia State Plan; (iii) recommend policies, legislation, and funding needed to implement the Plan; (iv) collect and monitor data related to the impact of dementia on Virginians; and (v) determine the services, resources, and policies that may be needed to address services for individuals with dementia.

330.10.	*Nutritional Services (45700)*			*$0*	*$21,102,635*
	Meals Served in Group Settings (45701)	*$0*	*$8,611,079*		
	Distribution of Food (45702)	*$0*	*$418,042*		
	Delivery of Meals to Home-Bound Individuals (45703)	*$0*	*$12,073,514*		
	Fund Sources: *General*	*$0*	*$5,367,980*		
	Federal Trust	*$0*	*$15,734,655*		

Authority: Title 2.2, Chapter 7, Code of Virginia.

Home delivered meals shall not require cost-sharing until such time as federal law permits cost-sharing with Older Americans Act funding.

330.15. A. Area Agencies on Aging are encouraged to continue seeking funds from a variety of sources which include cost-sharing in programs where not prohibited by funding sources; private sector voluntary contributions from older persons receiving services; families of individuals receiving services; and churches, service groups and other organizations. Such appropriations shall not be included in the appropriations used to match Older Americans Act funding. Revenue generated as a result of these projects shall be retained by the participating area agencies for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

B. It is the intent of the General Assembly that all Area Agencies on Aging use any new general fund revenue, with the exception of funding provided for the Long-term Care Ombudsman program, to implement sliding fees for services. However, priority for services should be given to applicants in the greatest need, regardless of ability to pay. Revenue from fees shall be retained by the Area Agencies on Aging for use in meeting critical care needs of older Virginians. These revenues shall supplement, not supplant, general fund resources.

C. It is the intent of the General Assembly that Older Americans Act funds and general fund moneys be targeted to services which can assist the elderly to function independently for as long as possible. Area Agencies on Aging may use general fund moneys for consumer-directed services.

D. At the request of the Commissioner, Department for Aging and Rehabilitative Services, the Director, Department of Planning and Budget may transfer state general fund appropriations for services provided by Area Agencies on Aging between service categories. The amounts to be transferred between categories shall not exceed 40 percent of the total state general fund appropriations allocated for each category. Under no circumstances shall any funds be transferred from direct services to administration. State general fund appropriations shall be available to the area agencies on aging beginning July 1 of each year of the biennium, in compliance with the department's General Fund Cash Management Policy.

331.	Continuing Income Assistance Services (46100)			$50,696,634	$50,696,634
	Social Security Disability Determination (46102)	$50,696,634	$50,696,634		
	Fund Sources: General	$1,136,250	$1,136,250		
	Special	$200,000	$200,000		
	Federal Trust	$49,360,384	$49,360,384		

Authority: Title 51.5, Chapter 3, Code of Virginia; Titles II and XVI, P.L. 74-271, Federal Code.

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The Department of Rehabilitative Services, in cooperation with the Department of Social Services and local social services agencies, shall develop an expedited process for transitioning hospitalized persons to rehabilitation facilities when the patient may meet the criteria established by the Social Security Administration (SSA) and Medicaid for disability. As part of this expedited process, the Department of Rehabilitative Services shall make Medicaid disability determinations within seven business days of the receipt of social service referrals, when the referrals include sufficient evidence that appropriately documents SSA's definition of disability. If the referrals do not contain sufficient documentation of disability, the Department of Rehabilitative Services shall continue to expedite processing of these priority referrals under Medicaid regulations.				
332. Administrative and Support Services (49900).....			$14,584,976	~~$14,584,976~~ *$18,432,476*
General Management and Direction (49901).....	$5,708,413	$5,708,413		
Information Technology Services (49902).....	$8,430,444	~~$8,430,444~~ *$8,430,224*		
Planning and Evaluation Services (49916).....	$222,733	$222,733		
Training and Education Services (49925).....	$223,386	$223,386		
Program Development and Coordination (49933).....	*$0*	*$3,847,720*		
Fund Sources: *General*.....	*$0*	*$2,077,835*		
Special.....	$8,341,698	$8,341,698		
Federal Trust.....	$6,243,278	~~$6,243,278~~ *$8,012,943*		
Authority: Title 51.5, Chapter 3, Code of Virginia; P.L. 93-112, Federal Code.				
The Position Level for the Department of Rehabilitative Services is ~~526.00~~ *561.00* for the Rehabilitation Assistance Services (45400) and the Administrative Support Services (49900) programs. The remaining 156.00 positions in the agency's Position Level are assigned to the Social Security Disability Determination (46102) service area, which has an actual position level that is higher, but not reflected in this act since they are for reference only in accordance with § 4-7.01 c.3. of this act.				
333. Included in the Federal Trust appropriation are amounts estimated at $361,526 the first year and $361,526 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.				
~~Total for Department of Rehabilitative Services~~.....			**$162,774,293**	~~**$162,774,721**~~
Total for Department for Aging and Rehabilitative Services.....				***$221,518,572***
General Fund Positions.....	91.75	~~91.75~~ *111.75*		
Nongeneral Fund Positions.....	593.25	~~593.25~~ *605.25*		
Position Level	685.00	~~685.00~~ *717.00*		
Fund Sources: General.....	$26,839,735	~~$26,840,163~~ *$47,287,788*		
Special.....	$13,198,499	~~$13,198,499~~ *$13,258,499*		
Dedicated Special Revenue.....	$2,016,499	~~$2,016,499~~ *$2,116,499*		
Federal Trust.....	$120,719,560	~~$120,719,560~~ *$158,855,786*		

ITEM 334.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Woodrow Wilson Rehabilitation Center (203)				
334.	Rehabilitation Assistance Services (45400)			$18,443,725	$18,440,725
	Vocational Rehabilitation Services (45404)	$10,156,189	$10,153,189		
	Medical Rehabilitative Services (45405)	$8,287,536	$8,287,536		
	Fund Sources: General	$3,951,463	$3,951,463		
	Special	$14,064,376	$14,064,376		
	Federal Trust	$427,886	$424,886		
	Authority: Title 51.5, Chapter 3, Code of Virginia; P.L. 89-313, P.L. 93-112, P.L. 94-482 and P.L. 95-602, Federal Code.				
335.	Administrative and Support Services (49900)			$7,511,489	~~$7,511,489~~ *$7,511,984*
	General Management and Direction (49901)	$2,241,461	~~$2,241,461~~ *$2,242,200*		
	Information Technology Services (49902)	$915,573	~~$915,573~~ *$915,329*		
	Physical Plant Services (49915)	$4,354,455	$4,354,455		
	Fund Sources: General	$904,994	~~$904,994~~ *$905,489*		
	Special	$6,606,495	$6,606,495		
	Authority: Title 51.5, Chapter 3, Code of Virginia; P.L. 93-112 and P.L. 95-602, Federal Code.				
	Comprehensive services available on-site at Woodrow Wilson Rehabilitation Center shall include, but not be limited to, vocational services, including evaluation, prevocational, academic, and vocational training; independent living services; transition from school to work services; rehabilitative engineering and assistive technology; and medical rehabilitation services, including residential, outpatient, supported living, community reentry, and family support.				
	Total for Woodrow Wilson Rehabilitation Center			**$25,955,214**	~~**$25,952,214**~~ ***$25,952,709***
	General Fund Positions	91.67	91.67		
	Nongeneral Fund Positions	221.33	221.33		
	Position Level	313.00	313.00		
	Fund Sources: General	$4,856,457	~~$4,856,457~~ *$4,856,952*		
	Special	$20,670,871	$20,670,871		
	Federal Trust	$427,886	$424,886		
	~~Grand Total for Department of Rehabilitative Services~~			**$188,729,507**	~~**$188,726,935**~~
	Grand Total for Department for Aging and Rehabilitative Services				***$247,471,281***
	General Fund Positions	183.42	~~183.42~~ *203.42*		
	Nongeneral Fund Positions	814.58	~~814.58~~ *826.58*		
	Position Level	998.00	~~998.00~~ *1,030.00*		
	Fund Sources: General	$31,696,192	~~$31,696,620~~ *$52,144,740*		
	Special	$33,869,370	~~$33,869,370~~ *$33,929,370*		
	Dedicated Special Revenue	$2,016,499	~~$2,016,499~~ *$2,116,499*		
	Federal Trust	$121,147,446	~~$121,144,446~~ *$159,280,672*		

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	§ 1-96. DEPARTMENT OF SOCIAL SERVICES (765)				
336.	Program Management Services (45100)			$34,688,327	~~$34,535,770~~ *$36,432,247*
	Training and Assistance to Local Staff (45101)	$4,165,605	$4,165,605		
	Central Administration and Quality Assurance for Benefit Programs (45102)	$11,811,192	$11,618,654		
	Central Administration and Quality Assurance for Family Services (45103)	$6,747,519	~~$6,787,500~~ *$7,246,262*		
	Central Administration and Quality Assurance for Community Programs (45105)	$8,691,719	~~$8,691,719~~ *$8,135,689*		
	Central Administration for the Comprehensive Services Act (Csa) (45106)	$1,092,728	~~$1,092,728~~ *$1,267,728*		
	Central Administration and Quality Assurance for Child Care Activities (45107)	$2,179,564	~~$2,179,564~~ *$3,998,309*		
	Fund Sources: General	$15,822,104	~~$15,750,342~~ *$15,367,182*		
	Special	$100,000	$100,000		
	Federal Trust	$18,766,223	~~$18,685,428~~ *$20,965,065*		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapter 2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. The Department of Social Services, in collaboration with the Office of Comprehensive Services, shall provide training to local staff serving on Family Assessment and Planning Teams and Community Policy and Management Teams. Training shall include, but need not be limited to, the federal and state requirements pertaining to the provision of the foster care services funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance concerning which services remain the financial responsibility of the local departments of social services. Training shall be provided on a regional basis at least once per year. Written guidance shall be updated and provided to local Comprehensive Services Act teams whenever there is a change in allowable expenses under federal or state guidelines. In addition, the Department of Social Services shall provide ongoing local oversight of its federal and state requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.

B. By November 1 of each year, the Department of Planning and Budget, in cooperation with the Department of Social Services, shall prepare and submit a forecast of expenditures for cash assistance provided through the Temporary Assistance for Needy Families (TANF) program, mandatory child day care services under TANF, foster care maintenance and adoption subsidy payments, upon which the Governor's budget recommendations will be based, for the current and subsequent two years to the Chairmen of the House Appropriations and Senate Finance Committees.

C. Out of this appropriation, $1,925,380 the first year and $1,829,111 the second year from the general fund and $1,925,380 the first year and $1,829,111 the second year from nongeneral funds shall be provided to fund the Supplemental Nutrition Assistance Program (SNAP) Electronic Benefit Transfer (EBT) contract cost.

D. The Department of Social Services may revise the current schedule for the issuance of federal Supplemental Nutrition Assistance Program (SNAP) benefits over a two-month conversion period while minimizing the impact on current recipients, provided that no general fund dollars are required to implement the conversion. If the department determines that there are any general fund costs required to implement the conversion, the department may revise the current schedule for the issuance of federal Supplemental Nutrition Assistance Program (SNAP) benefits for new enrollees only. The department may spread out the issuance of SNAP benefits over nine calendar days with payments occurring on the first, fourth, seventh, and ninth day of the month. The department has the authority to accept private donations to complete the

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transition to this revised schedule of payments by December 1, 2012.

E. Out of this appropriation, $175,000 the first year and $175,000 the second year from the general fund shall be available for utilization management services. The Office of Comprehensive Services and the Department of Behavioral Health and Developmental Services, in cooperation with representatives of the Virginia Association of Counties, the Virginia Municipal League, and the State Executive Council, shall develop the criteria and guidelines to be followed when providing these utilization management services.

F. 1. Out of this appropriation, ten positions and the associated funding shall be dedicated to providing on-going financial oversight of foster care services. Each of the ten positions, with two working out of each regional office, shall assess and review all foster care spending to ensure that state and federal standards are met. None of these positions shall be used for quality, information technology, or clerical functions.

2. By September 1 of each year, the department shall report to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget regarding the foster care program's statewide spending, error rates and compliance with state and federal reviews.

337. Financial Assistance for Self-Sufficiency Programs and Services (45200)			~~$270,627,718~~	~~$271,369,252~~
			$264,054,765	*$268,063,141*
Temporary Assistance for Needy Families (TANF) Cash Assistance (45201)	~~$109,320,127~~	~~$109,841,887~~		
	$101,663,954	*$104,514,209*		
Temporary Assistance for Needy Families (TANF) Employment Services (45212)	$19,657,832	$19,657,832		
Supplemental Nutrition Assistance Program Employment and Training (SNAPET) Services (45213)	$1,017,742	$1,017,742		
Temporary Assistance for Needy Families (TANF) Child Care Subsidies (45214)	~~$59,133,163~~	~~$59,668,072~~		
	$61,363,154	*$62,513,275*		
At-Risk Child Care Subsidies (45215)	$71,837,914	$71,845,914		
Unemployed Parents Cash Assistance (45216)	~~$9,660,940~~	~~$9,337,805~~		
	$8,514,169	*$8,514,169*		
Fund Sources: General	~~$88,814,159~~	~~$88,499,024~~		
	$82,667,388	*$82,675,388*		
Federal Trust	~~$181,813,559~~	~~$182,870,228~~		
	$181,387,377	*$185,387,753*		

Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A. It is hereby acknowledged that as of June 30, 2011 there existed with the federal government an unexpended balance of $25,574,493 in federal Temporary Assistance for Needy Families (TANF) block grant funds which are available to the Commonwealth of Virginia to reimburse expenditures incurred in accordance with the adopted State Plan for the TANF program. Based on projected spending levels and appropriations in this act, the Commonwealth's accumulated balance for authorized federal TANF block grant funds is estimated at ~~$14,064,514~~ *$30,053,974* on June 30, 2012; ~~$7,577,009~~ *$22,192,651* on June 30, 2013; and ~~$32,835~~ *$2,844,730* on June 30, 2014.

B. The Department of Social Services (DSS) shall report annually on October 1 to the Governor, the Secretary of Health and Human Resources, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget regarding spending; program results; clients served; the location, size, implementation status, and nature of projects funded with TANF funds; results of all formal evaluations; and recommendations for continuation, expansion, and redesign of the projects. Such report shall be combined with the report required by § 63.2-619, Code of Virginia.

C. No less than 30 days prior to submitting any amendment to the federal government related

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to the State Plan for the Temporary Assistance for Needy Families program, the Commissioner of the Department of Social Services shall provide the Chairmen of the House Appropriations and Senate Finance Committees as well as the Director, Department of Planning and Budget written documentation detailing the proposed policy changes. This documentation shall include an estimate of the fiscal impact of the proposed changes and information summarizing public comment that was received on the proposed changes.

D. To the extent permitted by federal law, the State Plan for Temporary Assistance for Needy Families (TANF) shall provide that the eligibility for assistance of an alien who is a qualified alien (as defined in § 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law Number 104-193) shall be determined without regard to alienage.

E. Notwithstanding any other provision of state law, the Department of Social Services shall maintain a separate state program, as that term is defined by federal regulations governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-parent families. The separate state program shall be funded by state funds and operated outside of the TANF program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program provided for in this paragraph. Although various conditions and eligibility requirements may be different under the separate state program, the basic benefit payment for which two-parent families are eligible under the separate state program shall not be less than what they would have received under TANF. The Department of Social Services shall establish regulations to govern this separate state program.

F. As a condition of this appropriation, the Department of Social Services shall disregard the value of one motor vehicle per assistance unit in determining eligibility for cash assistance in the Temporary Assistance for Needy Families (TANF) program and in the separate state program for able-bodied two-parent families.

G. The Department of Social Services, in collaboration with local departments of social services, shall maintain minimum performance standards for all local departments of social services participating in the Virginia Initiative for Employment, Not Welfare (VIEW) program. The department shall allocate VIEW funds to local departments of social services based on these performance standards and VIEW caseloads. The allocation formula shall be developed and revised in cooperation with the local social services departments and the Department of Planning and Budget.

H. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of Virginia, or due to the closure of the TANF case prior to the completion of 24 months of TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be eligible to receive employment and training assistance for up to 12 months after termination, if needed, in addition to other transitional services provided pursuant to § 63.2-611, Code of Virginia.

I. The Department of Social Services, in conjunction with the Department of Correctional Education, shall identify and apply for federal, private and faith-based grants for pre-release parenting programs for non-custodial incarcerated parent offenders committed to the Department of Corrections, including but not limited to the following grant programs: Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special Improvement Projects, § 1115 Social Security Demonstration Grants, and any new grant programs authorized under the federal Temporary Assistance for Needy Families (TANF) block grant program.

J. Included in this Item is funding to carry out the former responsibilities of the Virginia Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations allocated for uses associated with the Head Start program shall not be transferred for any other use until eligible Head Start families have been fully served. Any remaining funds may be used to provide services to enrolled low-income families in accordance with federal and state requirements. Families, who are working or in education and training programs, with income at or below the poverty level, whose children are enrolled in Head Start wraparound programs paid for with the federal block grant funding in this Item shall not be required to pay fees for

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these wraparound services.

K. Out of this appropriation, $2,639,305 the first year and $2,647,305 the second year from the general fund and $54,466,586 the first year and $54,466,586 the second year from federal funds shall be provided to support state child care programs which will be administered on a sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are to be set according to the rules and regulations of the State Board of Social Services, except that the income eligibility thresholds for child care assistance shall account for variations in the local cost of living index by metropolitan statistical areas. The Department of Social Services shall report on the sliding fee scale and eligibility criteria adopted by the Board of Social Services by December 15 of each year. The Department of Social Services shall make the necessary amendments to the Child Care and Development Funds Plan to accomplish this intent. Funds shall be targeted to families who are most in need of assistance with child care costs. Localities may exceed the standards established by the state by supplementing state funds with local funds.

L. The department shall report to the Governor, General Assembly, and Director, Department of Planning and Budget by October 15 of each year regarding the status of its child care assistance automation efforts. The annual report shall include system adequacy, programmatic and financial efficiencies gained and the need for any further actions.

M. Out of this appropriation, $600,000 the first year and $600,000 the second year from nongeneral funds shall be used to provide scholarships to students in early childhood education and related majors who plan to work in the field, or already are working in the field, whether in public schools, child care or other early childhood programs, and who enroll in a state community college or a state supported senior institution of higher education.

N. Out of this appropriation, $505,000 the first year and $505,000 the second year from nongeneral funds shall be used to provide training of individuals in the field of early childhood education.

O. Out of this appropriation, $300,000 the first year and $300,000 the second year from nongeneral funds shall be used to provide child care assistance for children in homeless and domestic violence shelters.

338. Financial Assistance for Local Social Services Staff (46000)			~~$372,879,056~~	~~$372,879,056~~
			$375,068,444	*$377,679,017*
Eligibility Determination Local Staff and Operations (46003)	~~$196,104,279~~	~~$196,104,279~~		
	$198,293,667	*$201,793,667*		
Social Worker Local Staff and Operations (46006)	$176,774,777	~~$176,774,777~~		
		$175,885,350		
Fund Sources: General	~~$115,035,788~~	~~$115,035,788~~		
	$115,234,376	*$115,254,321*		
Dedicated Special Revenue	$3,000,000	$3,000,000		
Federal Trust	~~$254,843,268~~	~~$254,843,268~~		
	$256,834,068	*$259,424,696*		

Authority: Title 63.2, Chapters 1 through 7 and 9 through 16, Code of Virginia; P.L. 104-193, Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.

A. The amounts in this Item shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615 Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be credited to the applicable general fund account.

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C. Included in this appropriation are funds to reimburse local social service agencies for eligibility workers who interview applicants to determine qualification for public assistance benefits which include but are not limited to: Temporary Assistance for Needy Families (TANF); Supplemental Nutrition Assistance Program (SNAP); and Medicaid.

D. Included in this appropriation are funds to reimburse local social service agencies for social workers who deliver program services which include but are not limited to: child and adult protective services complaint investigations; foster care and adoption services; and adult services.

E. Out of the federal fund appropriation for local social services staff, amounts estimated at $47,000,000 the first year and $47,000,000 the second year shall be set aside for allowable local costs which exceed available general fund reimbursement and amounts estimated at $16,000,000 the first year and $16,000,000 the second year shall be set aside to reimburse local governments for allowable costs incurred in administering public assistance programs.

F. Out of this appropriation, $439,338 the first year and $439,338 the second year from the general fund and $422,109 the first year and $422,109 the second year from nongeneral funds is provided to cover the cost of the health insurance credit for retired local social services employees.

339. Child Support Enforcement Services (46300)			$764,992,149	$764,992,149
Support Enforcement and Collection Services (46301)	$94,793,978	$94,793,978		
Public Assistance Child Support Payments (46302)	$11,000,000	$11,000,000		
Non-Public Assistance Child Support Payments (46303)	$659,198,171	$659,198,171		
Fund Sources: General	$7,033,311	$7,033,311		
Special	$699,626,813	$699,626,813		
Federal Trust	$58,332,025	$58,332,025		

Authority: Title 20, Chapters 1 through 9; Title 63.2, Chapter 19, Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 105-33, P.L. 106-113, Federal Code.

A. Any net revenue from child support enforcement collections, after all disbursements are made in accordance with state and federal statutes and regulations, and after the state's share of the cost of administering the program is paid, shall be estimated and deposited into the general fund by June 30 of the fiscal year in which it is collected. Any additional moneys determined to be available upon final determination of a fiscal year's costs of administering the program shall be deposited to the general fund by September 1 of the subsequent fiscal year in which it is collected.

B. In determining eligibility and amounts for cash assistance, pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the department shall continue to disregard up to $100 per month in child support payments and return to recipients of cash assistance up to $100 per month in child support payments collected on their behalf.

C. The state share of amounts disbursed to recipients of cash assistance pursuant to paragraph B of this Item shall be considered part of the Commonwealth's required Maintenance of Effort spending for the federal Temporary Assistance for Needy Families program established by the Social Security Act.

D. The department shall expand collections of child support payments through contracts with private vendors. However, the Department of Social Services and the Office of the Attorney General shall not contract with any private collection agency, private attorney, or other private entity for any child support enforcement activity until the State Board of Social Services has made a written determination that the activity shall be performed under a proposed contract at a lower cost than if performed by employees of the Commonwealth.

E. The Division of Child Support Enforcement, in cooperation with the Department of Medical Assistance Services, shall identify cases for which there is a medical support order requiring a noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs. Once

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	identified, the division shall work with the Department of Medical Assistance Services to take appropriate enforcement actions to obtain medical support or repayments for the Medicaid program.				
340.	Adult Programs and Services (46800)			$38,476,417	~~$38,476,417~~ *$39,961,169*
	Auxiliary Grants for the Aged, Blind, and Disabled (46801)	$23,414,217	~~$23,414,217~~ *$24,898,969*		
	Adult In-Home and Supportive Services (46802)	$6,822,995	$6,822,995		
	Domestic Violence Prevention and Support Activities (46803)	$8,239,205	$8,239,205		
	Fund Sources: General	$23,771,389	~~$23,771,389~~ *$25,256,141*		
	Dedicated Special Revenue	$1,000,000	$1,000,000		
	Federal Trust	$13,705,028	$13,705,028		

Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social Security Act, as amended.

A.1. Effective ~~July 1, 2012~~ *January 1, 2013*, the Department of Social Services is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of ~~$1,150~~ *$1,161* per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

2. Effective January 1, ~~2009~~ *2013*, the monthly personal care allowance for auxiliary grant recipients who reside in licensed assisted living facilities and approved adult foster care homes shall be ~~$81~~ *$82* per month, unless modified as indicated below.

3. The Department of Social Services is authorized to increase the assisted living facility and adult foster care home rates and/or the personal care allowance cited above on January 1 of each year in which the federal government increases Supplemental Security Income or Social Security rates or at any other time that the department determines that an increase is necessary to ensure that the Commonwealth continues to meet federal requirements for continuing eligibility for federal financial participation in the Medicaid program. Any such increase is subject to the prior concurrence of the Department of Planning and Budget. Within thirty days after its effective date, the Department of Social Services shall report any such increase to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees with an explanation of the reasons for the increase.

4. Effective July 1, 2013, the Department of Social Services is authorized to base approved licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent of licensed capacity, not to exceed a maximum rate of $1,196 per month, which rate is also applied to approved adult foster care homes, unless modified as indicated below. The department may add a 15 percent differential to the maximum amount for licensed assisted living facilities and adult foster care homes in Planning District Eight.

B. Out of this appropriation, $4,843,286 the first year and $4,843,286 in the second year from the federal Social Services Block Grant shall be allocated to provide adult companion services for low-income elderly and disabled adults.

C. The toll-free telephone hotline operated by the Department of Social Services to receive child abuse and neglect complaints shall also be publicized and used by the department to receive complaints of adult abuse and neglect.

D.1. Out of this appropriation, $248,750 the first year and $248,750 the second year from the general fund and $1,000,000 the first year and $1,000,000 the second year from nongeneral funds shall be provided as a grant to local domestic violence programs for purchase of crisis and core services for victims of domestic violence, including 24-hour hotlines, emergency shelter, emergency transportation, and other crisis services as a first priority.

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2. The nongeneral fund amounts in D.1. shall be supported with $500,000 the first year and $500,000 the second year from the Virginia Domestic Violence Victim Fund and $500,000 the first year and $500,000 the second year from the Virginia Crime Victim-Witness Fund.

E. Out of this appropriation, $75,000 the first year and $75,000 the second year from the general fund and $400,000 the first year and $400,000 the second year from nongeneral funds shall be provided for the purchase of services for victims of domestic violence as stated in § 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

F. The Director, Department of Planning and Budget, shall, on or before June 30, 2013, unallot $500,000 from the general fund in this item, which reflects unused balances in the auxiliary grants program.

341. Child Welfare Services (46900)			~~$174,245,071~~	~~$174,189,267~~
			$172,542,871	*$174,137,067*
~~Foster Care Payments and Supportive Services (46901)~~	~~$62,561,740~~	~~$62,561,740~~		
Foster Care Payments (46901)	*$44,531,466*	*$44,931,466*		
~~Supplemental Child Protective Activities (46902)~~	~~$4,107,950~~	~~$4,107,950~~		
Supplemental Child Welfare Activities (46902)	*$23,210,945*	*$24,405,141*		
~~Adoption Subsidies and Supportive Services (46903)~~	~~$107,575,381~~	~~$107,519,577~~		
Adoption Subsidy Payments (46903)	*$104,800,460*	*$104,800,460*		
Fund Sources: General	~~$92,850,973~~	~~$92,810,643~~		
	$90,227,695	*$92,516,099*		
Special	$325,030	$325,030		
Dedicated Special Revenue	$235,265	$235,265		
Federal Trust	~~$80,833,803~~	~~$80,818,329~~		
	$81,754,881	*$81,060,673*		

Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L. 101-126, P.L. 101-226, P.L. 105-89, as amended, Federal Code.

A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully reimbursed except that expenditures otherwise subject to a standard local matching share under applicable state policy, including local staffing, shall continue to require local match. The commissioner shall ensure that local social service boards obtain reimbursement for all children eligible for Title IV-E coverage.

B. The commissioner, in cooperation with the Department of Planning and Budget, shall establish a reasonable, automatic adjustment for inflation each year to be applied to the room and board maximum rates paid to foster parents. However, this provision shall apply only in fiscal years following a fiscal year in which salary increases are provided for state employees.

C. Out of this appropriation, $500,000 the first year and $500,000 the second year from the general fund shall be provided for the purchase of services for victims child abuse and neglect prevention activities as stated in §63.2-1502, Code of Virginia, in accordance with regulations promulgated by the Board of Social Services.

D. Out of this appropriation, $180,200 the first year and $180,200 the second year from the general fund and $99,800 the first year and $99,800 the second year from nongeneral funds shall be provided to continue respite care for foster parents.

E. Out of this appropriation, $100,000 the first year and $100,000 the second year from nongeneral funds shall be provided to support the Virginia Child Protection Accountability System.

F. Notwithstanding the provisions of §§63.2-1300 through 63.2-1303, Code of Virginia, adoption assistance subsidies and supportive services shall not be available for children adopted through parental placements. This restriction does not apply to existing adoption assistance agreements.

G.1. Out of this appropriation, $828,734 the first year from federal funds and $1,500,000 the second year from the general fund shall be provided to implement pilot programs that increase

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the number of foster care children adopted.

2. Beginning October 1, 2013, the department shall provide a quarterly report, within 30 days of quarter end, on the use and effectiveness of this funding including, but not limited to, the additional number of special needs children adopted from foster care as a result of this effort and the types of ongoing supportive services provided, to the Governor, Chairmen of House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget.

H. Out of this appropriation, $32,829,644 the first year and $32,829,644 the second year from the general fund and $7,000,000 the first year and $7,000,000 the second year from nongeneral funds shall be provided for special needs adoptions.

I. Out of this appropriation $32,485,408 the first year and $32,485,408 the second year from the general fund and $32,485,408 the first year and $32,485,408 the second year from nongeneral funds shall be provided for Title IV-E adoption subsidies.

J. The Commissioner, Department of Social Services, shall ensure that local departments that provide independent living services to persons between 18 and 21 years of age make certain information about and counseling regarding the availability of independent living services is provided to any person who chooses to leave foster care or who chooses to terminate independent living services before his twenty-first birthday. Information shall include the option for restoration of independent living services following termination of independent living services, and the processes whereby independent living services may be restored should he choose to seek restoration of such services in accordance with § 63.2-905.1 of the Code of Virginia.

342. Financial Assistance for Supplemental Assistance Services (49100)			$74,772,000	$74,772,000
General Relief (49101)	$500,000	$500,000		
Resettlement Assistance (49102)	$9,022,000	$9,022,000		
Emergency and Energy Assistance (49103)	$65,250,000	$65,250,000		
Fund Sources: General	$500,000	$500,000		
Federal Trust	$74,272,000	$74,272,000		

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

343. Financial Assistance to Community Human Services Organizations (49200)			$24,150,789	~~$23,400,789~~ *$24,700,789*
Community Action Agencies (49201)	$12,888,048	$12,888,048		
Volunteer Services (49202)	$3,866,340	$3,866,340		
Other Payments to Human Services Organizations (49203)	$7,396,401	~~$6,646,401~~ *$7,946,401*		
Fund Sources: General	$4,406,725	~~$3,656,725~~ *$4,098,621*		
Federal Trust	$19,744,064	~~$19,744,064~~ *$20,602,168*		

Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.

A.1. All increased state or federal funds distributed to Community Action Agencies shall be distributed as follows: The funds shall be distributed to all local Community Action Agencies according to the Department of Social Services funding formula (75 percent based on low-income population, 20 percent based on number of jurisdictions served, and five percent based on square mileage served), adjusted to ensure that no agency receives less than 1.5 percent of any increase.

2. Out of this appropriation, $185,725 the first year and $185,725 the second year from the

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general fund shall be provided to the Virginia Community Action Partnership to support the Virginia Earned Income Tax Coalition (EITC) and provide grants to local organizations to provide outreach, education and tax preparation services to citizens who may be eligible for the federal Earned Income Tax Credit. The Virginia Community Action Partnership shall report on its efforts to expand the number of Virginians who are able to claim the federal EITC, including the number of individuals identified who could benefit from the credit, the number of individuals counseled on the availability of the federal EITC, and the number of individuals assisted with tax preparation to claim the federal EITC. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees and the Chairman of the Joint Legislative Audit and Review Commission by December 1 each year.

3. Out of this appropriation, $500,000 the first year *from the general fund* and $500,000 the second year from ~~the general fund~~ *the Temporary Assistance for Needy Families (TANF) block grant* shall be provided to Community Action Agencies.

B. The department shall continue to fund from this Item all organizations recognized by the Commonwealth as community action agencies as defined in §2.2-540 et seq.

C. Out of this appropriation, $760,000 the first year and ~~$760,000~~ *$951,896* the second year from the general fund and $2,475,501 the first year and ~~$2,475,501~~ *$2,833,605* the second year from the Temporary Assistance for Needy Families (TANF) block grant shall be provided to Healthy Families Virginia. These funds shall be used at the discretion of local sites for obtaining matching Title IV-E nongeneral funds when available. The Department of Social Services shall continue to allocate funds from this item to the statewide office of Prevent Child Abuse Virginia for providing the coordination, technical support, quality assurance, training and evaluation of the Healthy Families Virginia program.

D.1. Out of ~~the~~ *this* appropriation, $1,500,000 the first year and ~~$750,000~~ *$1,250,000* the second year from the general fund shall be provided to the Virginia Early Childhood Foundation *(VECF)*. These funds shall be matched with local public and private resources with a goal of leveraging a dollar for each state dollar provided. Funds shall be awarded to proposals that seed and foster community programs that enhance the health, safety and well-being of Virginia's youth. The Foundation shall account for the expenditure of these funds by providing the Governor, Secretary of Health and Human Resources, and the Chairmen of the House Appropriations and Senate Finance Committees with a certified audit and full report on Foundation initiatives and results not later than October 1 of each year for the preceding fiscal year ending June 30.

2. On or before October 1 of each year, the foundation shall submit to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees a report on the actual amount, by fiscal year, of private and local government funds received by the foundation.

E. Out of this appropriation, $100,000 the first year and $100,000 the second year from nongeneral funds shall be provided for Volunteer Emergency Families for Children to expand its shelter care network for abused, neglected, runaway, homeless, and at-risk children throughout Virginia.

F. Out of this appropriation, $100,000 the first year and $100,000 the second year from nongeneral funds shall be provided for the Child Abuse Prevention Play administered by Theatre IV of Richmond.

G. Out of this appropriation, $70,000 the first year and $70,000 the second year from the general fund shall be provided for dementia-specific training of long-term care workers dealing with Alzheimer's disease and related disorders through the Virginia Alzheimer's Association Chapters.

H. Out of this appropriation, $200,000 the first year and $200,000 the second year from the general fund shall be provided to Northern Virginia Family Services to provide comprehensive safety net services for children and families.

I. Out of this appropriation, $931,000 the first year and $931,000 the second year from the general fund shall be used to sustain statewide services provided through child advocacy centers. The department shall develop a request for proposal to (i) distribute 67 percent of the

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allocated funds for accredited child advocacy centers and 30 percent for associate/developing child advocacy centers, as recognized and in good standing with the National Children's Alliance, with input from Children's Advocacy Centers of Virginia (CACVA); (ii) allocate three percent to Children's Advocacy Centers of Virginia, the recognized chapter of National Children's Alliance for Virginia's child advocacy centers, for the purpose of assisting and supporting the development, continuation and sustainability of community-coordinated, child-focused services delivered by children's advocacy centers; and (iii) distribute any non-allocated funding equally to accredited and associate/developing child advocacy centers awarded funding in section (i) of this paragraph.

J. Out of this appropriation, $100,000 the first year and $100,000 the second year from the general fund shall be provided to ~~the County of Prince William to establish a pilot program that improves services and performance at facilities located within the county that are licensed residential treatment centers for children eligible for pool funding under the Comprehensive Services Act. The objectives of these grants shall be to assist facilities to improve practices with a goal of implementing a "system of care" model, resulting in placement of children in the least restrictive environment. Desired outcomes shall include, but not be limited to, improved patient scores on the Child and Adolescent Needs and Strengths instrument; and, appropriate lengths of stay based on identified reasons for referral to the facility. Of this amount, up to $10,000 per year may be retained by Prince William County for grant administration.~~ *Youth for Tomorrow (YFT) to provide comprehensive residential, education and counseling services to at-risk adolescents and youth. The department shall include in the contract with YFT specific goods and services that will be delivered to adolescents and youth of the Commonwealth as a result of this appropriation. The department shall report outcomes to the Chairmen of the Senate Finance and House Appropriations Committees on October 1, 2013 and each year thereafter.*

K. Out of this appropriation, $250,000 the second year from the general fund shall be provided to Elevate Early Education for the purpose of implementing a pilot program for a kindergarten readiness assessment. The contract with Elevate Early Education to administer this program shall require the submission of a final report from the organization detailing the assessment method(s) utilized, actual expenditures for the program, and outcome analysis and evaluation. This report shall be submitted to the Governor, Chairmen of the House Appropriations and Senate Finance Committees, and the Secretaries of Health and Human Resources and Education no later than November 1, 2013. Prior to the receipt of any state funding for this purpose, Elevate Early Education must provide evidence of private matching funds secured for this purpose.

L. Out of this appropriation, $25,000 the second year from the federal Temporary Assistance to Needy Families block grant shall be provided to the Visions of Truth Community Development Corporation to support self-sufficiency programs for at-risk youth. The Department of Social Services shall require that an update on the use of these funds to promote self-sufficiency be provided to the department by January 1, 2014.

344. Regulation of Public Facilities and Services (56100).....			$15,381,783	~~$15,381,783~~ *$15,363,247*
Regulation of Adult and Child Welfare Facilities (56101)	$13,546,685	~~$13,546,685~~ *$13,528,149*		
Interdepartmental Licensure and Certification (56106).....	$1,835,098	$1,835,098		
Fund Sources: General.....	$3,831,546	~~$3,831,546~~ *$3,824,181*		
Special.....	$1,869,187	$1,869,187		
Federal Trust.....	$9,681,050	~~$9,681,050~~ *$9,669,879*		

Authority: Title 63.2, Chapters 17 and 18, Code of Virginia.

A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to the provisions of § 63.2-1700, Code of Virginia, shall be used for the development and delivery of training for operators and staff of assisted living facilities, adult day care centers, and child

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welfare agencies.

B. As a condition of this appropriation, the Department of Social Services shall (i) promptly fill all position vacancies that occur in the child day care licensing program so that positions shall not remain vacant for longer than 120 days and (ii) hire sufficient child care licensing specialists to ensure that all day care facilities receive, at a minimum, the two visits per year mandated by § 63.2-1706, Code of Virginia, and that facilities with compliance problems receive additional inspection visits as necessary to ensure compliance with state laws and regulations.

C. As a condition of this appropriation, the Department of Social Services shall utilize a risk assessment instrument for child day care enforcement. This instrument shall include criteria for determining when the following sanctions may be used: (i) the imposition of intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a licensed facility, (iii) injunctive relief against a child care provider, and (iv) additional inspections and intensive oversight of a facility by the Department of Social Services.

D. Out of this appropriation, the Department of Social Services shall implement training for new assisted living facility owners and managers to focus on health and safety issues, and resident rights as they pertain to adult care residences.

345. Administrative and Support Services (49900)			~~$120,507,125~~ *$116,107,125*	~~$82,207,634~~ *$87,802,609*
General Management and Direction (49901)	$3,067,632	~~$3,068,141~~ *$3,222,675*		
Information Technology Services (49902)	~~$101,612,220~~ *$97,212,220*	~~$63,312,220~~ *$68,881,307*		
Accounting and Budgeting Services (49903)	$6,916,443	$6,916,443		
Human Resources Services (49914)	$2,047,260	$2,047,260		
Planning and Evaluation Services (49916)	$1,229,761	$1,229,761		
Procurement and Distribution Services (49918)	$3,184,910	~~$3,184,910~~ *$3,056,264*		
Public Information Services (49919)	$2,151,509	$2,151,509		
Financial and Operational Audits (49929)	$297,390	$297,390		
Fund Sources: General	~~$37,913,756~~ *$33,513,756*	~~$35,914,265~~ *$39,507,954*		
Special	$175,000	$175,000		
Federal Trust	$82,418,369	~~$46,118,369~~ *$48,119,655*		

Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L. 104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended; P.L. 105-89; P.L. 105-178, Federal Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act, as amended.

A. The Department of Social Services shall require localities to report all expenditures on designated social services, regardless of reimbursement from state and federal sources. The Department of Social Services is authorized to include eligible costs in its claim for Temporary Assistance for Needy Families Maintenance of Effort requirements.

B. It is the intent of the General Assembly that the Commissioner, Department of Social Services shall work with localities that seek to voluntarily merge and consolidate their respective local departments of social services. No funds appropriated under this act shall be used to require a locality to merge or consolidate local departments of social services.

C. The Commissioner, Department of Social Services, in consultation with relevant state and local agencies, shall develop proposed criteria for assessing funding requests for addressing space needs among local departments of social services, as well as proposed consolidated human services buildings. The criteria shall include but not be limited to compliance with the Americans with Disabilities Act, access to public transportation, life safety issues, condition of current space and related major building systems, impact on service delivery, and other factors as may be appropriate. The department shall use the criteria to prioritize local requests for increased state reimbursement for renovating existing space, relocating or constructing new

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space. For those jurisdictions that, when applying such criteria, achieve high priority ranking for increased state reimbursement, yet initiate local funding actions to address critical space needs or to consolidate human services, they shall nevertheless retain their ranking on the prioritized list of projects for increased state reimbursement for renovating existing space, relocating or constructing new space. The department shall forward a prioritized list of projects to the Secretary of Health and Human Resources and the Department of Planning and Budget by November 1 of each year for consideration by the Governor in the development of the budget. The department shall also submit a copy of the list of prioritized projects by November 1 of each year, to the Chairmen of the House Appropriations and Senate Finance Committees.

D.1. Out of this appropriation, $473,844 the first year and $473,844 the second year from the general fund and $781,791 the first year and $781,791 the second year from nongeneral funds shall be provided to support the statewide 2-1-1 Information and Referral System which provides resource and referral information on many of the specialized health and human resource services available in the Commonwealth, including child day care availability and providers in localities throughout the state, and publish consumer-oriented materials for those interested in learning the location of child day care providers.

2. The Department of Social Services shall request that all state and local child-serving agencies within the Commonwealth be included in the Virginia Statewide Information and Referral System as well as any agency or entity that receives state general fund dollars and provides services to families and youth. The Secretary of Health and Human Resources, the Secretary of Education and Workforce, and the Secretary of Public Safety shall assist in this effort by requesting all affected agencies within their secretariats to submit information to the statewide Information and Referral System and ensure that such information is accurate and updated annually. Agencies shall also notify the Virginia Information and Referral System of any changes in services that may occur throughout the year.

3. The Department of Social Services shall communicate with child-serving agencies within the Commonwealth about the availability of the statewide Information and Referral System. This information shall also be communicated via the Department of Social Services' broadcast system on their agency-wide Intranet so that all local and regional offices can be better informed about the Statewide Information and Referral System. Information on the Statewide Information and Referral System shall also be included within the department's electronic mailings to all local and regional offices at least biannually.

E.1. Out of this appropriation, ~~$6,400,000~~ *$2,000,000* the first year and ~~$4,400,000~~ *$7,500,000* the second year from the general fund and $44,500,000 the first year and $8,200,000 the second year from nongeneral funds shall be provided to modernize eligibility determination systems in the Department of Social Services. If any additional funding is needed, the department shall complete modernization efforts within existing resources.

2. Within 30 days of awarding a contract related to the eligibility project, the Department of Social Services shall provide the Chairmen of House Appropriations and Senate Finance Committees, and Director, Department of Planning and Budget with a copy of the contract including costs.

3. Beginning July 1, 2012, the Department of Social Services shall also provide semi-annual progress reports that must include a current project summary, implementation status, accounting of project expenditures and future milestones. All reports shall be submitted to the Chairmen of House Appropriations and Senate Finance Committees, and Director, Department of Planning and Budget.

F. Out of this appropriation, $522,286 the second year from the general fund and $1,924,019 the second year from nongeneral funds shall be provided to supplement management and programmatic support of the agency's eligibility systems modernization effort. In addition, eight positions are added in FY 2013. These resources shall be dedicated to the modernization project until its completion or the end of FY 2017, whichever comes first.

G. On or before June 30, 2013 the Department of Social Services shall deposit to the general fund $2,371,057 resulting from the identification of a prior period general fund refund.

346. A. In the operation of any program of public assistance, including benefit and service programs in any locality, for which program appropriations are made to the Department of Social

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Services, it is provided that if a payment or overpayment is made to an individual who is ineligible therefor under federal and/or state statutes and regulations, the amount of such payment or overpayment shall be returned to the Department of Social Services by the locality.

B. However, no such repayments may be required of the locality if the department determines that such overpayment or payments to ineligibles resulted from the promulgation of vague or conflicting regulations by the department or from the failure of the department to make timely distribution to the localities of the statutes, rules, regulations, and policy decisions, causing the overpayment or payment to ineligible(s) to be made by the locality or from situations where a locality exercised due diligence, yet received incomplete or incorrect information from the client which caused the overpayment or payment to ineligibles. If a locality fails to effect the return, the Department of Social Services shall withhold an equal amount from the next disbursement made by the department to the locality for the same program.

C. The Department of Social Services shall implement the guidance issued by the U.S. Department of Health and Human Services concerning the obligation of recipients of federal financial assistance to comply with Title VI of the Civil Rights Act of 1964 by ensuring that meaningful access to federally-funded programs, activities and services administered by the department is provided to limited English proficient (LEP) persons, 63 Fed. Reg. 47,311-47,323 (August 8, 2003). At a minimum, the department shall (i) identify the need for language assistance by analyzing the following factors: (1) the number or proportion of LEP persons in the eligible service population, (2) the frequency of contact with such persons, (3) the nature and importance of the program, activity or service, and (4) the costs of providing language assistance and resources available; (ii) translate vital documents into the language of each frequently encountered LEP group eligible to be served; (iii) provide accurate and timely oral interpreter services; and (iv) develop an effective implementation plan to address the identified needs of the LEP populations served.

D. To the extent permitted by federal law, the eligibility for public assistance of an alien who is a qualified alien (as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193) shall be determined without regard to alienage.

347. A. The amount for the Supplemental Nutrition Assistance Program (SNAP) shall be expended under regulations of the Board of Social Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401, Code of Virginia, and subject to the same percentage limitations for other administrative services performed by county and city public welfare/social services boards and superintendents of public welfare/social services pursuant to other provisions of the Code of Virginia, as amended.

B. Pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the Department of Social Services shall, in cooperation with local departments of social services, maintain a waiver of the work requirement for Supplemental Nutrition Assistance Program (SNAP) recipients residing in areas that do not have a sufficient number of jobs to provide employment for such individuals, including those areas designated as labor surplus areas by the U.S. Department of Labor.

C. To the extent permitted by federal law, Supplemental Nutrition Assistance Program (SNAP) recipients subject to a work requirement pursuant to § 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended, shall be permitted to satisfy such work requirement by providing volunteer services to a public or private, nonprofit agency for the number of hours per month determined by dividing the household's monthly SNAP allotment by the federal minimum wage.

D. The Department of Social Services shall, to the extent permitted by federal law, disregard the value of at least one motor vehicle per household in determining eligibility for the Supplemental Nutrition Assistance Program (SNAP).

E. The Department of Social Services shall develop a multi-lingual outreach campaign to inform qualified aliens and their children, who are United States citizens, of their eligibility for the federal Supplemental Nutrition Assistance Program (SNAP) and ensure that they have access to benefits under SNAP. To the extent permitted by federal law, the department shall administer SNAP in a way that minimizes the procedural burden on qualified aliens and addresses concerns about the impact of SNAP receipt on their immigration sponsors and status.

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	Total for Department of Social Services			~~**$1,890,720,435**~~ ***$1,880,234,670***	~~**$1,852,204,117**~~ ***$1,863,903,435***
	General Fund Positions	~~403.21~~ *405.21*	~~403.21~~ *400.21*		
	Nongeneral Fund Positions	~~1,291.29~~ *1,297.29*	~~1,291.29~~ *1,305.29*		
	Position Level	~~1,694.50~~ *1,702.50*	~~1,694.50~~ *1,705.50*		
	Fund Sources: General	~~$389,979,751~~ *$377,008,290*	~~$386,803,033~~ *$386,033,198*		
	Special	$702,096,030	$702,096,030		
	Dedicated Special Revenue	$4,235,265	$4,235,265		
	Federal Trust	~~$794,409,389~~ *$796,895,085*	~~$759,069,789~~ *$771,538,942*		
	§ 1-97. VIRGINIA BOARD FOR PEOPLE WITH DISABILITIES (606)				
348.	Social Services Research, Planning, and Coordination (45000)			$1,498,765	~~$1,500,332~~ *$1,499,746*
	Research, Planning, Outreach, Advocacy, and Systems Improvement (45002)	$851,241	$851,241		
	Administrative Services (45006)	$647,524	~~$649,091~~ *$648,505*		
	Fund Sources: General	$177,927	~~$179,494~~ *$178,908*		
	Federal Trust	$1,320,838	$1,320,838		
	Authority: Title 51.5, Chapter 7, Code of Virginia.				
349.	Financial Assistance for Individual and Family Services (49000)			$500,820	$500,820
	Financial Assistance to Localities for Individual and Family Services (49001)	$500,820	$500,820		
	Fund Sources: Federal Trust	$500,820	$500,820		
	Authority: Title 51.5, Chapter 7, Code of Virginia.				
	Total for Virginia Board for People with Disabilities			**$1,999,585**	~~**$2,001,152**~~ ***$2,000,566***
	General Fund Positions	0.75	0.75		
	Nongeneral Fund Positions	9.25	9.25		
	Position Level	10.00	10.00		
	Fund Sources: General	$177,927	~~$179,494~~ *$178,908*		
	Federal Trust	$1,821,658	$1,821,658		
	§ 1-98. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)				
350.	Statewide Library Services (14200)			$1,026,164	$1,026,164
	General Library Services (14202)	$1,026,164	$1,026,164		
	Fund Sources: General	$1,015,888	$1,015,888		
	Special	$10,000	$10,000		
	Federal Trust	$276	$276		

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	Authority: § 51.5-74, Code of Virginia; P.L. 89-522, and P.L. 101-254, Federal Code.				
	Out of this appropriation, $120,163 each year from the general fund is designated to support radio reading services for the blind and vision impaired.				
351.	State Education Services (19100).....			$1,923,160	~~$1,923,160~~ *$1,420,498*
	Braille and Large-Print Textbook Services (19101).....	$405,695	~~$405,695~~ *$590,695*		
	Educational Services (19102).....	$1,517,465	~~$1,517,465~~ *$829,803*		
	Fund Sources: General.....	$1,335,739	~~$1,335,739~~ *$833,077*		
	Special.....	*$0*	*$185,000*		
	Trust and Agency.....	$70,000	$70,000		
	Federal Trust.....	$517,421	~~$517,421~~ *$332,421*		
	Authority: §§ 22.1-214 and 22.1-217, Code of Virginia; P.L. 89-313, P.L. 97-35 and P.L. 102-119, Federal Code.				
352.	Rehabilitation Assistance Services (45400).....			$10,833,293	~~$10,833,293~~ *$10,953,293*
	Low Vision Services (45401).....	$328,608	$328,608		
	Vocational Rehabilitation Services (45404).....	$6,552,535	~~$6,552,535~~ *$6,672,535*		
	Independent Living Services (45407).....	$3,449,071	$3,449,071		
	Vending Stands, Cafeterias, and Snack Bars (45410).....	$503,079	$503,079		
	Fund Sources: General.....	$1,661,629	$1,661,629		
	Special.....	$1,067,655	$1,067,655		
	Trust and Agency.....	$180,000	~~$180,000~~ *$300,000*		
	Federal Trust.....	$7,924,009	$7,924,009		
	Authority: § 51.5-1 and Title 51.5, Chapter 1, Code of Virginia; P.L. 93-516 and P.L. 93-112, Federal Code.				
	A. It is the intent of the General Assembly that visually handicapped persons who have completed vocational training as food service managers through programs operated by the Department be considered for food service management position openings within the Commonwealth as they arise.				
	B. The federal vocational rehabilitation grant award amount for the Department for the Blind and Vision Impaired (DBVI) is estimated at $9,629,262. Based on this projection, DBVI shall not expend, without prior written concurrence from the Director, Department of Planning and Budget, more state appropriation than what is minimally necessary to meet the annual 21.3 percent state matching requirement and avoid the loss of federal dollars. This provision applies to the annual federal vocational rehabilitation grant award as well as any additional allotments requiring state match that may be made available to DBVI. Any increases in total grant award spending shall be reported to the Chairmen of the House Appropriations and Senate Finance Committees within 30 days.				
353.	Regional Office Support and Administration (49700).....			$2,153,045	$2,153,045
	Regional and Areawide Assistance Administration (49701).....	$2,153,045	$2,153,045		
	Fund Sources: General.....	$1,172,447	$1,172,447		
	Federal Trust.....	$980,598	$980,598		
	Authority: Title 2.2, Chapter 36; Title 51.5, Chapter 13, Code of Virginia; P.L. 93-112 and P.L. 97-35, Federal Code.				

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354.	Rehabilitative Industries (81000)			$33,539,228	$33,539,228
	Manufacturing Services (81003)	$33,539,228	$33,539,228		
	Fund Sources: Enterprise	$33,499,228	$33,499,228		
	Federal Trust	$40,000	$40,000		
	Authority: § 51.5-72, Code of Virginia; P.L. 92-29 and P.L. 93-112, Federal Code.				
	The Industry Production Workers with the Virginia Industries for the Blind shall not be counted in the classified employment levels of the Department for the Blind and Vision Impaired.				
355.	Administrative and Support Services (49900)			$1,285,539	~~$1,647,771~~ *$1,643,992*
	General Management and Direction (49901)	$839,686	$840,174		
	Information Technology Services (49902)	$68,793	~~$68,793~~ *$65,014*		
	Physical Plant Services (49915)	$377,060	$738,804		
	Fund Sources: General	$770,861	~~$1,133,093~~ *$1,129,314*		
	Special	$331,082	$331,082		
	Federal Trust	$183,596	$183,596		
	Authority: Title 63.2, Chapter 4, Code of Virginia; P.L. 89-313, P.L. 93-112, and P.L. 97-35, Federal Code.				
	Out of the appropriation in this Item, $361,744 the second year from the general fund is included for the purchase of an emergency generator through the state's master equipment lease purchase program.				
	Total for Department for the Blind and Vision Impaired			**$50,760,429**	~~**$51,122,661**~~ ***$50,736,220***
	General Fund Positions	98.80	98.80		
	Nongeneral Fund Positions	65.20	65.20		
	Position Level	164.00	164.00		
	Fund Sources: General	$5,956,564	~~$6,318,796~~ *$5,812,355*		
	Special	$1,408,737	~~$1,408,737~~ *$1,593,737*		
	Enterprise	$33,499,228	$33,499,228		
	Trust and Agency	$250,000	~~$250,000~~ *$370,000*		
	Federal Trust	$9,645,900	~~$9,645,900~~ *$9,460,900*		
	Virginia Rehabilitation Center for the Blind and Vision Impaired (263)				
356.	Rehabilitation Assistance Services (45400)			$1,356,830	$1,356,830
	Social and Personal Adjustment to Blindness Training (45408)	$1,356,830	$1,356,830		
	Fund Sources: Special	$2,000	$2,000		
	Federal Trust	$1,354,830	$1,354,830		
	Authority: § 51.5-1, Code of Virginia; P.L. 93-112, Federal Code.				
357.	Administrative and Support Services (49900)			$1,229,170	$1,229,170
	General Management and Direction (49901)	$490,664	$490,664		
	Food and Dietary Services (49907)	$228,000	$228,000		
	Physical Plant Services (49915)	$510,506	$510,506		

ITEM 357.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Fund Sources: General	$156,377	$156,377		
Special	$17,000	$17,000		
Federal Trust	$1,055,793	$1,055,793		
Authority: § 51.5-73, Code of Virginia; P.L. 93-112, Federal Code.				
Total for Virginia Rehabilitation Center for the Blind and Vision Impaired			**$2,586,000**	**$2,586,000**
Nongeneral Fund Positions	26.00	26.00		
Position Level	26.00	26.00		
Fund Sources: General	$156,377	$156,377		
Special	$19,000	$19,000		
Federal Trust	$2,410,623	$2,410,623		
Grand Total for Department for the Blind and Vision Impaired			**$53,346,429**	**~~$53,708,661~~** ***$53,322,220***
General Fund Positions	98.80	98.80		
Nongeneral Fund Positions	91.20	91.20		
Position Level	190.00	190.00		
Fund Sources: General	$6,112,941	~~$6,475,173~~ *$5,968,732*		
Special	$1,427,737	~~$1,427,737~~ *$1,612,737*		
Enterprise	$33,499,228	$33,499,228		
Trust and Agency	$250,000	~~$250,000~~ *$370,000*		
Federal Trust	$12,056,523	~~$12,056,523~~ *$11,871,523*		
TOTAL FOR OFFICE OF HEALTH AND HUMAN RESOURCES			**~~$12,139,352,399~~** ***$12,198,752,654***	**~~$13,560,233,821~~** ***$12,665,205,758***
General Fund Positions	~~9,067.22~~ *9,076.22*	~~9,085.72~~ *9,124.72*		
Nongeneral Fund Positions	~~7,489.53~~ *7,498.53*	~~7,481.53~~ *7,517.53*		
Position Level	~~16,556.75~~ *16,574.75*	~~16,567.25~~ *16,642.25*		
Fund Sources: General	~~$5,103,796,387~~ *$4,953,510,628*	~~$5,213,499,924~~ *$5,237,017,174*		
Special	~~$1,232,267,704~~ *$1,232,711,186*	~~$1,228,498,392~~ *$1,229,854,974*		
Enterprise	$33,499,228	$33,499,228		
Trust and Agency	$1,038,798	~~$1,038,798~~ *$1,158,798*		
Dedicated Special Revenue	~~$430,020,047~~ *$598,818,949*	~~$444,812,130~~ *$519,423,394*		
Federal Trust	~~$5,338,730,235~~ *$5,379,173,865*	~~$6,638,885,349~~ *$5,644,252,190*		

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OFFICE OF NATURAL RESOURCES				
§ 1-99. SECRETARY OF NATURAL RESOURCES (183)				
358. Administrative and Support Services (79900).....			$627,585	$628,181
General Management and Direction (79901).....	$627,585	$628,181		
Fund Sources: General.....	$527,585	$528,181		
Federal Trust.....	$100,000	$100,000		
Authority: Title 2.2, Chapter 2; and § 2.2-201, Code of Virginia.				
A. The Secretary of Natural Resources shall report to the Chairmen of the Senate Committees on Finance and Agriculture, Conservation, and Natural Resources, and the House Committees on Appropriations and Conservation and Natural Resources, by November 4 of each year on implementation of the Chesapeake Bay nutrient reduction strategies. The report shall include and address the progress and costs of point source and nonpoint source pollution strategies. The report shall include, but not be limited to, information on levels of dissolved oxygen, acres of submerged aquatic vegetation, computer modeling, variety and numbers of living resources, and other relevant measures for the General Assembly to evaluate the progress and effectiveness of the tributary strategies. In addition, the Secretary shall include information on the status of all of Virginia's commitments to the Chesapeake Bay Agreements.				
B. It is the intent of the General Assembly that a reserve be created within the Virginia Water Quality Improvement Fund to support the purposes delineated within the Virginia Water Quality Improvement Act of 1997 (WQIA 1997) when year-end general fund surpluses are unavailable. Consequently, 15 percent of any amounts appropriated to the Virginia Water Quality Improvement Fund due to annual general fund revenue collections in excess of the official estimates contained in the general appropriation act shall be withheld from appropriation, unless otherwise specified. When annual general fund revenue collections do not exceed the official revenue estimates contained in the general appropriation act, the reserve fund may be used for WQIA 1997 purposes as directed by the General Assembly within the general appropriation act.				
C. Notwithstanding paragraph B. above, no deposit to the reserve within the Virginia Water Quality Improvement Fund shall be made in the first year. In addition, the General Assembly designates that an amount not to exceed $1,000,000 may be used for local stormwater assistance grants by the Department of Conservation and Recreation.				
Total for Secretary of Natural Resources			**$627,585**	**$628,181**
General Fund Positions.....	6.00	~~6.00~~ *5.00*		
Position Level	6.00	~~6.00~~ *5.00*		
Fund Sources: General.....	$527,585	$528,181		
Federal Trust.....	$100,000	$100,000		
§ 1-100. CHIPPOKES PLANTATION FARM FOUNDATION (319)				
359. Agricultural and Seafood Product Promotion and Development Services (53000).....			$185,409	~~$185,418~~ *$0*
Operation and Maintenance of Farm Museum (53004)....	$185,409	~~$185,418~~ *$0*		
Fund Sources: General.....	$117,615	~~$117,624~~ *$0*		
Dedicated Special Revenue.....	$67,794	~~$67,794~~ *$0*		
Authority: Title 10.1, Chapter 2, Code of Virginia.				

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	Total for Chippokes Plantation Farm Foundation.....			**$185,409**	**~~$185,418~~** ***$0***
	General Fund Positions.....	2.00	~~2.00~~ *0.00*		
	Position Level	2.00	~~2.00~~ *0.00*		
	Fund Sources: General.....	$117,615	~~$117,624~~ *$0*		
	Dedicated Special Revenue.....	$67,794	~~$67,794~~ *$0*		

§ 1-101. DEPARTMENT OF CONSERVATION AND RECREATION (199)

360.	Land and Resource Management (50300).....			~~$68,464,572~~ *$85,413,687*	~~$56,415,430~~ *$58,372,252*
	Stormwater Management (50301).....	~~$55,119,777~~ *$57,419,777*	~~$44,243,320~~ *$23,971,742*		
	Dam Inventory, Evaluation and Classification and Flood Plain Management (50314).....	$1,811,069	~~$1,552,779~~ *$2,802,779*		
	Natural Heritage Preservation and Management (50317).	$4,004,240	~~$4,004,240~~ *$4,044,240*		
	Financial Assistance to Soil and Water Conservation Districts (50320).....	$4,487,091	~~$4,487,091~~ *$6,687,091*		
	Technical Assistance to Soil and Water Conservation Districts (50322).....	$3,042,395	$2,128,000		
	Agricultural Best Management Practices Cost Share Assistance (50323).....	*$14,649,115*	*$18,738,400*		
	Fund Sources: General.....	~~$18,560,279~~ *$35,509,394*	~~$13,234,556~~ *$14,824,556*		
	Special.....	$3,833,971	~~$3,526,309~~ *$3,893,131*		
	Dedicated Special Revenue.....	$37,995,921	$31,580,164		
	Federal Trust.....	$8,074,401	$8,074,401		

Authority: Title 10.1, Chapters 1, 5, 6, 7, and 21.1; Title 62.1, Chapter 3.1, Code of Virginia.

A.1. Out of the amounts appropriated for Financial Assistance to Soil and Water Conservation Districts, $4,487,091 the first year and $~~4,487,091~~ *$6,387,091* the second year from the general fund shall be provided to soil and water conservation districts for administrative and operational support. These funds shall be distributed to the districts only in accordance with the program, financial and resource allocation policies of and upon approval by the Soil and Water Conservation Board. These amounts shall be in addition to any other funding provided to the districts for technical assistance pursuant to subsections H. and K. of this item. *Of these amounts, $1,300,000 the second year shall be allocated in accordance with historical distribution to districts and $600,000 for efforts associated with achieving targeted total maximum daily loads (TMDLs).*

2. The Secretary of Natural Resources shall convene a *continuing* stakeholder group consisting of representatives including, but not limited to, the Secretary of Agriculture and Forestry, the Department of Agriculture and Consumer Services, the Department of Conservation and Recreation, the soil and water conservation districts, the Virginia Association of Soil and Water Conservation Districts, the Virginia Farm Bureau Federation, the Virginia Agribusiness Council, the Chesapeake Bay Commission, and the Chesapeake Bay Foundation to examine funding needs for administration and operation of the soil and water conservation districts and the technical assistance they provide for implementation of agricultural best management practices needed to meet Virginia's Watershed Implementation Plan as well as the Southern Rivers Total Maximum Daily Load limits.

The stakeholder group is directed to conduct a review of the following and ~~make~~ *publish a*

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report making recommendations to the Governor and the Chairmen of the Senate Finance and the House Appropriations Committees no later than October 1~~, 2012~~ *of each year*:

a. The historical distribution of funding for administration and operations of all soil and water conservation districts and a projection of future funding needs and any recommended changes to the methodology for distribution of these funds;

b. The historical distribution of funding for technical assistance for agricultural best management practices and a projection of the future funding and staffing needs necessary for districts to provide efficient and effective technical assistance to farmers;

c. Operational and technical assistance needs in relation to the amount of agricultural best management practices cost-share dollars allocated to the districts; and,

d. The process, timing and methodology for distribution of agricultural best management practices cost-share funds to be provided to farmers by the Department of Conservation and Recreation through the districts.

3. The Soil and Water Conservation Board shall not create, merge, divide, modify or relocate the boundaries of any district pursuant to § 10.1-506, Code of Virginia, until such time as the General Assembly has received the recommendations of the stakeholder group and taken action on any such recommendations.

4. The department shall provide a quarterly report to the Chairmen of the House Appropriations and Senate Finance Committees of how appropriations for each soil and water conservation district have been dispersed in the current quarter and the planned disbursements for the upcoming quarter by district for the following: (i) the federal Conservation Reserve Enhancement Program, (ii) the use of Agricultural Best Management Cost-Share Program funds within the Chesapeake Bay watershed, (iii) the use of Agricultural Best Management Cost-Share Program funds within the Southern Rivers area, and (iv) the amount of Technical Assistance funding.

B. It is the intent of the General Assembly that balances in Stormwater Management be used for the Commonwealth's statewide match for participation in the federal Conservation Reserve Program.

C.1. It is the intent of the General Assembly that all interest earnings of the Water Quality Improvement Fund shall be spent only upon appropriation by the General Assembly, after the recommendation of the Secretary of Natural Resources, pursuant to § 10.1-2129, Code of Virginia.

2. Notwithstanding the provisions of §§ 10.1-2128, 10.1-2129 and 10.1-2128.1, Code of Virginia, it is the intent of the General Assembly that the Department of Conservation and Recreation use interest earnings from the Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund to support one position to administer grants from the fund.

D.1. Out of this appropriation, $8,500 the first year and $8,500 the second year from the general fund is provided to support the Rappahannock River Basin Commission. The funds shall be matched by the participating localities and planning district commissions.

2. Included in the appropriation for this item is $15,000 the first year from the general fund to assist the Rappahannock River Basin Commission develop a programmatic plan, in concert with the U.S. Army Corps of Engineers, for addressing water quality and supply in the Rappahannock River Basin. This funding will be matched by local funding available to the Rappahannock River Basin Commission and include additional funding provided by the U.S. Army Corps of Engineers.

3. Out of this appropriation, $22,500 the first year from the general fund is provided to match the same amount in local funds to leverage $45,000 in funding from the U.S. Army Corps of Engineers to define the needs and provide recommendations for implementation of a synchronized Flood/Rainfall/Water Quality Gauging Network for the Rappahannock River Basin.

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E.*1.* Notwithstanding § 10.1-552, Code of Virginia, Soil and Water Conservation Districts are hereby authorized to recover a portion of the direct costs of services rendered to landowners within the district and to recover a portion of the cost for use of district-owned conservation equipment. Such recoveries shall not exceed the amounts expended by a district on these services and equipment.

2. Out of the amounts for this item, $300,000 the second year from the general fund is provided to increase the operational support appropriated for each of the 47 soil and water conservation districts from $80,539 per district to $86,922 per district.

F.1. Out of the amounts appropriated for Dam Inventory, Evaluation, and Classification and Flood Plain Management, $600,000 the first year and ~~$600,000~~*$1,850,000* the second year from the general fund shall be deposited to the Dam Safety, Flood Prevention and Protection Assistance Fund, established pursuant § 10.1-603.17, Code of Virginia. The funding provided in this paragraph shall be used for the provision of either grants or loans to localities owning dams in need of renovation and repair or for the provision of loans to private owners of dams in need of renovation and repair. *Out of these amounts, $254,000 the second year from the general fund shall be provided for maintenance and small repairs of soil and water conservation district-owned dams; $400,000 the second year from the general fund shall be provided to match federal and local funding for the renovation of Todd Lake Dam in Augusta County; and $500,000 the second year from the general fund shall be provided for repairs to the Lake Jackson Dam in Prince William County.*

2. Notwithstanding § 10.1-603.19, Code of Virginia, the Director, Department of Conservation and Recreation, in consultation with the Virginia Resources Authority, is authorized to provide financial or other assistance from the Dam Safety, Flood Prevention and Protection Assistance Fund, including the provision of a grant to a locality of up to $408,402, or 25 percent of the costs of modifying a high hazard dam operating under a conditional certificate extension and that has received approval as of November 30, 2010, for federal funding from the U.S. Department of Agriculture's Natural Resources Conservation Service for at least 65 percent of the cost of repairing the locally-owned dam. The local government shall contribute 10 percent of the total costs of modifying this high hazard dam.

3. Included in the amounts provided for Dam Inventory, Evaluation and Classification and Flood Plain Management is $258,290 *the first year and $231,706 the second year from the general fund* for the improvement of a high hazard dam, originally constructed in 1960, to comply with a Special Order issued by the Director, Department of Conservation and Recreation, on June 24, 2011, and in order to meet dam safety requirements.

G. It is the intent of the General Assembly, that notwithstanding the provisions of § 10.1-2132, Code of Virginia, the Department of Conservation and Recreation is authorized to make Water Quality Improvement Grants to state agencies.

H.1. Included in the amounts for Stormwater Management is $9,100,000 the first year and $9,100,000 the second year from *nongeneral funds* to be deposited to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds shall be dispersed pursuant to § 10.1-2128.1, Code of Virginia.

2. The source of an amount estimated at $9,100,000 the first year and $9,100,000 the second year to support the nongeneral fund appropriation to the Virginia Natural Resources Commitment Fund shall be the recordation tax fee established in Part 3 of this act.

3. Out of these amounts, a total of eight percent, or $1,200,000, whichever is greater, shall be provided to Soil and Water Conservation Districts for technical assistance to farmers implementing agricultural best management practices.

I.1. Notwithstanding § 10.1-564, Code of Virginia, public institutions of higher education, including community colleges, colleges, and universities, shall be subject to project review and compliance for state erosion and sediment control requirements by the local program authority of the locality within which the land disturbing activity is located, unless such institution submits annual specifications to the Department of Conservation and Recreation, in accordance with § 10.1-564 A (i), Code of Virginia.

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2. The Virginia Soil and Water Conservation Board is authorized to amend the Erosion and Sediment Control Regulations (4 VAC 50-30 et seq.) to conform such regulations with this project review requirement and to clarify the process. These amendments shall be exempt from Article 2 (§2.2-4006 et seq.) of the Administrative Process Act.

J. The Water Quality Agreement Program shall be continued in order to protect the waters of the Commonwealth through voluntary cooperation with lawn care operators across the state. The department shall encourage lawn care operators to voluntarily establish nutrient management plans and annual reporting of fertilizer application. If appropriate, the program may be transferred to another state agency in order to ensure its continuation.

K.1. Out of this appropriation, $5,029,933 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. This full amount is authorized for transfer to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund. These monies shall be disbursed in accordance with § 10.1-2128.1, Code of Virginia, including the eight percent for distribution to soil and water conservation districts to provide technical assistance.

2. This appropriation, together with the amounts included in Item 366 of this act, meets the mandatory deposit requirements associated with the FY 2011 excess general fund revenue collections and discretionary year-end general fund balances.

L. Included in the amounts for this item is $307,662 the first year *and $366,822 the second year* in special funds provided from the sale of "Friend of the Chesapeake" license plates to carry out the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.

M.1. Notwithstanding § 10.1-2129 A., Code of Virginia, $16,949,115 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997. Of this amount, $14,649,115 is authorized for transfer to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, and $1,000,000 is designated for direct deposit to the Virginia Water Quality Improvement Fund for use for local stormwater assistance grants and for developing an agency program to provide assistance to localities with stormwater programs. Pursuant to paragraph B of Item 358, $1,300,000 is designated for deposit to the reserve within the Virginia Water Quality Improvement Fund. The monies transferred to the Virginia Natural Resources Commitment Fund shall be disbursed in accordance with § 10.1-2128.1, Code of Virginia, including the eight percent for distribution to soil and water conservation districts to provide technical assistance.

2. This appropriation meets the mandatory deposit requirements associated with the FY 2012 excess general fund revenue collections and discretionary year-end general fund balances.

N.1. There is hereby established in the state treasury a special nonreverting fund to be known as the Stormwater Local Assistance Fund, hereby referred to as the "Fund." The Fund shall be established on the books of the State Comptroller and shall consist of bond proceeds from bonds authorized by the General Assembly and issued pursuant to Item C-39.40 of this act, sums appropriated to it by the General Assembly and other grants, gifts, and moneys as may be made available to it from any other source, public or private. Interest earned on the moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.

2. The purpose of the Fund is to provide matching grants to local governments for the planning, design, and implementation of stormwater best management practices that address cost efficiency and commitments related to reducing water quality pollutant loads. Moneys in the Fund shall be used to meet: i) obligations related to the Chesapeake Bay total maximum daily load (TMDL) requirements; ii) requirements for local impaired stream TMDLs; iii) water quality requirements of the Chesapeake Bay Watershed Implementation Plan (WIP); and iv) water quality requirements related to the permitting of small municipal stormwater sewer systems. The grants shall be used solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration.

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3. The Virginia Soil and Water Conservation Board shall issue guidelines for the distribution of moneys from the Fund. The process for development of guidelines shall, at a minimum, include (a) a 60-day public comment period on the draft guidelines; (b) written responses to all comments received; and (c) notice of the availability of draft guidelines and final guidelines to all who request such notice.

O. The grants shall be used solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the Virginia Soil and Water Conservation Board under the authority of the Department of Conservation and Recreation.

P. The Department of Conservation and Recreation shall report on the number of Conservation Innovation Grants provided to Virginia farmers or other entities by the U.S. Department of Agriculture, the assistance provided by the department in support of Conservation Innovation Grant applications, the financial assistance the department provides to farmers and other entities who have been awarded Conservation Innovation Grants, how farmers and other entities awarded Conservation Innovation Grants are notified about the department's financial assistance or the recision of such financial assistance, and the technical assistance the department provides to farmers and other entities awarded Conservation Innovation Grants. The Department of Conservation and Recreation shall provide this report to the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2013.

361. Leisure and Recreation Services (50400)			~~$56,258,252~~ *$56,458,252*	~~$56,258,252~~ *$56,738,180*
Preservation of Open Space Lands (50401)	$13,094,324	$13,094,324		
Design and Construction of Outdoor Recreational Facilities (50403)	$1,065,822	~~$1,065,822~~ *$940,268*		
State Park Management and Operations (50404)	~~$34,259,441~~ *$34,459,441*	~~$34,259,441~~ *$34,890,082*		
Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)	$7,838,665	~~$7,838,665~~ *$7,813,506*		
Fund Sources: General	~~$21,955,536~~ *$22,155,536*	~~$21,955,536~~ *$22,367,670*		
Special	$20,279,234	~~$20,279,234~~ *$20,347,028*		
Debt Service	$185,187	$185,187		
Dedicated Special Revenue	$7,700,000	$7,700,000		
Federal Trust	$6,138,295	$6,138,295		

Authority: Title 10.1, Chapters 1, 2, 3, 4, 4.1, and 17; Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5, and 7, Code of Virginia.

A.1. Out of the amount for Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance shall be paid for the operation and maintenance of Breaks Interstate Park, an amount not to exceed $181,687 the first year and $181,687 the second year from the general fund.

2. The Breaks Interstate Park Commission shall submit an annual audit of a fiscal and compliance nature of its accounts and transactions to the Auditor of Public Accounts, the Director, Department of Conservation and Recreation, and the Director, Department of Planning and Budget.

3. The Breaks Interstate Park Commission shall, following the modernization of the Breaks Interstate Park electrical system, enter into negotiations to transfer control of the electrical system serving the park to a local regional electric utility.

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B. Notwithstanding the provisions of § 10.1-202, Code of Virginia, amounts deposited to the State Park Conservation Resources Fund may be used for a program of in-state travel advertising. Such travel advertising shall feature Virginia State Parks and the localities or regions in which the parks are located. To the extent possible the department shall enter into cooperative advertising agreements with the Virginia Tourism Authority and local entities to maximize the effectiveness of expenditures for advertising. The department is further authorized to enter into a cooperative advertising agreement with the Virginia Association of Broadcasters.

C. Included in the amount for Preservation of Open-Space Lands is $1,752,750 the first year and $1,752,750 the second year from the general fund for the operating expenses of the Virginia Outdoors Foundation (Title 10.1, Chapter 18, Code of Virginia).

D.1. Included in the amount for Preservation of Open Space Lands is $1,000,000 the first year and $1,000,000 the second year from the general fund to be deposited into the Virginia Land Conservation Fund, § 10.1-1020, Code of Virginia.

2. Included in the amounts for Preservation of Open Space Lands is $2,000,000 the first year and $2,000,000 the second year from nongeneral funds to be deposited into the Virginia Land Conservation Fund to be distributed by the Virginia Land Conservation Foundation pursuant to the provisions of § 58.1-513, Code of Virginia.

E.1. The Director, Department of Conservation and Recreation, is authorized to develop a state directory of cultural historic sites. The directory shall recognize commemorative and historic facilities and sites that interpret significant aspects of national, state, or regional cultural history. Sites included in the directory shall not be owned or operated by state agencies. The department is authorized to develop qualification criteria and application materials that may be necessary to implement the registry program. Such criteria may be adopted by the director after considering the recommendations of the Board of Conservation and Recreation.

2. Owners or managers of a potential commemorative or historic facility desiring to be included on the directory of cultural historic sites shall submit an application to the department. The director shall evaluate whether the facility or site qualifies for inclusion in the directory, in consultation with the Department of Historic Resources, the Virginia Tourism Authority, and other state and federal agencies as needed, and the director shall present candidates to the board for its recommendation.

3. Upon the favorable recommendation of the board, the director may designate a facility or site for inclusion in the directory with the Governor's written consent.

4. The department shall maintain the directory of commemorative or historic facilities and sites on its website and encourage promotion of those facilities or sites.

F. Out of this appropriation, $50,000 the second year from the general fund is designated to leverage additional support through a public-private partnership for trail redevelopment and enhancement at Pocahontas State Park.

G. Upon completion of the construction of the Daniel Boone Wilderness Trail Interpretative Center, the Division of State Parks may accept transfer of the facility, 153 acres of land, and $450,000 for maintenance of the completed facility for operation as a satellite facility to Natural Tunnel State Park. It is the intent of the General Assembly that at such time as the facility, property, and cash are transferred to the Division of State Parks that positions and ongoing funding for the operation of the satellite facility shall be provided.

362. Administrative and Support Services (59900).....			$9,940,244	~~$8,015,378~~ *$8,282,598*
General Management and Direction (59901).....	$9,940,244	~~$8,015,378~~ *$8,282,598*		
Fund Sources: General.....	$8,748,890	~~$6,824,024~~ *$7,091,244*		
Special.....	$1,140,397	$1,140,397		
Debt Service.....	$50,957	$50,957		

Authority: Title 2.2, Chapters 37, 40, 41, 43; and Title 10.1, Chapter 1 Code of Virginia.

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Total for Department of Conservation and Recreation				~~$134,663,068~~ *$151,812,183*	~~$120,689,060~~ *$123,393,030*
General Fund Positions		~~426.50~~ *430.50*	~~426.50~~ *434.50*		
Nongeneral Fund Positions		100.50	100.50		
Position Level		~~527.00~~ *531.00*	~~527.00~~ *535.00*		
Fund Sources: General		~~$49,264,705~~ *$66,413,820*	~~$42,014,116~~ *$44,283,470*		
Special		$25,253,602	~~$24,945,940~~ *$25,380,556*		
Debt Service		$236,144	$236,144		
Dedicated Special Revenue		$45,695,921	$39,280,164		
Federal Trust		$14,212,696	$14,212,696		

§ 1-102. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)

363.	Land Protection (50900)			$23,562,518	~~$23,562,930~~ *$23,489,855*
	Land Protection Permitting (50925)	$3,298,729	$3,297,509		
	Land Protection Compliance and Enforcement (50926)	$19,345,145	$19,344,661		
	Land Protection Outreach (50927)	$676,647	~~$679,143~~ *$606,068*		
	Land Protection Planning and Policy (50928)	$241,997	$241,617		
	Fund Sources: General	$2,255,117	~~$2,255,029~~ *$2,181,954*		
	Special	$573,435	$573,435		
	Trust and Agency	$10,850,680	$10,850,680		
	Dedicated Special Revenue	$5,766,715	$5,767,215		
	Federal Trust	$4,116,571	$4,116,571		

Authority: Title 5.1, Chapter 1; Title 10.1, Chapters 11.1, 11.2, 12.1, 14, and 25; Title 44, Chapter 3.5; and Title 62.1, Chapter 20, Code of Virginia.

It is the intent of the General Assembly that balances in the Virginia Environmental Emergency Response Fund be used to meet match requirements for U.S. Environmental Protection Agency Superfund State Support Contracts.

364.	Water Protection (51200)			$31,201,648	~~$31,116,260~~ *$31,077,036*
	Water Protection Permitting (51225)	$8,841,258	$8,840,398		
	Water Protection Compliance and Enforcement (51226)	$9,370,811	$9,373,771		
	Water Protection Outreach (51227)	$2,267,942	~~$2,186,346~~ *$2,047,122*		
	Water Protection Planning and Policy (51228)	$4,020,317	~~$4,020,657~~ *$4,120,657*		
	Water Protection Monitoring and Assessment (51229)	$6,701,320	$6,695,088		
	Fund Sources: General	$16,060,434	~~$15,979,558~~ *$15,940,334*		
	Special	$559,139	$559,139		
	Trust and Agency	$25,500	$25,500		
	Dedicated Special Revenue	$7,706,554	$7,706,118		
	Federal Trust	$6,850,021	$6,845,945		

Authority: Title 5.1, Chapter 1; Title 10.1, Chapter 11.1; and Title 62.1, Chapters 2, 3.1, 3.2, 3.6, 5, 6, 20, 22, 24, and 25, Code of Virginia.

A. The Department of Environmental Quality is authorized to commit resources necessary to qualify for in-kind match for the U.S. Army Corps of Engineers for the John H. Kerr Dam and Reservoir, Virginia and North Carolina Feasibility Study, to be conducted in accordance with

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§ 216 of the River and Harbors Flood Control Act of 1970.

B. Out of this appropriation, $51,500 the first year and $51,500 the second year from the general fund is designated for annual membership dues for the Ohio River Valley Water Sanitation Commission.

C.1. The permit fee regulations adopted by the State Water Control Board pursuant to paragraphs B.1. and B.2. of § 62.1-44.15:6, Code of Virginia, shall be set at an amount representing not more than 50 percent of the direct costs for the administration, compliance and enforcement of Virginia Pollutant Discharge Elimination System permits and Virginia Pollution Abatement permits.

2. The regulations adopted by the State Water Control Board to initially implement the provisions of this item shall be exempt from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia, and shall become effective no later than July 1, 2010. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Article 2 (§ 2.2-4006, et seq.) of Chapter 40 of Title 2.2, Code of Virginia.

D. Out of the amounts for this item shall be paid $80,000 the first year *and $80,000 the second year* from the general fund to the Chesapeake Bay Foundation to support Chesapeake Bay education field studies.

E. It is the intent of the General Assembly that the Commonwealth remain a full participating member of the Interstate Commission on the Potomac River Basin.

365.	Air Protection (51300)		$17,785,467	$17,790,191
	Air Protection Permitting (51325)	$5,825,906	$5,827,082	
	Air Protection Compliance and Enforcement (51326)	$6,416,560	$6,420,004	
	Air Protection Outreach (51327)	$183,399	$183,463	
	Air Protection Planning and Policy (51328)	$2,340,216	$2,340,256	
	Air Protection Monitoring and Assessment (51329)	$3,019,386	$3,019,386	
	Fund Sources: General	$1,528,568	$2,154,532	
	Enterprise	$9,489,745	$8,864,745	
	Dedicated Special Revenue	$2,857,300	$2,857,236	
	Federal Trust	$3,909,854	$3,913,678	

Authority: Title 5.1, Chapter 1; Title 10.1, Chapters 11.1 and 13; and Title 46.2, Chapter 10, Code of Virginia.

A. The Department of Environmental Quality is authorized to use up to $300,000 the first year and $300,000 the second year from the Vehicle Emissions Inspection Program Fund to implement the provisions of Chapter 710, Acts of Assembly of 2002, which authorizes the department to operate a program to subsidize repairs of vehicles that fail to meet emissions standards established by the Air Pollution Control Board when the owner of the vehicle is financially unable to have the vehicle repaired.

B.1. All of the permit program emissions fees collected by the State Air Pollution Control Board pursuant to § 10.1-1322, Code of Virginia, shall be assessed and collected on an annual basis notwithstanding the provisions of that section. The State Air Pollution Control Board shall adopt regulations adjusting permit program emissions fees collected pursuant to § 10.1-1322, Code of Virginia, and establish permit application processing fees and permit maintenance fees sufficient to ensure that the revenues collected from fees cover the total direct and indirect costs of the program consistent with the requirements of Title V of the Clean Air Act, except that the initial adjustment to permit program emissions fees shall not be increased by more than 30 percent over current rates. Notwithstanding the provisions of § 10.1-1322, Code of Virginia, the permit application fees collected pursuant to this paragraph shall not be credited towards the amount of annual fees owed pursuant to § 10.1-1322. All of the fees adopted pursuant to this section shall be adjusted annually by the Consumer Price Index.

2. The regulations adopted by the State Air Pollution Control Board to initially implement the provisions of this item shall be exempt from Chapter 40 of Title 2.2, Code of Virginia, and

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	shall become effective no later than July 1, 2012. Thereafter, any amendments to the fee schedule described by these acts shall not be exempted from Chapter 40 of Title 2.2, Code of Virginia.				
366.	Environmental Financial Assistance (51500).....			$144,224,342	~~$56,591,198~~ *$56,676,198*
	Financial Assistance for Environmental Resources Management (51502)	$4,029,723	~~$4,029,723~~ *$4,114,723*		
	Virginia Water Facilities Revolving Fund Loans and Grants (51503)	$110,728,437	$23,159,043		
	Financial Assistance for Coastal Resources Management (51507)	$2,424,500	$2,424,500		
	Litter Control and Recycling Grants (51509).....	$2,003,259	$1,939,509		
	Petroleum Tank Reimbursement (51511)	$25,038,423	$25,038,423		
	Fund Sources: General	$89,793,174	~~$2,223,780~~ *$2,308,780*		
	Trust and Agency	$25,004,646	$25,004,646		
	Dedicated Special Revenue	$2,345,259	$2,281,509		
	Federal Trust.....	$27,081,263	$27,081,263		

Authority: Title 10.1, Chapters 11.1, 14, 21.1, and 25 and Title 62.1, Chapters 3.1, 22, 23.2, and 24, Code of Virginia.

A. To the extent available, the authorization included in Chapter 781, 2009 Acts of Assembly, Item 368, paragraph E, is hereby continued for the Virginia Public Building Authority to issue revenue bonds in order to finance Virginia Water Quality Improvement Grants, pursuant to Chapter 851, 2007 Acts of Assembly.

~~B. Notwithstanding the provisions of § 10.1-2131, Code of Virginia, after July 1, 2011, the Department of Environmental Quality shall not provide any Water Quality Improvement Grant to any locality that is subject to the requirements of § 15.2-233.1, Code of Virginia, but has not yet designated at least one urban development area.~~

C.1. Out of this appropriation, $45,269,394 the first year from the general fund shall be deposited to the Virginia Water Quality Improvement Fund established under the Water Quality Improvement Act of 1997.

2. This appropriation, together with the amounts included in Item 360 of this act, meets the mandatory deposit requirements associated with the FY 2011 excess general fund revenue collections and discretionary year-end general fund balances.

3. Out of this appropriation, the Department of Environmental Quality shall use an amount not to exceed $3,000,000 from the Water Quality Improvement Fund to conduct the James River chlorophyll study pursuant to the approved Virginia Chesapeake Bay Total Maximum Daily Load, Phase I Watershed Implementation Plan. This amount shall be used solely for contractual support for water quality monitoring and analysis and computer modeling. No portion of this funding may be used for administrative costs of the department.

4. Out of this appropriation, the Department of Environmental Quality shall transfer $3,474,862 in the first year to the Department of Corrections for a wastewater treatment plant for use by the Department of Corrections and the Town of Craigsville, per Item C-78.05 of Chapter 890, 2011 Acts of Assembly.

D. Out of the amounts provided for Environmental Financial Assistance is $42,300,000 the first year from the general fund to be deposited to the Virginia Water Quality Improvement Fund established in Title 10.1, Chapter 21.1, Code of Virginia, to finance the costs of design and installation of nutrient removal technology at publicly owned treatment works designated as significant dischargers in order to comply with the effluent limitations for total nitrogen and total phosphorus established for those publicly owned treatment works. Any unexpended balances on June 30, 2013, from the amount appropriated in this paragraph shall not revert to the general fund but shall be carried forward and reappropriated.

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E. The Department of Environmental Quality is authorized to capitalize the Nutrient Offset Fund to the extent necessary to facilitate the development of grants or contracts to support animal waste to energy projects.

F.1. Pursuant to the provisions of Item C-39.40 of this act, bonds in an aggregate principle amount not to exceed $186,000,000 are provided for the following purposes:

2. Up to $101,000,000 to finance Nutrient Removal Grants to reimburse entities as provided in § 10.1-2117, Code of Virginia, considered as eligible Significant and Non-Significant Dischargers in the Chesapeake Bay watershed for capital costs incurred for the design and installation of nutrient removal technology. Such reimbursements shall be in accordance with eligibility determinations made by the Department of Environmental Quality pursuant to the provisions of this enactment and Chapter 21.1 of Title 10.1, Code of Virginia, including but not limited to the qualifications of projects for Virginia Water Quality Improvement Grants as set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines developed by the Secretary of Natural Resources in accordance with § 10.1-2129, Code of Virginia.

3. Up to $75,000,000 for the Combined Sewer Overflow Matching Fund established pursuant to § 62.1-241.12, Code of Virginia. These bond proceeds shall be used, along with any interest earnings thereon, by the Virginia Resources Authority and the State Water Control Board to make grants to the cities of Lynchburg and Richmond to pay a portion of the capital costs of their combined sewer overflow control projects. Disbursements from these proceeds shall be authorized by the State Water Control Board, under the authority of the Department of Environmental Quality, and administered by the Virginia Resources Authority through the Combined Sewer Overflow Matching Fund. Of the net proceeds, $30,000,000 shall be provided to the City of Lynchburg and $45,000,000 shall be provided to the City of Richmond. No such net proceeds shall be used to pay debt service on obligations of the cities of Lynchburg or Richmond or any other localities or regional or local authorities. As a condition of the additional bond authorization provided to the City of Lynchburg, and pursuant to the authorization issued by the City Council of the City of Lynchburg during its meeting on January 29, 2013, the City of Lynchburg shall not seek further funding from the Commonwealth for any costs associated with the completion of its combined sewer overflow project.

4. Up to $5,000,000 for a supplemental Nutrient Removal Grant to reimburse capital costs incurred by the Hopewell Regional Wastewater Treatment Authority for the design and installation of nutrient removal technology. Such reimbursement shall be in addition to any conventional grant awarded for the nutrient removal project to the extent determined by the Department of Environmental Quality pursuant to the provisions of Chapter 21.1 of Title 10.1, Code of Virginia, including but not limited to the qualifications of projects for Virginia Water Quality Improvement Grants as set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines developed by the Secretary of Natural Resources in accordance with § 10.1-2129.

5. Up to $5,000,000 for the Appomattox River Water Authority, to increase the supply of drinking water for the counties of Dinwiddie, Prince George, and Chesterfield, the cities of Colonial Heights and Petersburg, and the U.S. Army Garrison at Fort Lee, and to improve streamflow within the Appomattox River. The amount provided shall be matched by local contributions from any one or more of the affected local governments totaling $5,000,000.

G. Out of this appropriation, $85,000 the second year from the general fund is designated to help with the costs of a new wastewater treatment facility at the W. E. Skelton 4-H Educational Conference Center at Smith Mountain Lake.

367. Administrative and Support Services (59900).....			~~$24,417,833~~	~~$23,794,433~~
			$25,105,058	*$24,734,195*
General Management and Direction (59901).....	$19,217,545	$18,593,893		
Information Technology Services (59902).....	~~$5,200,288~~	~~$5,200,540~~		
	$5,887,513	*$6,140,302*		
Fund Sources: General.....	~~$8,431,784~~	~~$10,138,132~~		
	$9,119,009	*$11,077,894*		
Special.....	$8,170,026	$5,840,026		

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	Enterprise	$3,494,576	$3,494,576		
	Trust and Agency	$1,239,744	$1,239,744		
	Dedicated Special Revenue	$527,930	$527,930		
	Federal Trust	$2,553,773	$2,554,025		

Authority: Title 10.1, Chapters 11.1, 13 and 14 and Title 62.1, Chapter 3.1, Code of Virginia.

A. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend funds from the balances in the Virginia Environmental Emergency Response Fund for costs associated with its waste management and water programs.

B. Notwithstanding the provisions of Title 10.1, Chapter 25, Code of Virginia, the department is authorized to expend up to $600,000 the first year and $600,000 the second year from the balances in the Virginia Environmental Emergency Response Fund to further develop and implement eGovernment services.

C. Notwithstanding the provisions of § 10.1-1422.3, Code of Virginia, $2,330,000 the first year from the Waste Tire Trust Fund within the Department of Environmental Quality shall be used for the costs associated with the Department's land protection and water programs. Such funds may be used for the purposes set forth in § 10.1-1422.3, Code of Virginia, at the Director's discretion and only as available after funding other land protection and water programs. ~~It is the intent of the General Assembly that legislation be considered by the 2013 Session to permanently eliminate the fee.~~

	Total for Department of Environmental Quality			~~$241,191,808~~ *$241,879,033*	~~$152,855,012~~ *$153,767,475*
	General Fund Positions	390.50	~~390.50~~ *386.50*		
	Nongeneral Fund Positions	503.50	503.50		
	Position Level	894.00	~~894.00~~ *890.00*		
	Fund Sources: General	~~$118,069,077~~ *$118,756,302*	~~$32,751,031~~ *$33,663,494*		
	Special	$9,302,600	$6,972,600		
	Enterprise	$12,984,321	$12,359,321		
	Trust and Agency	$37,120,570	$37,120,570		
	Dedicated Special Revenue	$19,203,758	$19,140,008		
	Federal Trust	$44,511,482	$44,511,482		

§ 1-103. DEPARTMENT OF GAME AND INLAND FISHERIES (403)

368.	Wildlife and Freshwater Fisheries Management (51100)			$40,793,439	$40,793,439
	Wildlife Information and Education (51102)	$3,383,792	$3,383,792		
	Enforcement of Recreational Hunting and Fishing Laws and Regulations (51103)	$16,472,337	$16,472,337		
	Wildlife Management and Habitat Improvement (51106)	$20,937,310	$20,937,310		
	Fund Sources: Dedicated Special Revenue	$30,827,114	$30,827,114		
	Federal Trust	$9,966,325	$9,966,325		

Authority: Title 29.1, Chapters 1 through 6, Code of Virginia.

369.	Boating Safety and Regulation (62500)			$8,466,811	$8,466,811
	Boat Registration and Titling (62501)	$3,825,856	$3,825,856		
	Boating Safety Information and Education (62502)	$421,128	$421,128		
	Enforcement of Boating Safety Laws and Regulations (62503)	$4,219,827	$4,219,827		

ITEM 369.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Dedicated Special Revenue	$6,373,919	$6,373,919		
	Federal Trust	$2,092,892	$2,092,892		
	Authority: Title 29.1, Chapters 7 and 8, Code of Virginia.				
370.	Administrative and Support Services (59900)			~~$6,278,472~~ *$6,717,472*	~~$6,278,472~~ *$7,982,630*
	General Management and Direction (59901)	~~$4,672,000~~ *$5,111,000*	~~$4,672,000~~ *$6,376,158*		
	Information Technology Services (59902)	$1,606,472	$1,606,472		
	Fund Sources: Dedicated Special Revenue	~~$6,253,472~~ *$6,692,472*	~~$6,253,472~~ *$7,957,630*		
	Federal Trust	$25,000	$25,000		
	Authority: Title 29.1, Chapter 1, Code of Virginia.				

A. The Department of Game and Inland Fisheries shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the department.

B. The Department of Game and Inland Fisheries shall not further consolidate its regional offices, field offices, or close any of these offices in presently-served localities or enter into any lease for any new regional office without notification of the Chairman of the House Committee on Agriculture, Chesapeake, and Natural Resources and the Chairman of the Senate Committee on Agriculture, Conservation, and Natural Resources. The department shall not undertake any future reorganization of any division, reporting structures, regional or field offices, or any function it may perform without notifying the Chairmen of the House Committee on Agriculture, Chesapeake, and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation, and Natural Resources, and the Senate Committee on Finance.

C. Funds previously appropriated to the Lake Anna Advisory Committee for hydrilla control and removal may be used at the discretion of the Lake Anna Advisory Committee upon issues related to maintaining the health, safety, and welfare of Lake Anna.

371. A. Pursuant to Chapter 322 of the 1994 Acts of Assembly, and Chapter 320 of the 1998 Acts of Assembly, deposits to the Game Protection Fund (§ 29.1-101, Code of Virginia) include an estimated ~~$13,635,320~~ *$14,335,320* the first year and ~~$13,635,320~~ *$14,335,320* the second year from revenue originating from the general fund~~, less an amount estimated at $405,000 the second year for debt service associated with high hazard dam maintenance reserve bonds.~~

B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall transfer such funds as designated by the Board of Game and Inland Fisheries from the Game Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an amount equal to 50 percent or less of the revenue deposited to the Game Protection Fund by § 3-1.01, subparagraph M, of this act.

C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K, of this act, $881,753 the first year and $881,753 the second year from the Game Protection Fund shall be used for the enforcement of boating laws, boating safety education, and for improving boating access.

	Total for Department of Game and Inland Fisheries			~~**$55,538,722**~~ ***$55,977,722***	~~**$55,538,722**~~ ***$57,242,880***
	Nongeneral Fund Positions	496.00	496.00		
	Position Level	496.00	496.00		
	Fund Sources: Dedicated Special Revenue	~~$43,454,505~~ *$43,893,505*	~~$43,454,505~~ *$45,158,663*		
	Federal Trust	$12,084,217	$12,084,217		

ITEM 372.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
§ 1-104. DEPARTMENT OF HISTORIC RESOURCES (423)				
372. Historic and Commemorative Attraction Management (50200)			$5,632,728	~~$5,632,728~~ *$6,444,497*
Financial Assistance for Historic Preservation (50204)	$1,544,817	~~$1,544,817~~ *$2,044,817*		
Historic Resource Management (50205)	$4,087,911	~~$4,087,911~~ *$4,399,680*		
Fund Sources: General	$4,024,122	~~$4,024,122~~ *$4,835,891*		
Special	$672,027	$672,027		
Commonwealth Transportation	$100,000	$100,000		
Federal Trust	$836,579	$836,579		

Authority: Title 10.1, Chapters 22 and 23, Code of Virginia.

A. General fund appropriations for historic and commemorative attractions not identified in § 10.1-2211 or § 10.1-2211.1, Code of Virginia, shall be matched by local or private sources, either in cash or in-kind, in amounts at least equal to the appropriation and which are deemed to be acceptable to the department.

B. In emergency situations which shall be defined as those posing a threat to life, safety or property, § 10.1-2213, Code of Virginia, shall not apply.

C.1. Out of the amounts for Financial Assistance for Historic Preservation shall be paid from the general fund grants to the following organization for the purposes prescribed in § 10.1-2211, Code of Virginia:

ORGANIZATION	FY 2013	FY 2014
United Daughters of the Confederacy	$79,000	$82,585

Notwithstanding the cited Code section, the United Daughters of the Confederacy shall make disbursements to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy for the purposes stated in that section. By November 1 of each year, the United Daughters of the Confederacy shall submit to the Director, Department of Historic Resources a report documenting the disbursement of these funds for their specified purpose.

2. As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to $7,500 each year shall be distributed to the Ladies Memorial Association of Petersburg.

3. As disbursements are made to the treasurers of Confederate memorial associations and chapters of the United Daughters of the Confederacy by the United Daughters of the Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to $90 the first year and $90 the second year shall be distributed to the Town of Coeburn Municipal Graveyard.

D. Notwithstanding the requirements of § 10.1-2211.1, Code of Virginia, $2,850 the first year and $2,850 the second year from the general fund shall be disbursed to the Sons of the American Revolution for the care of Revolutionary War graves and cemeteries.

E. Included in this appropriation is $100,000 the first year and $100,000 the second year in nongeneral funds from the Highway Maintenance and Operating Fund to support the Department of Historic Resources' required reviews of transportation projects.

F. The Department of Historic Resources is authorized to accept a devise of certain real property under the will of Elizabeth Rust Williams known as Clermont Farm located on Route 7 east of the town of Berryville in Clarke County. If, after due consideration of options, the department determines that the property should be sold or leased to a different public or private entity, and notwithstanding the provisions of § 2.2-1156, Code of Virginia, the department is

ITEM 372.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

further authorized to sell or lease such property, provided such sale or lease is not in conflict with the terms of the will. The proceeds of any such sale or lease shall be deposited to the Historic Resources Fund established under § 10.1-2202.1, Code of Virginia.

G.1. Notwithstanding the requirements of § 10.1-2213.1, Code of Virginia, $459,382 the first year and $459,382 the second year from the general fund is provided as a matching grant for charitable contributions received by the Montpelier Foundation on or after July 1, 2003, that were actually spent in the material restoration of Montpelier between July 1, 2003, and September 30, 2009.

2. It is the intent of the General Assembly that over the remaining term of the grant authorized by § 10.1-2213.1, Code of Virginia, Montpelier shall receive the full amount of matching funds provided by the Code of Virginia. In order to meet this provision, level funding will be provided for the remainder of the grant.

H. The Department of Historic Resources shall follow and provide input on federal legislation designed to establish a new national system of recognizing and funding Presidential Libraries for those entities that are not included in the 1955 Presidential Library Act.

I. Included in this appropriation is $1,000,000 the first year and ~~$1,000,000~~*$1,400,000* the second year from the general fund to be deposited into the Civil War Historic Site Preservation Fund for grants to be made in accordance with § 10.1-2202.4, Code of Virginia. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund.

J. The Department of Historic Resources is authorized to require applicants for tax credits for historic rehabilitation projects under § 58.1-339.2, Code of Virginia, to provide an audit by a certified public accountant licensed in Virginia, in accordance with guidelines developed by the department in consultation with the Auditor of Public Accounts. The department is also authorized to contract with tax, financial, and other professionals to assist the department with the oversight of historic rehabilitation projects for which tax credits are anticipated.

K. Included in these amounts is $100,000 the second year from the general fund for the purpose of undertaking the stabilization and repair of Historic Jamestowne's colonial church tower. The department is authorized to make and enter into all contracts and agreements necessary to accomplish this undertaking.

373. Administrative and Support Services (59900)			$724,714	$724,799
General Management and Direction (59901)	$724,714	$724,799		
Fund Sources: General	$516,079	$516,164		
Special	$32,000	$32,000		
Federal Trust	$176,635	$176,635		

Authority: Title 10.1, Chapters 10.1, 22 and 23, Code of Virginia.

Out of the amounts for Administrative and Support Services, the department shall administer state grants to nonstate agencies pursuant to Item 490 of this act.

Total for Department of Historic Resources			**$6,357,442**	**~~$6,357,527~~** ***$7,169,296***
General Fund Positions	27.00	~~27.00~~ *28.00*		
Nongeneral Fund Positions	19.00	19.00		
Position Level	46.00	~~46.00~~ *47.00*		
Fund Sources: General	$4,540,201	~~$4,540,286~~ *$5,352,055*		
Special	$704,027	$704,027		
Commonwealth Transportation	$100,000	$100,000		
Federal Trust	$1,013,214	$1,013,214		

ITEM 374.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	§ 1-105. MARINE RESOURCES COMMISSION (402)				
374.	Marine Life Management (50500)			$17,292,913	~~$17,292,736~~ *$18,812,570*
	Marine Life Information Services (50501)	$741,577	$741,577		
	Marine Life Regulation Enforcement (50503)	$7,864,935	~~$7,864,758~~ *$7,884,592*		
	Artificial Reef Construction (50506)	$144,520	$144,520		
	Chesapeake Bay Fisheries Management (50507)	$5,234,122	$5,234,122		
	Oyster Propagation and Habitat Improvement (50508)	$3,307,759	~~$3,307,759~~ *$4,807,759*		
	Fund Sources: General	$6,565,049	~~$6,564,872~~ *$8,084,706*		
	Special	$5,950,082	$5,950,082		
	Commonwealth Transportation	$313,768	$313,768		
	Dedicated Special Revenue	$581,014	$581,014		
	Federal Trust	$3,883,000	$3,883,000		

Authority: Title 18.2, Chapters 1 and 5; Title 19.2, Chapters 1, 5 and 7; Title 28.2, Chapters 1 through 10; Title 29.1, Chapter 7; Title 32.1, Chapter 6; Title 33.1, Chapter 1; and Title 62.1, Chapters 18 and 20, Code of Virginia.

A. Out of this appropriation, $41,000 the first year and $41,000 the second year from the general fund is provided for annual membership dues to the Atlantic States Marine Fisheries Commission.

B. Out of this appropriation, $148,750 the first year and $148,750 the second year from the general fund is provided for annual membership dues to the Potomac River Fisheries Commission.

C. Out of the amounts for Marine Life Regulation Enforcement shall be paid into the Marine Patrols Fund, $169,248 the first year and $169,248 the second year, pursuant to § 28.2-108, Code of Virginia. For this purpose, cash shall be transferred from the Commonwealth Transportation Fund.

D. Pursuant to § 58.1-2289 D, Code of Virginia, $144,520 the first year and $144,520 the second year shall be transferred to Artificial Reef Construction from the Commonwealth Transportation Fund from unrefunded motor fuel taxes for boats.

E. Any unexpended general fund balances designated by the agency for oyster remediation activities remaining in the Item on June 30, 2013, and June 30, 2014, shall be reappropriated and reallotted to the Marine Resources Commission for expenditure.

F. The commission shall deposit proceeds from the sale of oyster shells, oyster seeds, and other subaqueous materials pursuant to § 28.2-550, Code of Virginia, to the Public Oyster Rock Replenishment Fund established by § 28.2-542, Code of Virginia. The proceeds from such sale shall be used for the same purposes specified in § 28.2-542, Code of Virginia.

G. Out of this appropriation, $500,000 the first year and ~~$500,000~~ *$2,000,000* the second year from the general fund is provided to support oyster replenishment activities.

375.	Coastal Lands Surveying and Mapping (51000)			$2,137,781	~~$2,137,781~~ *$2,221,781*
	Coastal Lands and Bottomlands Management (51001)	$1,676,408	~~$1,676,408~~ *$1,760,408*		
	Marine Resources Surveying and Mapping (51002)	$461,373	$461,373		
	Fund Sources: General	$879,678	~~$879,678~~ *$963,678*		
	Dedicated Special Revenue	$1,076,103	$1,076,103		
	Federal Trust	$182,000	$182,000		

ITEM 375.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Authority: Title 28.2, Chapters 12, 13, 14, 15 and 16; Title 62.1, Chapters 16 and 19, Code of Virginia.				
	Out of this appropriation, $12,000 the first year and ~~$12,000~~ *$96,000* the second year from the general fund is designated for Virginia's share of an Army Corps of Engineers project to construct a seawall to preserve the harbor on Tangier Island.				
375.10.	Tourist Promotion (53600)			$220,000	$220,000
	Virginia Saltwater Sport Fishing Tournament (53601)	$220,000	$220,000		
	Fund Sources: Special	$220,000	$220,000		
	Authority: Title 28.2, Chapter 2, Code of Virginia				
376.	Omitted.				
377.	Administrative and Support Services (59900)			$1,738,064	~~$1,738,064~~ *$1,736,295*
	General Management and Direction (59901)	$1,738,064	~~$1,738,064~~ *$1,736,295*		
	Fund Sources: General	$1,655,564	~~$1,655,564~~ *$1,653,795*		
	Special	$82,500	$82,500		
	Authority: Title 28.2, Chapters 1 and 2, Code of Virginia.				
	A. The Marine Resources Commission shall recover the cost of reproduction, plus a reasonable fee per record, from persons or organizations requesting copies of computerized lists of licenses issued by the commission.				
	B. From the amounts collected pursuant to § 28.2-200 et seq., Code of Virginia, and deposited into the Virginia Marine Products Fund (§ 3.2-2705, Code of Virginia), the Marine Resources Commission may retain $10,000 the first year and $10,000 the second year for the administrative cost of issuing gear licenses.				
	Total for Marine Resources Commission			**$21,388,758**	~~**$21,388,581**~~ ***$22,990,646***
	General Fund Positions	126.50	126.50		
	Nongeneral Fund Positions	32.00	32.00		
	Position Level	158.50	158.50		
	Fund Sources: General	$9,100,291	~~$9,100,114~~ *$10,702,179*		
	Special	$6,252,582	$6,252,582		
	Commonwealth Transportation	$313,768	$313,768		
	Dedicated Special Revenue	$1,657,117	$1,657,117		
	Federal Trust	$4,065,000	$4,065,000		
	§ 1-106. VIRGINIA MUSEUM OF NATURAL HISTORY (942)				
378.	Museum and Cultural Services (14500)			$3,213,409	~~$3,213,446~~ *$3,396,955*
	Collections Management and Curatorial Services (14501)	$142,645	$142,645		
	Education and Extension Services (14503)	$663,244	~~$663,244~~ *$846,753*		
	Operational and Support Services (14507)	$1,704,598	$1,704,635		
	Scientific Research (14508)	$702,922	$702,922		
	Fund Sources: General	$2,581,504	~~$2,581,541~~ *$2,765,050*		

ITEM 378.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Special	$521,905	$521,905		
Federal Trust	$110,000	$110,000		
Authority: Title 10.1, Chapter 20, Code of Virginia.				
Total for Virginia Museum of Natural History			**$3,213,409**	**~~$3,213,446~~** ***$3,396,955***
General Fund Positions	39.00	39.00		
Nongeneral Fund Positions	9.50	9.50		
Position Level	48.50	48.50		
Fund Sources: General	$2,581,504	~~$2,581,541~~ *$2,765,050*		
Special	$521,905	$521,905		
Federal Trust	$110,000	$110,000		
TOTAL FOR OFFICE OF NATURAL RESOURCES			**~~$463,166,201~~** ***$481,441,541***	**~~$360,855,947~~** ***$368,588,463***
General Fund Positions	~~1,017.50~~ *1,021.50*	~~1,017.50~~ *1,019.50*		
Nongeneral Fund Positions	1,160.50	1,160.50		
Position Level	~~2,178.00~~ *2,182.00*	~~2,178.00~~ *2,180.00*		
Fund Sources: General	~~$184,200,978~~ *$202,037,318*	~~$91,632,893~~ *$97,294,429*		
Special	$42,034,716	~~$39,397,054~~ *$39,831,670*		
Commonwealth Transportation	$413,768	$413,768		
Enterprise	$12,984,321	$12,359,321		
Trust and Agency	$37,120,570	$37,120,570		
Debt Service	$236,144	$236,144		
Dedicated Special Revenue	~~$110,079,095~~ *$110,518,095*	~~$103,599,588~~ *$105,235,952*		
Federal Trust	$76,096,609	$76,096,609		

ITEM 379.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

OFFICE OF PUBLIC SAFETY

§ 1-107. SECRETARY OF PUBLIC SAFETY (187)

379. Administrative and Support Services (79900)			$555,480	$556,377
General Management and Direction (79901)	$555,480	$556,377		
Fund Sources: General	$555,480	$556,377		

Authority: Title 2.2, Chapter 2, Article 8, and § 2.2-201, Code of Virginia.

A. The Secretary of Public Safety shall present revised state and local juvenile and state and local responsibility adult offender population forecasts to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Chairmen of the House and Senate Courts of Justice Committees by October 15, 2012, for each fiscal year through FY 2018 and by October 15, 2013, for each fiscal year through FY 2019. The secretary shall ensure that the revised forecast for state-responsible adult offenders shall include an estimate of the number of probation violators included each year within the overall population forecast who may be appropriate for alternative sanctions.

B. The secretary shall provide a status report on actions taken to improve offender transitional and reentry services, as provided in § 2.2-221.1, Code of Virginia, including improvements to the preparation and provision for employment, treatment, and housing opportunities for those being released from incarceration. The report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than November 15 of each year.

Total for Secretary of Public Safety			**$555,480**	**$556,377**
General Fund Positions	6.00	6.00		
Position Level	6.00	6.00		
Fund Sources: General	$555,480	$556,377		

§ 1-108. COMMONWEALTH'S ATTORNEYS' SERVICES COUNCIL (957)

380. Adjudication Training, Education, and Standards (32600)			$627,938	$627,949
Prosecutorial Training (32604)	$627,938	$627,949		
Fund Sources: General	$589,488	$589,499		
Special	$38,450	$38,450		

Authority: Title 2.2, Chapter 26, Article 7, Code of Virginia.

Included in this appropriation is $75,600 the first year and $75,600 the second year from the general fund for a position to provide assistance and training for Commonwealth's attorneys to combat gang crime.

Total for Commonwealth's Attorneys' Services Council			**$627,938**	**$627,949**
General Fund Positions	7.00	7.00		
Position Level	7.00	7.00		
Fund Sources: General	$589,488	$589,499		
Special	$38,450	$38,450		

§ 1-109. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (999)

381. Crime Detection, Investigation, and Apprehension (30400)			$17,958,945	$17,958,945
Enforcement and Regulation of Alcoholic Beverage Control Laws (30403)	$17,958,945	$17,958,945		

ITEM 381.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Enterprise	$17,258,945	$17,258,945		
	Federal Trust	$700,000	$700,000		
	Authority: §§ 4-1 through 4-145, 9-6.14:1 through 9-6.14:25, Code of Virginia.				
	A. No funds appropriated for this program shall be used for enforcement personnel to enforce local ordinances.				
	B. Revenues of the fund appropriated in this Item and Item 382 of this act are limited to those received pursuant to Title 4, Code of Virginia, excepting taxes collected by the Alcoholic Beverage Control Board.				
	C. By September 1 of each year, the Alcoholic Beverage Control Board shall report for the prior fiscal year the dollar amount of total wine liter tax collections in Virginia; the portion, expressed in dollars, of such tax collections attributable to the sale of Virginia wine in both ABC stores and in private stores; and, the percentage of total wine liter tax collections attributable to the sale of Virginia wine. Such report shall be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, Director, Department of Planning and Budget and the Virginia Wine Board.				
382.	Alcoholic Beverage Merchandising (80100)			$530,575,791	$546,710,251
	Administrative Services (80101)	$35,170,106	$35,170,106		
	Alcoholic Beverage Control Retail Store Operations (80102)	$87,938,462	$89,572,922		
	Alcoholic Beverage Purchasing, Warehousing and Distribution (80103)	$407,467,223	$421,967,223		
	Fund Sources: Enterprise	$530,575,791	$546,710,251		
	Authority: §§ 4-1 through 4-118.2, Code of Virginia and Item 643, Chapter 966 of the 1994 Acts of Assembly.				
	A. Any plan to modernize and integrate the automated systems of the Department of Alcoholic Beverage Control shall be based on developing the integrated system in phases or modules.				
	B. Funds appropriated for services related to state lottery operations shall be used solely for lottery ticket purchases and prize payouts.				
	C. The Alcoholic Beverage Control Board shall open additional stores in locations deemed to have the greatest potential for total increased sales in order to maximize profitability.				
	Total for Department of Alcoholic Beverage Control			**$548,534,736**	**$564,669,196**
	Nongeneral Fund Positions	1,094.00	1,104.00		
	Position Level	1,094.00	1,104.00		
	Fund Sources: Enterprise	$547,834,736	$563,969,196		
	Federal Trust	$700,000	$700,000		
	§ 1-110. DEPARTMENT OF CORRECTIONAL EDUCATION (750)				
383.	Administrative and Support Services (19900)			$4,657,682	~~$4,662,072~~ *$0*
	General Management and Direction (19901)	$4,657,682	~~$4,662,072~~ *$0*		
	Fund Sources: General	$4,657,682	~~$4,662,072~~ *$0*		
	Authority: §§ 22.1-339 through 22.1-345, Code of Virginia.				
384.	Instruction (19700)			$45,997,236	~~$45,999,582~~ *$0*
	Youth Instructional Services (19711)	$13,240,632	~~$13,240,632~~		

ITEM 384.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
		$0		
Career and Technical Instructional Services for Youth and Adult Schools (19712)	$10,762,626	~~$10,764,972~~ *$0*		
Adult Instructional Services (19713)	$10,872,874	~~$10,872,874~~ *$0*		
Instructional Leadership and Support Services (19714)	$11,121,104	~~$11,121,104~~ *$0*		
Fund Sources: General	$43,506,450	~~$43,508,796~~ *$0*		
Special	$170,536	~~$170,536~~ *$0*		
Federal Trust	$2,320,250	~~$2,320,250~~ *$0*		
Authority: §§ 22.1-339 through 22.1-345, Code of Virginia.				
Total for Department of Correctional Education			**$50,654,918**	~~**$50,661,654**~~ ***$0***
General Fund Positions	685.05	~~685.05~~ *0.00*		
Nongeneral Fund Positions	15.50	~~15.50~~ *0.00*		
Position Level	700.55	~~700.55~~ *0.00*		
Fund Sources: General	$48,164,132	~~$48,170,868~~ *$0*		
Special	$170,536	~~$170,536~~ *$0*		
Federal Trust	$2,320,250	~~$2,320,250~~ *$0*		
§ 1-111. DEPARTMENT OF CORRECTIONS (799)				
384.05. Instruction (19700)			*$0*	*$25,790,251*
Career and Technical Instructional Services for Youth and Adult Schools (19712)	*$0*	*$8,918,336*		
Adult Instructional Services (19713)	*$0*	*$10,879,136*		
Instructional Leadership and Support Services (19714)	*$0*	*$5,992,779*		
Fund Sources: General	*$0*	*$25,520,662*		
Federal Trust	*$0*	*$269,589*		
Authority: §§ 53.1-5 and 53.1-10, Code of Virginia.				
385. Supervision of Offenders and Re-Entry Services (35100)			$82,984,939	$83,326,913
Probation and Parole Services (35106)	$79,101,559	$79,443,533		
Community Residential Programs (35108)	$1,963,556	$1,963,556		
Administrative Services (35109)	$1,919,824	$1,919,824		
Fund Sources: General	$81,069,607	$81,411,581		
Special	$85,000	$85,000		
Dedicated Special Revenue	$1,490,332	$1,490,332		
Federal Trust	$340,000	$340,000		

Authority: §§ 53.1-67.2 through 53.1-67.6 and §§ 53.1-140 through 53.1-176.3, Code of Virginia.

A. By September 1 of each year, the Department of Corrections shall provide a status report on the Statewide Community-Based Corrections System for State-Responsible Offenders to the

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Chairmen of the House Courts of Justice; Health, Welfare and Institutions; and Appropriations Committees and the Senate Courts of Justice; Rehabilitation and Social Services; and Finance Committees and to the Department of Planning and Budget. The report shall include a description of the department's progress in implementing evidence-based practices in probation and parole districts, and its plan to continue expanding this initiative into additional districts. The section of the status report on evidence-based practices shall include an evaluation of the effectiveness of these practices in reducing recidivism and how that effectiveness is measured.

B. Included in the appropriation for this Item is $150,000 the first year and $150,000 the second year from nongeneral funds to support the implementation of evidence-based practices in probation and parole districts. The source of the funds is the Drug Offender Assessment Fund.

386. A. The following process shall be applicable in order for any county, city, or regional jail authority (hereinafter referred to as "the locality") to receive state reimbursement for a portion of the costs of the construction, expansion, or renovation of a jail as provided in §§53.1-80 and 53.1-81, Code of Virginia:

1. The locality shall file with the Department of Corrections, by January 1 of the year in which it wishes its request to be considered, the following information in a format specified by the department:

a. the information and documents required by §53.1-82.1, Code of Virginia;

b. Specifications for the proposed construction or renovation; and

c. Detailed cost estimates.

2. The Department of Corrections shall review the request and make its comments and recommendations to the Board of Corrections.

3. The Departments of Corrections and Criminal Justice Services shall review the community-based corrections plan and jail population forecast submitted by the locality and make their comments and recommendation concerning them to the Board of Corrections.

4. The Board of Corrections shall review and take action on the request, after reviewing the comments and recommendations of the Departments of Corrections and Criminal Justice Services. It may modify any aspect of the request before approving it. The board shall not approve any request unless the following conditions have been met:

a. the project is consistent with the projected number of local and state responsible offenders to be housed in such facility;

b. the project meets the design criteria set out in the Board of Corrections' Standards for Planning, Design, Construction and Reimbursement of Local Correctional Facilities;

c. the project is proposed to be built using standards for a minimum security facility, as adopted by the board, unless the use of more expensive construction standards is justified, based on a documented projection of offender populations that would require a higher level of security;

d. the project can be completed and operated in a cost-efficient manner; and

e. any other criteria established by the board.

5. If the Board of Corrections approves a request, the Department of Corrections shall notify the Department of Planning and Budget by September 1 of the board's action and submit a summary of the project and a detailed list of the board-approved costs to the department.

6. If the Board of Corrections approves a request, the Department of Criminal Justice Services shall submit to the Department of Planning and Budget by September 1 a summary of the alternatives to incarceration included in the community-based corrections plan approved for the project, along with a projection of the state funds needed to implement these programs.

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7. The Department of Planning and Budget shall submit to the Governor, for consideration for inclusion in the budget bill to be submitted by the Governor to the General Assembly, its recommendations concerning the approval of the request for reimbursement of jail construction or renovation costs and whether state funding is appropriate to support the alternatives to incarceration included in the community-based corrections plan.

B. The Department of Corrections shall provide an annual report on the status of jail construction and renovation projects as approved for funding by the General Assembly. The report shall be limited to those projects which increase bed capacity. The report shall include a brief summary description of each project, the total capital cost of the project and the approved state share of the capital cost, the number of beds approved, along with the net number of new beds if existing beds are to be removed, and the closure of any existing facilities, if applicable. The report shall include the six-year population forecast, as well as the double-bunking capacity compared to the rated capacity for each project listed. The report shall also include the general fund impact on community corrections programs as reported by the Department of Criminal Justice Services, and the recommended financing arrangements and estimated general fund requirements for debt service as provided by the State Treasurer. Copies of the report shall be provided by October 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees and to the Director, Department of Planning and Budget.

C.1. No city, county, town or regional jail shall authorize the construction, remodeling, renovation or rehabilitation of any facility to house any inmate in secure custody which results in increased jail capacity without the prior approval of the Board of Corrections.

2. Any facility operated by any local or regional jail in the Commonwealth which houses any inmate in secure custody shall be subject to the operational provisions of §§ 53.1-5 and 53.1-68, Code of Virginia, as well as all rules, regulations, and inspections established by the Board of Corrections.

D. The Board of Corrections shall include within its reporting formats on the capacity of each local and regional jail, a measure of the actual jail capacity, which shall include double-bunking, with exceptions as appropriate, in the judgment of the Board, for isolation, segregation, or medical cells, or similar units which would not normally be double-bunked. Exceptions to this measure of capacity may also be made for jails which were constructed prior to 1980. A report including the double-bunking capacity, as well as the standard Board of Corrections measure of rated capacity, for each jail shall be presented to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by October 1 of each year.

387. Operation of State Residential Community Correctional Facilities (36100)			$17,140,956	$17,140,956
Community Facility Management (36101)	$1,677,119	$1,677,119		
Supervision and Management of Probates (36102)	$11,063,914	$11,063,914		
Rehabilitation and Treatment Services - Community Residential Facilities (36103)	$1,379,004	$1,379,004		
Medical and Clinical Services - Community Residential Facilities (36104)	$788,336	$788,336		
Food Services - Community Residential Facilities (36105)	$1,195,565	$1,195,565		
Physical Plant Services - Community Residential Facilities (36106)	$1,037,018	$1,037,018		
Fund Sources: General	$15,440,956	$15,440,956		
Special	$1,700,000	$1,700,000		

Authority: §§ 53.1-67.2 through 53.1-67.8, Code of Virginia.

A. Included within this appropriation is $1,500,000 the first year and $1,500,000 the second year from nongeneral funds to be used for operating expenses of diversion centers operated by the Department of Corrections. The nongeneral funds are to come from the fees collected from probationers, assigned to the diversion centers, to cover a portion of the cost of housing them, pursuant to § 19.2-316.3 C, Code of Virginia.

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	B. Notwithstanding the provisions of § 53.1-67.1, Code of Virginia, the Department of Corrections shall not be required to operate a boot camp program for offenders placed on probation.				
388.	Operation of Secure Correctional Facilities (39800).....			~~$835,020,019~~ *$835,543,549*	~~$818,511,616~~ *$836,971,103*
	Supervision and Management of Inmates (39802).....	~~$408,353,810~~ *$409,153,810*	~~$407,371,513~~ *$418,346,455*		
	Rehabilitation and Treatment Services - Prisons (39803)	$35,082,574	~~$35,082,574~~ *$35,775,984*		
	Prison Management (39805).....	$59,763,466	~~$59,763,466~~ *$61,398,778*		
	Food Services - Prisons (39807).....	~~$40,504,837~~ *$40,604,837*	~~$40,504,837~~ *$40,878,097*		
	Medical and Clinical Services - Prisons (39810).....	~~$162,760,943~~ *$162,384,473*	~~$147,234,837~~ *$151,551,306*		
	Agribusiness (39811)	$8,864,484	$8,864,484		
	Correctional Enterprises (39812).....	$54,680,835	$54,680,835		
	Physical Plant Services - Prisons (39815).....	$65,009,070	~~$65,009,070~~ *$65,475,164*		
	Fund Sources: General.....	~~$769,519,200~~ *$769,942,730*	~~$758,926,686~~ *$776,887,448*		
	Special.....	~~$63,206,724~~ *$63,306,724*	~~$57,290,835~~ *$57,789,560*		
	Dedicated Special Revenue.....	$990,047	$990,047		
	Federal Trust.....	$1,304,048	$1,304,048		

Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.

A. Included in this appropriation is $1,005,000 in the first year and $1,005,000 the second year from nongeneral funds for the purposes listed below. The source of the funds is commissions generated by prison commissary operations:

1. $150,000 the first year and $150,000 the second year for Assisting Families of Inmates, Inc., to provide transportation for family members to visit offenders in prison and other ancillary services to family members;

2. $780,000 the first year and $780,000 the second year for distribution to organizations that work to enhance faith-based services to inmates; and

3. $75,000 the first year and $75,000 the second year for the "Pen Pals" program.

B.1. The Department of Corrections is authorized to contract with other governmental entities to house male and female prisoners from those jurisdictions in facilities operated by the department.

2. The State Comptroller shall continue the Contract Prisoners Special Revenue Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Commonwealth of Virginia and other governmental entities for the housing of prisoners in facilities operated by the Virginia Department of Corrections.

3. The Department of Corrections shall determine whether it may be possible to contract to house additional federal inmates or inmates from other states in space available within state correctional facilities. The department may, subject to the approval of the Governor, enter into such contracts, to the extent that sufficient bedspace may become available in state facilities for this purpose.

C. The Department of Corrections may enter into agreements with local and regional jails to house state-responsible offenders in such facilities and to effect transfers of convicted state felons between and among such jails. Such agreements shall be governed by the provisions of Item 69 of this act.

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D. To the extent that the Department of Corrections privatizes food services, the department shall also seek to maximize agribusiness operations.

E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of Corrections is authorized to sell on the open market and through the Virginia Farmers' Market Network any dairy, animal, or farm products of which the Commonwealth imports more than it exports.

F. It is the intention of the General Assembly that § 53.1-47, the Code of Virginia, concerning articles and services produced or manufactured by persons confined in state correctional facilities, shall be construed such that the term "manufactured" articles shall include "remanufactured" articles.

G. Out of this appropriation, $1,304,048 the first year and ~~$1,034,048~~ *$1,304,048* the second year from nongeneral funds is included for inmate medical costs. The sources of the nongeneral funds are an award from the State Criminal Alien Assistance Program, administered by the U.S. Department of Justice.

H.1. The Department of Corrections, in coordination with the Virginia Supreme Court, shall continue to operate a behavioral correction program. Offenders eligible for such a program shall be those offenders: (i) who have never been convicted of a violent felony as defined in § 17.1-805 of the Code of Virginia and who have never been convicted of a felony violation of §§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the sentencing guidelines developed by the Virginia Criminal Sentencing Commission would recommend a sentence of three years or more in facilities operated by the Department of Corrections; and (iii) whom the court determines require treatment for drug or alcohol substance abuse. For any such offender, the court may impose the appropriate sentence with the stipulation that the Department of Corrections place the offender in an intensive therapeutic community-style substance abuse treatment program as soon as possible after receiving the offender. Upon certification by the Department of Corrections that the offender has successfully completed such a program of a duration of 24 months or longer, the court may suspend the remainder of the sentence imposed by the court and order the offender released to supervised probation for a period specified by the court.

2. If an offender assigned to the program voluntarily withdraws from the program, is removed from the program by the Department of Corrections for intractable behavior, fails to participate in program activities, or fails to comply with the terms and conditions of the program, the Department of Corrections shall notify the court, outlining specific reasons for the removal and shall reassign the defendant to another incarceration assignment as appropriate. Under such terms, the offender shall serve out the balance of the sentence imposed by the court, as provided by law.

3. The Department of Corrections shall collect the data and develop the framework and processes that will enable it to conduct an in-depth evaluation of the program three years after it has been in operation. The department shall submit a report periodically on the program to the Chief Justice as he may require and shall submit a report on the implementation of the program and its usage to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by June 30 of each year.

I. Included in the appropriation for this Item is ~~$150,000~~ *$250,000* the first year and ~~$150,000~~ *$250,000* the second year from nongeneral funds for a culinary arts program in which inmates are trained to operate food service activities serving agency staff and the general public. The source of the funds shall be revenues generated by the program. Any revenues so generated by the program shall not be subject to § 4-2.02 of this act and shall be used by the agency for the costs of operating the program. The State Comptroller shall establish the Inmate Culinary Arts Training Program Fund in the Commonwealth Accounting and Reporting System to reflect the revenue and expenditures of this program.

J. The Department of Corrections shall coordinate with the Department of Medical Assistance Services *and the Department of Social Services* to establish procedures to enroll eligible inmates in Medicaid ~~in order for the Commonwealth to receive reimbursement by the federal government for the costs of inpatient medical care for eligible inmates under the provisions of the federal Affordable Care Act, beginning January 1, 2014~~ *,with coverage to start July 1, 2013*. ~~These procedures shall include provisions for medical providers to bill the Department~~

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~~of Medical Assistance Services, rather than the Department of Corrections, for inmate inpatient medical expenses.~~ *To the extent possible, the Department of Corrections shall work to identify potentially eligible inmates on a proactive basis, prior to the time inpatient hospitalization occurs. Procedures shall also include provisions for medical providers to bill the Department of Medical Assistance Services, rather than the Department of Corrections, for inmate inpatient medical expenses. Given the multiple payor sources associated with inpatient and outpatient health care services, beginning July 1, 2013, the Department of Corrections and the Department of Medical Assistance Services shall consult with the applicable provider community to ensure that administrative burdens are minimized and payment for health care services is rendered in a prompt manner. The Departments of Medical Assistance Services and Corrections shall provide a joint report on the implementation of this initiative and the expected cost savings to the Commonwealth. Copies of this report shall be provided to the Secretaries of Health and Human Services and Public Safety, and to the Chairmen of the House Appropriations and Senate Finance Committees, by June 30, 2013.*

K. Federal funds received by the Department of Corrections from the federal Residential Substance Abuse Treatment Program shall be exempt from payment of statewide and agency indirect cost recoveries into the general fund.

L. The amounts paid into the Corrections Special Reserve Fund established in accordance with § 30-19.1:4, Code of Virginia, shall be used in the first year to offset a portion of the budgeted amounts for the department's operation of secure correctional facilities.

M. Included in the appropriation for this item is $398,725 the second year from nongeneral funds for the purchase of surveillance cameras for installation in correctional facilities to enable the department to comply with the requirements of the federal Prison Rape Elimination Act. The source of the nongeneral funds is revenue from inmate medical copay fees.

N. Included in the appropriation for this item is $800,000 the first year and $17,200,000 the second year from the general fund to enable the agency to open the River North Correctional Center in Grayson County by October 15, 2013. In determining those state-responsible offenders to transfer to the River North Correctional Center, the department shall prioritize the transfer of any state-responsible offenders housed in any local or regional jail for which a waiver from the Board of Corrections' "Standards for Planning, Design, Construction, and Reimbursement of Local Correctional Facilities" has been provided.

O. Included in the appropriation for this item is $546,426 the second year from the general fund for six medical contract monitors. The persons filling these positions shall have the responsibility of closely monitoring the adequacy and quality of inmate medical services in those correctional facilities for which the department has contracted with a private vendor to provide inmate medical services.

P. Included in the appropriation for this item is $663,757 the second year from the general fund to establish a separate program for inmates under 18 years old who have been tried and convicted as adults and committed to the Department of Corrections. This separation of these offenders from the general prison population is required by the new requirements of the federal Prison Rape Elimination Act.

Q. The amounts paid into the Corrections Special Reserve Fund established in accordance with § 30-19.1:4, Code of Virginia, shall be used in the second year to offset a portion of the budgeted amounts for the early opening of the River North Correctional Center in October 2013.

389.	Administrative and Support Services (39900).....			~~$91,692,884~~ *$91,828,354*	~~$85,995,621~~ *$93,593,593*
	General Management and Direction (39901).....	$18,025,688	~~$17,925,688~~ *$17,035,656*		
	Information Technology Services (39902).....	$26,620,593	~~$26,620,593~~ *$30,674,937*		
	Accounting and Budgeting Services (39903).....	$2,831,709	~~$2,831,709~~ *$3,007,343*		
	Architectural and Engineering Services (39904).....	$12,949,576	~~$7,176,331~~		

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		$8,811,553		
Human Resources Services (39914).....	~~$3,196,482~~	~~$3,196,482~~		
	$3,331,952	*$5,154,003*		
Planning and Evaluation Services (39916).....	$619,172	$619,172		
Procurement and Distribution Services (39918).....	$12,456,118	~~$12,592,937~~		
		$13,056,468		
Training Academy (39929).....	$6,553,531	~~$6,553,531~~		
		$6,755,283		
Offender Classification and Time Computation Services (39930)	$8,440,015	$8,479,178		
Fund Sources: General.....	~~$86,705,384~~	~~$81,008,121~~		
	$86,840,854	*$88,606,093*		
Special.....	$4,987,500	$4,987,500		

Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.

A. 1. Any plan to modernize and integrate the automated systems of the Department of Corrections shall be based on developing the integrated system in phases, or modules. Furthermore, any such integrated system shall be designed to provide the department the data needed to evaluate its programs, including that data needed to measure recidivism.

2. The appropriation in this Item includes $1,562,500 the first year and $1,562,500 the second year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of maintaining and enhancing the offender management system. In addition to any general fund appropriations, the Department of Corrections may, subject to the authorization of the Director, Department of Planning and Budget, utilize additional revenue deposited in the Contract Prisoners Special Revenue Fund to support the development of the offender management system.

B. Included in this appropriation is $550,000 the first year and $550,000 the second year from nongeneral funds to be used for installation and operating expenses of the telemedicine program operated by the Department of Corrections. The source of the funds is revenue from inmate fees collected for medical services.

C. Included in this appropriation is $2,800,000 the first year and $2,800,000 the second year from nongeneral funds to be used by the Department of Corrections for the operations of its Corrections Construction Unit. The State Comptroller shall continue the Corrections Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting System to reflect the activities of contracts between the Corrections Construction Unit and (i) institutions within the Department of Corrections for work not related to a capital project and (ii) agencies without the Department of Corrections for work performed for those agencies.

D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director, Department of Corrections, shall receive offenders into the state correctional system from local and regional jails at such time as he determines that sufficient, secure and appropriate housing is available, placing a priority on receiving inmates diagnosed and being treated for HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent with inmate and staff safety, the use of bed space in the state correctional system. The director shall report monthly to the Secretary of Public Safety and the Department of Planning and Budget on the number of inmates housed in the state correctional system, the number of inmate beds available, and the number of offenders housed in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.

E. The Department of Corrections is exempted from the approval requirements of Chapter 11 of the Construction and Professional Services Manual as issued by the Division of Engineering and Buildings. The Department of Corrections may authorize and initiate design-build contracts as deemed appropriate by the Director, Department of Corrections, in accordance with §§ 2.2-4301 and 2.2-4306, Code of Virginia.

F. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be placed, erected or constructed on, or removed or demolished from the property of the Commonwealth of Virginia under the control of the Department of Corrections shall not be subject to review and approval by the Art and Architectural Review Board as contemplated by

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§ 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a facility that is not a secure correctional facility or a structure located on the property of a secure correctional facility, then the Department of Corrections shall submit that structure to the Art and Architectural Review Board for review and approval by that board. Such other structures could include probation and parole district offices or regional offices.

G. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain Magisterial District of Culpeper County, Virginia, in consideration of the County's construction of water capacity and service line(s) adequate to serve the needs of the Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary to serve the facilities, including an eight-inch water service line, and including engineering and land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the value of the property for the jail conveyed by the Commonwealth to the County ($150,382.00, based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to twelve inches, in order to accommodate planned county needs.

H. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

I. From the appropriation for this item, the Director, Department of Planning and Budget, is authorized to transfer up to $150,000 the first year and $150,000 the second year from the general fund to the Secretary of Public Safety, to support a position dedicated to the improvement and coordination of the Commonwealth's efforts related to the re-entry of offenders into society after being incarcerated in prison. Improving re-entry efforts is expected to decrease the recidivism of those offenders and enhance public safety.

J. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall work with the Virginia Community College System and its workforce development programs and services to provide fidelity bonds to those offenders released from jails or state correctional centers who are required to provide fidelity bonds as a condition of employment. The department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay the costs of this activity.

K. In the event the Department of Corrections closes a correctional facility for which it has entered into an agreement with any locality to pay a proportionate share of the debt service for the establishment of utilities to serve the facility, the department shall continue to pay its agreed upon share of the debt service, subject to the schedule previously agreed upon.

L. Included in the appropriation for this Item is $37,500 the first year and $37,500 the second year from nongeneral funds to be used to purchase video visitation equipment for correctional facilities. The source of the funds is the Contract Prisoners Special Revenue Fund.

M. Included in the appropriation for this item is $5,915,889 the first year from the general fund for the estimated net increase in the operating cost of adult correctional centers resulting from the enactment of bills as listed below for the purposes shown. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia.

a. House Bill 968/Senate Bill 159, concerning penalties for drug trafficking — $5,512,531.

b. House Bill 508/Senate Bill 273, concerning synthetic cannabinoids — $50,000.

c. House Bill 973/Senate Bill 436, concerning certain sex offenses against children — $50,000.

d. House Bill 752/Senate Bill 459, concerning strangulation — $50,000.

e. House Bill 876/Senate Bill 503, concerning motor vehicle fuels tax — $50,000.

f. House Bill 546, concerning gangs; predicate crimes — $3,358.

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g. House Bill 718, concerning transfer of juveniles to adult court — $50,000.

h. House Bill 963, concerning solicitation of child pornography — $50,000.

i. House Bill 964, concerning displaying grooming videos to minors — $50,000.

j. House Bill 1140, concerning moving carisoprodol to Schedule IV — $50,000.

N. Out of this appropriation, $142,644 the second year from the general fund is included for the purchase of a generator for Deep Meadow Correctional Center through the state's master equipment lease purchase program.

O. Included in the appropriation for this item is $200,000 the first year and $100,000 the second year from the general fund to provide transitional assistance to the Town of Boydton following the closure of Mecklenburg Correctional Center. The actual amount distributed each year by the Department of Corrections to the town shall be the lesser of (i) the amount provided in this item for this purpose, or (ii) the amount of revenue received by the town from treatment of wastewater from Mecklenburg Correctional Center in FY 2011 minus the amount of additional revenue for wastewater treatment services received in FY 2013 and FY 2014, respectively, from industrial and commercial customers, including, but not limited to, the new Microsoft data center, compared to revenue received from industrial and commercial customers in FY 2011.

P. Included in the appropriation for this item is $1,536,766 the second year from the general fund for the estimated net increase in the operating cost of adult correctional centers resulting from the enactment of bills as listed below for the purposes shown. This amount shall be paid into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of Virginia.

1. House Bill 1559 and Senate Bill 1272: To increase the penalties for any subsequent drunken driving conviction following any previous felony related to drunken driving — $50,000.

2. House Bill 1606 and Senate Bill 1015: To increase the penalties for the solicitation of a minor for prostitution — $50,000.

3. House Bill 1682 and Senate Bill 706: To increase the penalties for the financial exploitation of mentally incapacitated persons — $50,000.

4. House Bill 1684 and Senate Bill 1010: To increase the penalties for identity theft — $30,152.

5. House Bill 1745 and Senate Bill 1031: To prohibit an adult, through the use of electronic means, to propose to a child that he or she fondle his or her own sexual organs — $50,000.

6. House Bill 1746 and Senate Bill 1214: To expand the list of violent crimes for which offenders receive sentence enhancements — $50,000.

7. House Bill 1783 and Senate Bill 1017: To increase the penalties for possession with intent to distribute contraband cigarettes — $50,000.

8. House Bill 1816: To prohibit the presence of any child or incapacitated person where methamphetamine is being manufactured or is attempted to be manufactured — $50,000.

9. House Bill 1820 and Senate Bill 1018: To increase the penalties for the possession, transport, or sale of unstamped cigarettes — $50,000.

10. House Bill 1847 and Senate Bill 1205: To expand the list of "predicate offenses" that is used to define criminal gang activity — $574,916.

11. House Bill 1850: To prohibit the assault and battery of any person employed by a local or regional jail and involved in the care, treatment, or supervision of inmates — $50,000.

12. House Bill 1862 and Senate Bill 1032: To require offenders, convicted of sex offenses

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under statutes with different Code section numbers prior to their recodification to register as sex offenders — $50,000.

13. House Bill 1927: To prohibit the assault and battery of any emergency medical services personnel — $50,000.

14. House Bill 1941 and Senate Bill 1083: To penalize and prohibit the production of synthetic cannabinoids and certain research chemicals — $50,000.

15. House Bill 1955: To increase the penalties associated with second and subsequent convictions of impersonating a law-enforcement officer — $4,048.

16. House Bill 2065 and Senate Bill 1033: To conform the penalties for offenses by juveniles committed in juvenile correctional centers to penalties for similar offenses committed by adults in prisons — $50,000.

17. House Bill 2211: To increase the penalties associated with a second conviction for stalking within five years — $23,197.

18. House Bill 2269 and Senate Bill 832: To require that mandatory minimum sentences be served consecutively — $50,000.

19. Senate Bill 811: To prohibit the filing of fraudulent liens or encumbrances against public employees — $50,000.

20. Senate Bill 853: To prohibit the assault and battery of magistrates — $7,680.

21. Senate Bill 1019: To increase the penalties for the distribution or possession with intent to distribute counterfeit cigarettes — $50,000.

22. Senate Bill 1020: To add possession with intent to distribute tax-paid contraband cigarettes as a qualifying offense under the Virginia Racketeer Influenced and Corrupt Organization Act — $50,000.

23. Senate Bill 1378: To increase the penalties for the sale, transfer, gift, or exchange of a firearm to any person he knows is prohibited from possessing or transporting a firearm under Virginia law — $46,773.

Total for Department of Corrections.....			~~$1,026,838,798~~	~~$1,004,975,106~~
			$1,027,497,798	*$1,056,822,816*
General Fund Positions.....	~~12,102.50~~	~~12,102.50~~		
	11,838.00	*12,492.00*		
Nongeneral Fund Positions.....	232.50	232.50		
Position Level	~~12,335.00~~	~~12,335.00~~		
	12,070.50	*12,724.50*		
Fund Sources: General.....	~~$952,735,147~~	~~$936,787,344~~		
	$953,294,147	*$987,866,740*		
Special.....	~~$69,979,224~~	~~$64,063,335~~		
	$70,079,224	*$64,562,060*		
Dedicated Special Revenue.....	$2,480,379	$2,480,379		
Federal Trust.....	$1,644,048	~~$1,644,048~~		
		$1,913,637		

§ 1-112. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)

390. Criminal Justice Training and Standards (30300).....			$1,643,184	$1,643,184
Law Enforcement Training and Education Assistance (30306)	$1,643,184	$1,643,184		

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	Fund Sources: General	$1,608,184	$1,608,184		
	Special	$35,000	$35,000		
	Authority: Title 9.1, Chapter 1, Code of Virginia.				
391.	Criminal Justice Research, Planning and Coordination (30500)			$414,742	$414,742
	Criminal Justice Research, Statistics, Evaluation, and Information Services (30504)	$414,742	$414,742		
	Fund Sources: General	$414,742	$414,742		
	Authority: Title 9.1, Chapter 1; Title 19.2, Chapter 23.1, Code of Virginia.				
392.	Asset Forfeiture and Seizure Fund Management and Financial Assistance Program (30600)			$6,090,538	~~$6,090,538~~ *$5,940,538*
	Coordination of Asset Seizure and Forfeiture Activities (30602)	$6,090,538	~~$6,090,538~~ *$5,940,538*		
	Fund Sources: Special	$6,090,538	~~$6,090,538~~ *$5,940,538*		
	Authority: Title 19.2, Chapter 22.1, Code of Virginia.				
393.	Financial Assistance for Administration of Justice Services (39000)			$75,858,738	~~$76,371,238~~ *$78,000,055*
	Financial Assistance for Administration of Justice Services (39001)	$75,858,738	~~$76,371,238~~ *$78,000,055*		
	Fund Sources: General	$32,770,959	~~$33,283,459~~ *$34,912,276*		
	Special	$100,000	$100,000		
	Trust and Agency	$10,000,000	$10,000,000		
	Dedicated Special Revenue	$11,487,779	$11,487,779		
	Federal Trust	$21,500,000	$21,500,000		
	Authority: Title 9.1, Chapter 1, Code of Virginia.				

A.1. This appropriation includes an estimated $12,000,000 the first year and an estimated $12,000,000 the second year from federal funds pursuant to the Omnibus Crime Control Act of 1968, as amended. Of these amounts, nine percent is available for administration, and the remainder is available for grants to state agencies and local units of government. The remaining federal funds are to be passed through as grants to localities, with a required 25 percent local match. Also included in this appropriation is $729,930 the first year and $729,930 the second year from the general fund for the required matching funds for state agencies.

2. The Department of Criminal Justice Services shall provide a summary report on federal anti-crime and related grants which will require state general funds for matching purposes during FY 2013 and beyond. The report shall include a list of each grant and grantee, the purpose of the grant, and the amount of federal and state funds recommended, organized by topical area and fiscal period. The report shall indicate whether each grant represents a new program or a renewal of an existing grant. Copies of this report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by January 1 of each year.

B. The Department of Criminal Justice Services is authorized to make grants and provide technical assistance out of this appropriation to state agencies, local governments, regional, and nonprofit organizations for the establishment and operation of programs for the following purposes and up to the amounts specified:

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1.a. Regional training academies for criminal justice training, $496,546 the first year and $496,546 the second year from the general fund and an estimated $1,649,315 the first year and an estimated $1,649,315 the second year from nongeneral funds. The Criminal Justice Services Board shall adopt such rules as may reasonably be required for the distribution of funds and for the establishment, operation and service boundaries of state-supported regional criminal justice training academies.

b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia, and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding for the establishment of any new criminal justice training academy from July 1, 2012, through June 30, 2014.

2. Virginia Crime Victim-Witness Fund, $5,124,059 the first year and $5,124,059 the second year from dedicated special revenue, and $2,635,000 the first year and $2,635,000 the second year from the general fund. The Department of Criminal Justice Services shall provide a report on the current and projected status of federal, state and local funding for victim-witness programs supported by the Fund. Copies of the report shall be provided annually to the Secretary of Public Safety, the Department of Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations Committees by October 16 of each year.

3.a. Court Appointed Special Advocate (CASA) programs, $1,176,179 the first year and $1,176,179 the second year from the general fund.

b. In the event that the federal government reduces or removes support for the CASA programs, the Governor is authorized to provide offsetting funding for those impacted programs out of the unappropriated balances in this Act.

4. Domestic Violence Fund, $3,000,000 the first year and $3,000,000 the second year from the dedicated special revenue fund to provide grants to local programs and prosecutors that provide services to victims of domestic violence.

5.*A.* Offender Reentry and Transition Services (ORTS), $2,100,780 the first year and ~~$2,100,780~~*$2,286,144* the second year from general fund to support pre and post incarceration professional services and guidance that increase the opportunity for, and the likelihood of, successful reintegration into the community by adult offenders upon release from prisons and jails.

B. The Department of Criminal Justice Services shall review the Offender Reentry and Transitional Services programs to determine the services provided by such programs, the types of funding provided to each program and the value to be placed on volunteer hours, the number of released offenders participating in each service and in each program, and the effectiveness of the services delivered by such programs in reducing recidivism for the released offenders. Copies of this review shall be provided to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by November 15, 2013.

6. To the Department of Behavioral Health and Developmental Services for the following activities and programs: (i) a partnership program between a local community services board and the district probation and parole office for a jail diversion program; (ii) forensic discharge planners; (iii) advanced training on veterans' issues to local crisis intervention teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.

7. To the Department of Corrections for the following activities and programs: (i) community residential re-entry programs for female offenders; (ii) establishment of a pilot day reporting center; and (iii) establishment of a pilot program whereby non-violent state offenders would be housed in a local or regional jail, rather than a prison or other state correctional facility, with rehabilitative services provided by the jail.

8. From such federal funds as may be available, up to $100,000 to the Department of Criminal Justice Services for the development and implementation of a training program for law enforcement officers in the use of in-person and photo lineups, including legal and policy issues surrounding the use and conduct of police lineups, procedural issues, ethical and diversity considerations, and other related issues as appropriate, consistent with the recommendations of the Virginia State Crime Commission. The training will be conducted to reach the maximum number of law enforcement officers, and will be provided at no additional

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cost to agencies or law enforcement officers for whom the training is provided.

9. From such federal funds as may be available, up to $75,000 to the Department of Criminal Justice Services for the development and implementation of a training program for law enforcement officers in pursuit driving, consistent with the recommendations of the Virginia State Crime Commission. The training will be conducted to enhance current law enforcement driver training, and every effort should be made to provide this training at no additional cost to the agencies or law enforcement officers for whom the training is provided. However, if any additional charges are needed to effectively deliver this training, such charges shall be approved by the Secretary of Public Safety.

10. To Drive to Work, $75,000 to provide assistance to low income and previously incarcerated persons to restore their driving privileges so they can drive to work and keep a job.

C.1. Out of this appropriation, $22,718,486 the first year and $22,718,486 the second year from the general fund is authorized to make discretionary grants and to provide technical assistance to cities, counties or combinations thereof to develop, implement, operate and evaluate programs, services and facilities established pursuant to the Comprehensive Community Corrections Act for Local-Responsible Offenders (§ 53.1-182.1, Code of Virginia) and the Pretrial Services Act (§ 19.2-152.4, Code of Virginia). Out of these amounts, the Director, Department of Criminal Justice Services, is authorized to expend no more than five percent per year for state administration of these programs.

2. The Department of Criminal Justice Services, in conjunction with the Office of the Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission, shall conduct information and training sessions for judges and other judicial officials on the programs, services and facilities available through the Pretrial Services Act and the Comprehensive Community Corrections Act for Local-Responsible Offenders.

D.1. Out of this appropriation, $112,500 the first year and $225,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Central Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

2. Out of this appropriation, $200,000 the first year and $600,000 the second year from the general fund is provided for Comprehensive Community Corrections and Pretrial Services Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These amounts are seventy-five percent of the costs projected in the community-based corrections plan submitted by the Authority. The localities shall provide the remaining twenty-five percent as a condition of receiving these funds.

E. In the event the federal government should make available additional funds pursuant to the Violence Against Women Act, the department shall set aside 33 percent of such funds for competitive grants to programs providing services to domestic violence and sexual assault victims.

F.1. Out of this appropriation, $408,847 the first year and ~~$408,847~~*$1,700,000* the second year from the general fund and $1,710,000 the first year and $1,710,000 the second year from such federal funds as are available shall be deposited to the School Resource Officer Incentive Grants Fund established pursuant to § ~~9-171.1~~*9.1-110*, Code of Virginia. ~~Localities shall match these funds based on the composite index of local ability-to-pay. The department shall give priority to localities requesting school resource officers in high schools.~~

2. The Director, Department of Criminal Justice Services, is authorized to expend $357,285 the first year and $357,285 the second year from the School Resource Officer Incentive Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of Virginia.

3. Subject to the development of criteria for the distribution of grants from the fund, including procedures for the application process and the determination of the actual amount of any grant issued by the department, the department shall award grants to either local law-enforcement agencies, where such local law-enforcement agencies and local school boards have established a collaborative agreement for the employment of school resource officers, as such positions are

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defined in § 9.1-101, Code of Virginia, for the employment of school resource officers, or to local school divisions for the employment of school security officers, as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school security officers in any public school. The application process shall provide for the selection of either school resource officers, school security officers, or both by localities. The department shall give priority to localities requesting school resource officers, school security officers, or both where no such personnel are currently in place. Localities shall match these funds based on the composite index of local ability-to-pay.

4. Pursuant to the adoption of House Bills 2344 and 2345 by the 2013 Session of the General Assembly, included in this appropriation is $202,300 the second year from the general fund for the development of a model critical incident response training program for public school personnel and others providing services to public schools, and the development of a model policy for the establishment of threat assessment teams for each public school, including procedures for the assessment of and intervention with students whose behavior poses a threat to the safety of public school staff or other students.

G. Included in the amounts appropriated in this Item is $382,500 the first year and $382,500 the second year from the general fund for grants to local sexual assault crisis centers (SACCs) to provide core and comprehensive services to victims of sexual violence.

H.1. Out of the amounts appropriated for this Item, $1,100,000 the first year and $1,100,000 the second year from nongeneral funds is provided, to be distributed as follows: for the Southern Virginia Internet Crimes Against Children Task Force, $600,000 the first year and $600,000 the second year; and, for the creation of a grant program to law enforcement agencies for the prevention of internet crimes against children, $500,000 the first year and $500,000 the second year.

2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task Forces shall each provide an annual report, in a format specified by the Department of Criminal Justice Services, on their actual expenditures and performance results. Copies of these reports shall be provided to the Secretary of Public Safety, the Chairmen of the Senate Finance and House Appropriations Committees, and Director, Department of Planning and Budget prior to the distribution of these funds each year.

3. Subject to compliance with the reports and distribution thereof as required in paragraph 2 above and notwithstanding the provisions of paragraph AA. of § 3-1.01 in Part 3 of this act, the Governor shall allocate all additional funding, not to exceed actual collections, for the prevention of Internet Crimes Against Children as contained in this item; paragraph E. of Item 341 of this act; and, Item 417 of this act, pursuant to § 17.1-275.12, Code of Virginia.

I. The Department shall review jail prisoner reentry and substance abuse programs that have demonstrated a record of effectiveness in reducing offender recidivism. The review shall include, but not necessarily be limited to, an assessment of the effectiveness of the Kingdom Life Ministries program at the Richmond City Jail, and a determination of the costs and benefits associated with this program and consideration of whether jail prisoner reentry and substance abuse programs that have a demonstrated record of effectiveness should be expanded. Copies of this review shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by January 1, 2014.

J. The Department of Criminal Justice Services shall review the experience of other states in establishing lethality assessment programs to train law enforcement officers in responding to situations involving domestic violence and potential deadly threats. The review shall include an assessment of the costs and benefits of establishing a program in Virginia and potential first steps which could be taken by the department within existing resources. Copies of the review shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by July 15, 2013.

K. The Department of Criminal Justice Services shall review the potential applicability in Virginia of alcohol monitoring devices for persons convicted of a first offense of driving while intoxicated. Copies of the review shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by July 15, 2013.

M. The Department of Criminal Justice Services shall review the application of best practices

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	and the potential for utilizing the intelligence-led policing model in Virginia law enforcement agencies. The review shall include consideration of the feasibility of creating incentives for the development of intelligence-led policing in the allocation of state or federal funds available through the department. The department shall report its findings and recommendations to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees by October 15, 2013.				
394.	Regulation of Professions and Occupations (56000)			$3,166,201	~~$3,166,201~~ *$3,116,201*
	Business Regulation Services (56033).....	$3,166,201	~~$3,166,201~~ *$3,116,201*		
	Fund Sources: Special.....	$3,166,201	~~$3,166,201~~ *$3,116,201*		
	Authority: Title 9.1, Chapter 1, Article 4, §§ 9.1-141, 9.1-139, 9.1-143, and 9.1-149, Code of Virginia.				
395.	Financial Assistance to Localities - General (72800)			$172,412,837	$172,412,837
	Financial Assistance to Localities Operating Police Departments (72813).....	$172,412,837	$172,412,837		
	Fund Sources: General.....	$172,412,837	$172,412,837		
	Authority: Title 9.1, Chapter 1, Article 8, Code of Virginia.				

A. The funds appropriated in this Item shall be distributed to localities with qualifying police departments, as defined in §§ 9.1-165 through 9.1-172, Code of Virginia (HB 599), except that, in accordance with the requirements of § 15.2-1302, Code of Virginia, such funds shall also be distributed to a city without a qualifying police force that was created by the consolidation of a city and a county subsequent to July 1, 2011, pursuant to the provisions of § 15.2-3500 et seq. of the Code of Virginia. Notwithstanding the provisions of §§ 9.1-165 through 9.1-172, Code of Virginia, the total amount to be distributed to localities shall be $172,412,837 the first year and $172,412,837 the second year. The amount to be distributed to each locality in each year shall be equal to the amount distributed in FY 2012. The amount to be distributed to such a city created by consolidation shall equal the sum distributed to the city during the year prior to the effective date of the consolidation, net of any additional funds allocated by the Compensation Board to the sheriff of the consolidated city as a result of such consolidation, as adjusted in proportion to the increase or decrease in the total amount distributed to all localities during the applicable year.

B. For purposes of receiving funds in accordance with this program, it is the intention of the General Assembly that the Town of Boone's Mill shall be considered to have had a police department in operation since the 1980-82 biennium and is therefore eligible for financial assistance under Title 9.1, Chapter 1, Article 8, Code of Virginia (House Bill 599).

C.1. It is the intent of the General Assembly that state funding provided to localities operating police departments be used to fund local public safety services. Funds provided in this item shall not be used to supplant the funding provided by localities for public safety services.

2. To ensure that state funding provided to localities operating police departments does not supplant local funding for public safety services, all localities shall annually certify to the Department of Criminal Justice Services the amount of funding provided by the locality to support public safety services and that the funding provided in this item was used to supplement that local funding. This certification shall be provided in such manner and on such date as determined by the department. The department shall provide this information to the Chairmen of the House Appropriations and Senate Finance Committees within 30 days following the submission of the local certifications.

D. The Director of the Department of Criminal Justice Services is authorized to withhold reimbursements due a locality under Title 9.1, Chapter 1, Article 8, Code of Virginia, upon notification from the Superintendent of State Police that there is reason to believe that crime data reported by the locality to the Department of State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect. Upon subsequent notification by the

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	superintendent that the data is accurate, the director shall make reimbursement of withheld funding due the locality when such corrections are made within the same fiscal year that funds have been withheld.				
396.	Administrative and Support Services (39900)			$1,929,958	~~$1,900,217~~ *$1,897,931*
	General Management and Direction (39901)	$1,750,211	$1,720,470		
	Information Technology Services (39902)	$179,747	~~$179,747~~ *$177,461*		
	Fund Sources: General	$1,135,458	~~$1,105,717~~ *$1,103,431*		
	Special	$794,500	$794,500		
	Authority: Title 9.1, Chapter 1, Code of Virginia.				
	Total for Department of Criminal Justice Services			**$261,516,198**	**~~$261,998,957~~** ***$263,425,488***
	General Fund Positions	48.50	48.50		
	Nongeneral Fund Positions	68.50	68.50		
	Position Level	117.00	117.00		
	Fund Sources: General	$208,342,180	~~$208,824,939~~ *$210,451,470*		
	Special	$10,186,239	~~$10,186,239~~ *$9,986,239*		
	Trust and Agency	$10,000,000	$10,000,000		
	Dedicated Special Revenue	$11,487,779	$11,487,779		
	Federal Trust	$21,500,000	$21,500,000		
	§ 1-113. DEPARTMENT OF EMERGENCY MANAGEMENT (127)				
397.	Emergency Preparedness (77500)			$22,807,992	$22,809,830
	Financial Assistance for Emergency Management and Response (77501)	$14,334,681	$14,334,681		
	Emergency Planning, Training and Exercises (77502)	$8,473,311	$8,475,149		
	Fund Sources: General	$1,076,877	$1,076,877		
	Special	$1,363,518	$1,363,518		
	Federal Trust	$20,367,597	$20,369,435		
	Authority: Title 44, Chapters 3.2, 3.3, 3.4, §§ 44-146.13 through 44-146.28:1 and 44-146.31 through 44-146.40, Code of Virginia.				
	Included within this appropriation is the continuation of $160,810 the first year and $160,810 the second year from the Fire Programs Fund to support the department's hazardous materials training program.				
398.	Emergency Response and Recovery (77600)			$15,759,909	$13,759,909
	Emergency Response and Recovery Services (77601)	$3,141,909	$3,141,909		
	Financial Assistance for Emergency Response and Recovery (77602)	$12,618,000	$10,618,000		
	Fund Sources: General	$2,308,512	$308,512		
	Special	$616,602	$616,602		
	Commonwealth Transportation	$869,489	$869,489		
	Federal Trust	$11,965,306	$11,965,306		
	Authority: Title 44, Chapters 3.2 through 3.5, §§ 44-146.17, 44-146.18(c), 44-146.22, 44-146.28(a) Code of Virginia.				
	A. Included within this appropriation is $217,060 the first year and $217,060 the second year from the general fund to cover increasing costs to maintain training programs for the Reservist				

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Program. The reservist training program is necessary to ensure that department staff are augmented by a sufficient number of properly trained volunteer responders during an emergency situation.

B. Subject to authorization by the Governor, the Department of Emergency Management may employ persons to assist in response and recovery operations for emergencies or disasters declared either by the President of the United States or by the Governor of Virginia. Such employees shall be compensated solely with funds authorized by the Governor or the federal government for the emergency, disaster, or other specific event for which their employment was authorized. The Director, Department of Planning and Budget, is authorized to increase the agency's position level based on the number of positions approved by the Governor.

C. The Secretary of Finance, consistent with any Executive Order signed by the Governor, may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse localities and state agencies for costs associated with Emergency Management Assistance Compact (EMAC) mission assignments. Such loans shall be based on the reimbursements anticipated under the Emergency Management Assistance Compact (EMAC) and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months.

D.1. Localities receiving reimbursements from the department for Emergency Management Assistance Compact (EMAC) mission costs shall reimburse the Department of Emergency Management for any overpayments within sixty (60) days of written notification of such overpayment.

2. Overpayment amounts shall be based on the difference between the amount reimbursed to the locality by the Department of Emergency Management and the amount reimbursed to the Department of Emergency Management by the state requesting emergency aid under the Compact.

3. If the locality does not reimburse the Department of Emergency Management the overpaid amount within sixty (60) days of being notified, the Comptroller is authorized to withhold from any funds to be transferred to the locality the amount overpaid to the locality and transfer such withheld funds to the Department of Emergency Management.

E. Consistent with any Executive Order signed by the Governor, the Secretary of Finance or his designee may provide the department anticipation loans in such amounts as may be needed to appropriately reimburse the department for disaster related costs. Such loans shall be based on the federal reimbursements anticipated in accordance with the Robert T. Stafford Disaster Relief and Emergency Assistance Act and, notwithstanding the provisions of § 4-3.02 b of this act, may be extended for a period longer than twelve months, if necessary.

F. Out of the amounts allocated for Financial Assistance for Emergency Response and Recovery, $2,000,000 the first year from the general fund shall be paid to the Louisa County Public School system for disaster relief and repair and reconstruction of their local public school facilities damaged by the earthquake of August 23, 2011, and related aftershocks.

399. Virginia Emergency Operations Center (77800)			$3,090,981	$2,290,981
Virginia Emergency Operations Center (VEOC) and Communications (77801).....	$3,090,981	$2,290,981		
Fund Sources: General	$902,299	$902,299		
Special	$989,110	$589,110		
Federal Trust	$1,199,572	$799,572		

Authority: Title 44 and §52-47, Code of Virginia.

A. Included within this appropriation is $382,124 the first year and $382,124 the second year from the general fund to support the Integrated Flood Observing and Warning System (IFLOWS) program.

B. The Department of Emergency Management may use state disaster mitigation funding to

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	replace and/or upgrade the state's flood warning system (IFLOWS) so that Federal Communications Commission (FCC) requirements regarding radio narrowband transmissions are met by January 1, 2013.				
400.	Administrative and Support Services (79900).....			~~$5,264,853~~ *$5,576,853*	~~$5,264,918~~ *$6,389,293*
	General Management and Direction (79901).....	~~$5,264,853~~ *$5,576,853*	~~$5,264,918~~ *$6,389,293*		
	Fund Sources: General.....	~~$2,500,024~~ *$2,812,024*	~~$2,500,089~~ *$3,624,464*		
	Special.....	$347,164	$347,164		
	Commonwealth Transportation.....	$63,762	$63,762		
	Federal Trust.....	$2,353,903	$2,353,903		

Authority: Title 44, Chapters 3.2, 3.3, 3.4, Code of Virginia.

A. By ~~July 15~~ *September 1* of each year, the State Coordinator of Emergency Management shall assess emergencies and disasters that have been authorized sum sufficient funding by the Governor and provide to the Department of Planning and Budget written justification to support continuing sum sufficient funding longer than one year for a locally declared emergency (or disaster), three years for a state declared disaster, and five years for a nationally declared disaster. At the same time, the state coordinator shall identify any disasters that can be closed due to fulfillment of the state's obligations.

B.1. Localities and eligible private non-profit organizations that have received cost reimbursement through state and/or federal assistance programs to support homeland security and eligible recovery and mitigation projects and initiatives associated with disaster events, that are subsequently notified that either a portion or all of the funds provided are to be returned, shall reimburse the Virginia Department of Emergency Management for such overpayments, including any interest accrued on such funds, within sixty (60) days of being notified and receiving the request for reimbursement.

2. Overpayment amounts shall be based on the difference between the amount reimbursed or prepaid to the entity involved by the Department of Emergency Management and the final amount approved by the granting agency. Localities and eligible private non-profit organizations shall certify that no interest was earned on overpaid funds if no interest is included in the remittance.

3. If the entity does not reimburse the Virginia Department of Emergency Management within 60 days of being notified, the Comptroller is authorized to withhold the amount of overpayment from any eligible funds to be transferred to the locality or organization and redirect the funds withheld to the Virginia Department of Emergency Management to satisfy the outstanding liability.

4. The Department of Emergency Management shall not provide future prepayments to any locality or eligible private non-profit organization once the Comptroller has been required to withhold funding.

C. Included within this appropriation is $820,901 the second year from the general fund that shall only be used for costs associated with transforming the agency's information systems to conform with standards of the Virginia Information Technologies Agency.

401. A. All funds transferred to the Department of Emergency Management pursuant to the Governor's authority under § 44-146.28, Code of Virginia, shall be deposited into a special fund account to be used only for Disaster Recovery.

B. Included in the Federal Trust appropriation are amounts estimated at $34,592 the first year and $34,592 the second year, to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payment into the general fund, as provided by § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited to the general fund.

ITEM 401.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Total for Department of Emergency Management			~~$46,923,735~~ *$47,235,735*	~~$44,125,638~~ *$45,250,013*
	General Fund Positions	40.85	40.85		
	Nongeneral Fund Positions	104.15	104.15		
	Position Level	145.00	145.00		
	Fund Sources: General	~~$6,787,712~~ *$7,099,712*	~~$4,787,777~~ *$5,912,152*		
	Special	$3,316,394	$2,916,394		
	Commonwealth Transportation	$933,251	$933,251		
	Federal Trust	$35,886,378	$35,488,216		
	§ 1-114. DEPARTMENT OF FIRE PROGRAMS (960)				
402.	Fire Training and Technical Support Services (74400)			$7,007,398	$7,007,398
	Fire Services Management and Coordination (74401)	$2,198,093	$2,198,093		
	Virginia Fire Services Research (74402)	$302,274	$302,274		
	Fire Services Training and Professional Development (74403)	$2,173,775	$2,173,775		
	Technical Assistance and Consultation Services (74404)	$2,128,643	$2,128,643		
	Emergency Operational Response Services (74405)	$15,000	$15,000		
	Public Fire and Life Safety Educational Services (74406)	$189,613	$189,613		
	Fund Sources: Special	$7,007,398	$7,007,398		
	Authority: Title 9.1, Chapter 2 and § 38.2-401, Code of Virginia.				
	Notwithstanding the provisions of § 38.2-401, Code of Virginia, up to 25 percent of the revenue available from the Fire Programs Fund, after making the distributions set out in § 38.2-401 D, Code of Virginia, may be used by the Department of Fire Programs to pay for the administrative costs of all activities assigned to it by law.				
403.	Financial Assistance for Fire Services Programs (76400)			$23,825,000	$23,825,000
	Fire Programs Fund Distribution (76401)	$20,500,000	$20,500,000		
	Burn Building Grants (76402)	$2,500,000	$2,500,000		
	Categorical Grants (76403)	$825,000	$825,000		
	Fund Sources: Special	$23,575,000	$23,575,000		
	Federal Trust	$250,000	$250,000		
	Authority: §§ 38.2-401, Code of Virginia.				
404.	Regulation of Structure Safety (56200)			$2,754,626	~~$2,755,243~~ *$2,754,827*
	State Fire Prevention Code Administration (56203)	$2,754,626	~~$2,755,243~~ *$2,754,827*		
	Fund Sources: General	$2,225,471	~~$2,226,088~~ *$2,225,672*		
	Special	$529,155	$529,155		
	Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.				
	The State Fire Marshall may charge no fee for any permits or inspections of any school, whether it be public or private.				
	Total for Department of Fire Programs			**$33,587,024**	~~**$33,587,641**~~ ***$33,587,225***

ITEM 404.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	General Fund Positions	29.00	29.00		
	Nongeneral Fund Positions	43.00	43.00		
	Position Level	72.00	72.00		
	Fund Sources: General	$2,225,471	~~$2,226,088~~ *$2,225,672*		
	Special	$31,111,553	$31,111,553		
	Federal Trust	$250,000	$250,000		
	§ 1-115. DEPARTMENT OF FORENSIC SCIENCE (778)				
405.	Law Enforcement Scientific Support Services (30900)			~~$38,041,713~~ *$39,041,713*	~~$37,757,875~~ *$38,741,512*
	Biological Analysis Services (30901)	~~$10,554,982~~ *$11,154,982*	~~$10,563,330~~ *$11,163,330*		
	Chemical Analysis Services (30902)	~~$10,863,352~~ *$11,163,352*	~~$10,871,931~~ *$11,171,931*		
	Physical Evidence Services (30904)	~~$7,136,946~~ *$7,236,946*	~~$6,836,757~~ *$6,936,757*		
	Training and Standards Services (30905)	$1,501,148	$1,501,148		
	Administrative Services (30906)	$7,985,285	~~$7,984,709~~ *$7,968,346*		
	Fund Sources: General	$36,534,717	~~$36,250,879~~ *$36,234,516*		
	Federal Trust	~~$1,506,996~~ *$2,506,996*	~~$1,506,996~~ *$2,506,996*		

Authority: §§ 9.1-1100 through 9.1-1113, Code of Virginia.

A. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of Forensic Science shall be exempt from the payment of service charges levied in lieu of taxes by any county, city, or town.

B.1. The Forensic Science Board shall ensure that all individuals who were convicted due to criminal investigations, for which its case files for the years between 1973 and 1988 were found to contain evidence possibly suitable for DNA testing, are informed that such evidence exists and is available for testing. To effectuate this requirement, the Board shall prepare two form letters, one sent to each person whose evidence was tested, and one sent to each person whose evidence was not tested. Copies of each such letter shall be sent to the Chairman of the Forensic Science Board and to the respective Chairmen of the House and Senate Committees for Courts of Justice. The Department of Corrections shall assist the board in effectuating this requirement by providing the addresses for all such persons to whom letters shall be sent, whether currently incarcerated, on probation, or on parole. In cases where the current address of the person cannot be ascertained, the Department of Corrections shall provide the last known address. The Chairman of the Forensic Science Board shall report on the progress of this notification process at each meeting of the Forensic Science Board.

2. Upon a request pursuant to the Virginia Freedom of Information Act for a certificate of analysis that has been issued in connection with the Post Conviction DNA Testing Program and that reflects that a convicted person's DNA profile was not indicated on items of evidence tested, the Department of Forensic Science shall make available for inspection and copying such requested record after all personal and identifying information about the victims, their family members, and consensual partners has been redacted, except where disclosure of the information contained therein is expressly prohibited by law or the Commonwealth's Attorney to whom the certificate was issued states that the certificate is critical to an ongoing active investigation and that disclosure jeopardizes the investigation.

Total for Department of Forensic Science			~~**$38,041,713**~~ ***$39,041,713***	~~**$37,757,875**~~ ***$38,741,512***
General Fund Positions	310.00	310.00		
Position Level	310.00	310.00		

ITEM 405.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: General	$36,534,717	~~$36,250,879~~ *$36,234,516*		
	Federal Trust	~~$1,506,996~~ *$2,506,996*	~~$1,506,996~~ *$2,506,996*		
	§ 1-116. DEPARTMENT OF JUVENILE JUSTICE (777)				
405.05.	*Instruction (19700)*			*$0*	*$21,783,397*
	Youth Instructional Services (19711)	*$0*	*$12,554,925*		
	Career and Technical Instructional Services for Youth and Adult Schools (19712)	*$0*	*$4,696,415*		
	Instructional Leadership and Support Services (19714)	*$0*	*$4,532,057*		
	Fund Sources: General	*$0*	*$19,292,611*		
	Special	*$0*	*$170,536*		
	Federal Trust	*$0*	*$2,320,250*		
	Authority: § 66-13.1, Code of Virginia.				
	The Department of Juvenile Justice, with the assistance of the Department of Education, shall complete a program review and staffing analysis to determine the appropriate teaching staffing ratios for the state-operated juvenile correctional centers and local and regional juvenile detention facilities. The review and analysis shall be provided to the Secretaries of Public Safety and Education and to the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2013.				
406.	Operation of Community Residential and Nonresidential Services (35000)			$1,921,241	$1,921,241
	Community Residential and Non-Residential Custody and Treatment Services (35008)	$1,921,241	$1,921,241		
	Fund Sources: General	$1,848,814	$1,848,814		
	Special	$50,000	$50,000		
	Federal Trust	$22,427	$22,427		
	Authority: §§ 16.1-246 through 16.1-258, 16.1-286, 16.1-291 through 16.1-295, 66-13, 66-14, 66-22 and 66-24, Code of Virginia.				
	Services funded out of this appropriation may include intensive supervision, day treatment, boot camp, and aftercare services, and should be integrated into existing services for juveniles.				
407.	Supervision of Offenders and Re-Entry Services (35100)			$52,751,843	$52,751,843
	Juvenile Probation and Aftercare Services (35102)	$52,751,843	$52,751,843		
	Fund Sources: General	$51,869,894	$51,869,894		
	Special	$145,000	$145,000		
	Federal Trust	$736,949	$736,949		
	Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-294, 16.1-322.1 and 66-14, Code of Virginia.				
	Notwithstanding the provisions of §16.1-273 of the Code of Virginia, the Department of Juvenile Justice, including locally-operated court services units, shall not be required to provide drug screening and assessment services in conjunction with investigations ordered by the courts.				

ITEM 407.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
408.	Financial Assistance to Local Governments for Juvenile Justice Services (36000)			$46,653,407	$46,653,407
	Financial Assistance for Juvenile Confinement in Local Facilities (36001)	$33,986,297	$33,986,297		
	Financial Assistance for Probation and Parole - Local Grants (36002)	$2,002,378	$2,002,378		
	Financial Assistance for Community Based Alternative Treatment Services (36003)	$10,664,732	$10,664,732		
	Fund Sources: General	$44,843,728	$44,843,728		
	Federal Trust	$1,809,679	$1,809,679		

Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-322.1 and 66-14, Code of Virginia.

A. From July 1, 2012 to June 30, 2014, the Board of Juvenile Justice shall not approve or commit additional funds for the state share of the cost of construction, enlargement or renovation of local or regional detention centers, group homes or related facilities. The board may grant exceptions only to address emergency maintenance projects needed to resolve immediate life safety issues. For such emergency projects, approval by both the Board of Juvenile Justice and the Secretary of Public Safety is required. Any emergency projects must also comply with Board of Juvenile Justice standards.

B. Each emergency resolution adopted by the Board of Juvenile Justice approving reimbursement of the state share of the cost of construction, maintenance, or operation of local or regional detention centers, group homes, or related facilities or programs shall include a statement noting that such approval is subject to the availability of funds and approval by the General Assembly at its next regular session.

C. The Department of Juvenile Justice shall reimburse localities, pursuant to § 66-15, Code of Virginia, at the rate of $50 per day for housing juveniles who have been committed to the department, for each day after the department has received a valid commitment order and other pertinent information as required by § 16.1-287, Code of Virginia.

D. Notwithstanding the provisions of §16.1-322.1 of the Code of Virginia, the department shall apportion to localities the amounts appropriated in this Item.

E.1. The appropriation for Financial Assistance for Community Based Alternative Treatment Services includes $10,379,926 the first year and $10,379,926 the second year from the general fund for the implementation of the financial assistance provisions of the Juvenile Community Crime Control Act (VJCCCA), §§ 16.1-309.2 through 16.1-309.10, Code of Virginia. Notwithstanding § 16.1-309.6, Code of Virginia, localities participating in this program and contributing through their local match an amount of local funds which is greater than they receive from the Commonwealth under this program are authorized, but not required, to provide a contribution greater than the state general fund contribution. In no case shall their local match be less than their state share.

2. Notwithstanding the provisions of §§ 16.1-309.2 through 16.1-309.10, Code of Virginia, the Board of Juvenile Justice shall establish guidelines for use in determining the types of programs for which VJCCCA funding may be expended. The department shall establish a format to receive biennial or annual requests for funding from localities, based on these guidelines. For each program requested, the plan shall document the need for the program, goals, and measurable objectives, and a budget for the proposed expenditure of these funds and any other resources to be committed by localities.

3.a. Notwithstanding the provisions of § 16.1-309.7 B, Code of Virginia, unobligated VJCCCA funds must be returned to the department by each grantee locality no later than October 1 of the fiscal year following the fiscal year in which they were received, or a similar amount may be withheld from the current fiscal year's periodic payments designated by the department for that locality. The Director, Department of Planning and Budget, may increase the general fund appropriation for this Item up to the amount of unobligated VJCCCA funds returned to the Department of Juvenile Justice.

b. All such unobligated and reappropriated balances shall be used by the department for the purpose of awarding short-term supplementary grants to localities, for programs and services

ITEM 408.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

which have been demonstrated to improve outcomes, including reduced recidivism, of juvenile offenders. Such programs and services must augment and support current VJCCCA-funded programs within each affected locality. The grantee locality shall submit an outcomes report to the department, in accord with a written memorandum of agreement which shall accompany the supplementary grant award. This provision shall apply to funds obligated to and in the possession of the department and its grant recipients. The entity which returns unobligated funds under this provision shall not have a presumptive entitlement to a supplementary grant.

c. The Department of Juvenile Justice, with the assistance of the Department of Correctional Education, the Department of Corrections, the Virginia Council on Juvenile Detention, juvenile court service unit directors, juvenile and domestic relations district court judges, and juvenile justice advocacy groups, shall provide a report on the types of programs supported by the Juvenile Community Crime Control Act and whether the youth participating in such programs are statistically less likely to be arrested, adjudicated or convicted, or incarcerated for either misdemeanors or crimes that would otherwise be considered felonies if committed by an adult.

F. The department shall consolidate the annual reporting requirements in §§ 2.2-222 and 66-13 and in Chapters 755 and 914 of the 1996 Acts of the General Assembly concerning juvenile offender demographics. The consolidated annual report shall address the progress of Virginia Juvenile Community Crime Control Act programs including the requirements in Article 12.1 of Chapter 11 of Title 16.1 (§ 16.1-309.2 et seq.) relating to the number of juveniles served, the average cost for residential and nonresidential services, the number of employees, and descriptions of the contracts entered into by localities. Notwithstanding any other provisions of the Code of Virginia, the consolidated report shall be submitted to the Governor, the General Assembly, the Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of Public Safety, and the Department of Planning and Budget by the first day of the regular General Assembly session.

G. The Department of Juvenile Justice shall review current practices in the post-dispositional detention program and consider potential options for expansion of the program, including incentives for increased participation by local and regional juvenile detention facilities and increased use of detention beds for holding state-responsible juvenile offenders as an alternative to the use of state facilities. Copies of the review, including any suggested legislation, shall be provided to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees by September 1, 2013.

409. Operation of Secure Correctional Facilities (39800).....			$80,807,099	~~$80,807,099~~ *$73,069,943*
Juvenile Corrections Center Management (39801)	$6,440,884	$6,440,884		
Food Services - Prisons (39807).....	$5,984,307	$5,984,307		
Medical and Clinical Services - Prisons (39810).....	$8,900,581	$8,900,581		
Physical Plant Services - Prisons (39815).....	$6,171,104	$6,171,104		
Offender Classification and Time Computation Services (39830)	$1,293,404	$1,293,404		
Juvenile Supervision and Management Services (39831)	$42,633,054	~~$42,633,054~~ *$34,895,898*		
Juvenile Rehabilitation and Treatment Services (39832)..	$9,383,765	$9,383,765		
Fund Sources: General.....	$77,753,073	~~$77,753,073~~ *$70,015,917*		
Special.....	$1,551,293	$1,551,293		
Dedicated Special Revenue.....	$48,000	$48,000		
Federal Trust.....	$1,454,733	$1,454,733		

Authority: §§ 16.1-278.8, 16.1-285.1, 66-13, 66-16, 66-18, 66-19, 66-22 and 66-25.1, Code of Virginia.

A. The Department of Juvenile Justice shall retain all funds paid for the support of children committed to the department to be used for the security, care, and treatment of said children.

B. The Director, Department of Juvenile Justice, in response to the continuing downward trend of the juvenile population and requirements imposed by the federal government, is directed to implement the downsizing and repurposing of its juvenile facilities. It is anticipated that by

ITEM 409.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	relocating the department's reception center and the repurposing of the Oak Ridge and Hanover Juvenile Correctional Centers, the agency will be able to increase the efficiency and effectiveness of its operations and enhance the services provided to juveniles committed to state facilities in the areas of education, re-entry, mental health treatment, health services, and various other programmatic areas.				
410.	Administrative and Support Services (39900)			$17,040,718	~~$17,107,398~~ *$16,750,782*
	General Management and Direction (39901)	$4,644,214	~~$4,710,894~~ *$4,283,290*		
	Information Technology Services (39902)	$5,172,754	~~$5,172,754~~ *$5,243,742*		
	Accounting and Budgeting Services (39903)	$4,106,637	$4,106,637		
	Architectural and Engineering Services (39904)	$407,632	$407,632		
	Food and Dietary Services (39907)	$377,555	$377,555		
	Human Resources Services (39914)	$1,862,562	$1,862,562		
	Planning and Evaluation Services (39916)	$469,364	$469,364		
	Fund Sources: General	$15,715,217	~~$15,781,897~~ *$15,425,281*		
	Special	$980,000	$980,000		
	Federal Trust	$345,501	$345,501		
	Authority: §§ 66-3 and 66-13, Code of Virginia.				
	The Department of Juvenile Justice shall assess the feasibility of creating a juvenile justice apprenticeship program for the purpose of recruiting, training and employing students who may be interested in pursuing careers in the juvenile justice system, and who would be employed as apprentice juvenile correctional officers or related positions, as a potential strategy to assist the department in filling its current vacancies or supplementing existing staff. As part of its assessment, the department shall review the experience of similar programs at the state or local level in other jurisdictions. The department shall provide a report on its findings and any recommendations by October 1, 2012, to the Secretary of Public Safety and the Chairmen of the Senate Finance and House Appropriations Committees.				
	Total for Department of Juvenile Justice			**$199,174,308**	~~**$199,240,988**~~ ***$212,930,613***
	General Fund Positions	2,275.00	~~2,275.00~~ *2,419.50*		
	Nongeneral Fund Positions	16.00	~~16.00~~ *21.00*		
	Position Level	2,291.00	~~2,291.00~~ *2,440.50*		
	Fund Sources: General	$192,030,726	~~$192,097,406~~ *$203,296,245*		
	Special	$2,726,293	~~$2,726,293~~ *$2,896,829*		
	Dedicated Special Revenue	$48,000	$48,000		
	Federal Trust	$4,369,289	~~$4,369,289~~ *$6,689,539*		
	§ 1-117. DEPARTMENT OF MILITARY AFFAIRS (123)				
411.	Higher Education Student Financial Assistance (10800)			$3,014,944	$3,014,944
	Tuition Assistance (10811)	$3,014,944	$3,014,944		
	Fund Sources: General	$3,014,944	$3,014,944		
	Authority: Title 44, Chapters 1 and 2; § 23-7.3, Code of Virginia.				

ITEM 411.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
412.	At Risk Youth Residential Program (18700)			$4,153,295	~~$4,153,295~~ *$4,834,360*
	Virginia Commonwealth Challenge Program (18701)	$4,153,295	~~$4,153,295~~ *$4,834,360*		
	Fund Sources: General	$1,335,213	~~$1,335,213~~ *$1,505,479*		
	Dedicated Special Revenue	$50,000	$50,000		
	Federal Trust	$2,768,082	~~$2,768,082~~ *$3,278,881*		

Authority: Discretionary Inclusion.

A. The Department of Military Affairs is hereby authorized to designate building space at the State Military Reservation as an in-kind match for the receipt of federal funds under the Commonwealth Challenge program, equivalent to a value of $253,040 each year.

B. Out of this appropriation, up to $350,000 the first year and up to $350,000 the second year in nongeneral funds is provided to establish a STARBASE youth education program to improve math and science skills to prepare students for careers in engineering and other science-related fields of study.

413.	Defense Preparedness (72100)			$39,422,388	$39,422,388
	Armories Operations and Maintenance (72101)	$8,167,928	$8,167,928		
	Virginia State Defense Force (72104)	$188,952	$188,952		
	Security Services (72105)	$4,343,082	$4,343,082		
	Fort Pickett and Camp Pendelton Operations (72109)	$21,284,886	$21,284,886		
	Other Facilities Operations and Maintenance (72110)	$5,437,540	$5,437,540		
	Fund Sources: General	$3,070,599	$3,070,599		
	Special	$780,382	$780,382		
	Dedicated Special Revenue	$1,717,735	$1,717,735		
	Federal Trust	$33,853,672	$33,853,672		

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

414.	Disaster Planning and Operations (72200)			a sum sufficient	
	Communications and Warning System (72201)	a sum sufficient			
	Disaster Assistance (72203)	a sum sufficient			
	Fund Sources: General	a sum sufficient			

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

A. The amount for Disaster Planning and Operations provides for a military contingent fund, out of which to pay the military forces of the Commonwealth when aiding the civil authorities.

B. In the event units of the Virginia National Guard shall be in federal service, the sum allocated herein for their support shall not be used for any different purpose, except with the prior written approval of the Governor, other than to provide for the Virginia State Defense Force or for safeguarding properties used by the Virginia National Guard.

415.	Administrative and Support Services (79900)			~~$5,281,815~~ *$5,410,857*	~~$5,282,422~~ *$6,079,992*
	General Management and Direction (79901)	~~$2,383,748~~ *$2,512,790*	~~$2,384,355~~ *$3,181,925*		
	Telecommunications (79930)	$2,898,067	$2,898,067		
	Fund Sources: General	~~$1,903,290~~ *$2,032,332*	~~$1,903,897~~ *$2,701,467*		
	Dedicated Special Revenue	$377,131	$377,131		
	Federal Trust	$3,001,394	$3,001,394		

Authority: Title 44, Chapters 1 and 2, Code of Virginia.

ITEM 415.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
The Department of Military Affairs shall advise and provide assistance to the Department of Accounts in administering the $20,000 death benefit provided for certain members of the National Guard and United States military reserves killed in action in any armed conflict as of October 7, 2001, pursuant to § 44-93.1.B., Code of Virginia.				
Total for Department of Military Affairs.....			~~$51,872,442~~ *$52,001,484*	~~$51,873,049~~ *$53,351,684*
General Fund Positions.....	51.47	51.47		
Nongeneral Fund Positions.....	307.03	307.03		
Position Level	358.50	358.50		
Fund Sources: General.....	~~$9,324,046~~ *$9,453,088*	~~$9,324,653~~ *$10,292,489*		
Special.....	$780,382	$780,382		
Dedicated Special Revenue.....	$2,144,866	$2,144,866		
Federal Trust.....	$39,623,148	~~$39,623,148~~ *$40,133,947*		

§ 1-118. DEPARTMENT OF STATE POLICE (156)

416. Information Technology Systems, Telecommunications and Records Management (30200).....			~~$52,534,422~~ *$48,252,165*	~~$52,534,422~~ *$47,296,078*
Information Technology Systems and Planning (30201)..	~~$15,537,653~~ *$12,261,653*	~~$15,537,653~~ *$11,305,566*		
Criminal Justice Information Services (30203).....	$8,066,112	$8,066,112		
Telecommunications and Statewide Agencies Radio System (Stars) (30204).....	$24,409,527	~~$24,409,527~~ *$24,564,527*		
Firearms Purchase Program (30206).....	~~$2,132,752~~ *$1,341,806*	~~$2,132,752~~ *$927,520*		
Sex Offender Registry Program (30207).....	$2,173,067	$2,173,067		
Concealed Weapons Program (30208).....	~~$215,311~~ *$0*	~~$215,311~~ *$259,286*		
Fund Sources: General.....	$39,109,374	~~$39,109,374~~ *$39,525,787*		
Special.....	~~$8,533,989~~ *$4,251,732*	~~$8,533,989~~ *$2,879,232*		
Dedicated Special Revenue.....	$3,700,000	$3,700,000		
Federal Trust.....	$1,191,059	$1,191,059		

Authority: §§ 18.2-308.2:2, 19.2-387, 19.2-388, 27-55, 52-4, 52-4.4, 52-8.5, 52-12, 52-13, 52-15, 52-16, 52-25 and 52-31 through 52-34, Code of Virginia.

A.1. It is the intent of the General Assembly that wireless 911 calls be delivered directly by the Commercial Mobile Radio Service (CMRS) provider to the local Public Safety Answering Point (PSAP), in order that such calls be answered by the local jurisdiction within which the call originates, thereby minimizing the need for call transfers whenever possible.

2. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $3,700,000 the first year and $3,700,000 the second year from the Wireless E-911 Fund is included in this appropriation for telecommunications to offset dispatch center operations and related costs incurred for answering wireless 911 telephone calls.

B. Out of the Motor Carrier Special Fund, $900,000 the first year and $900,000 the second year shall be disbursed on a quarterly basis to the Department of State Police.

C.1. This appropriation includes $9,175,535 the first year and $9,175,535 the second year from the general fund for maintaining the Statewide Agencies Radio System (STARS).

2. The Secretary of Public Safety, in conjunction with the STARS Management Group and the Superintendent of State Police, shall provide a status report on (1) annual operating costs; (2)

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the status of site enhancements to support the system; (3) the project timelines for implementing the enhancements to the system; and (4) other matters as the secretary may deem appropriate. This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year.

3. The STARS Management Group, the Superintendent of State Police, the Department of Military Affairs, and the Department of Planning and Budget shall assess and determine the STARS equipment needs of the Department of Military Affairs. A report setting out the needed components and their estimated costs shall be provided on or before September 1, 2013, to the Secretary of Public Safety and the Director, Department of Planning and Budget. Any bond proceeds authorized for the STARS project that remain after the full implementation of the STARS network shall be made available for the STARS equipment needs of the Department of Military Affairs.

D. The department shall deposit to the general fund an amount estimated at $100,000 the first year and $100,000 the second year resulting from fees generated by additional criminal background checks of local job applicants and prospective licensees collected pursuant to § 15.2-1503.1 of the Code of Virginia.

E. Notwithstanding the provisions of §§ 19.2-386.14, 38.2-415, 46.2-1167 and 52-4.3, Code of Virginia, the Department of State Police may use revenue from the State Asset Forfeiture Fund, the Insurance Fraud Fund, the Drug Investigation Trust Account - State, and the Safety Fund to modify, enhance or procure automated systems that focus on the Commonwealth's law enforcement activities and information gathering processes.

F. The Superintendent of State Police is authorized to and shall establish a policy and reasonable fee to contract for the bulk transmission of public information from the Virginia Sex Offender Registry. Any fees collected shall be deposited in a special account to be used to offset the costs of administering the registry. The State Superintendent of State Police shall charge no fee for the transfer of any information from the Virginia Sex Offender Registry to the Statewide Automated Victim Notification (SAVIN) system.

G. Included in the amounts provided for this Item is $91,377 the first year and $91,377 the second year from the general fund for the costs of database administration associated with the establishment of an information exchange program by the Secretary of Public Safety with those states sharing a border with Canada or Mexico about transnational gangs; the production, transportation, or distribution of illegal drugs, explosives or firearms; and the activities of international or domestic terrorists.

H. The Department of State Police shall review the costs and benefits of acquiring state-of-the-art computer simulated training systems for law enforcement officers in highly realistic environments utilizing mission briefings, scenario control, and after-action reviews of trainee performance. A report on this review shall be provided to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by October 1, 2013.

417. Law Enforcement and Highway Safety Services (31000)			~~$230,990,533~~	~~$229,661,531~~
			$226,271,653	*$225,623,693*
Aviation Operations (31001)	$6,627,960	$6,627,960		
Commercial Vehicle Enforcement (31002)	$4,831,625	$4,831,625		
Counter-Terrorism (31003)	$4,900,236	$4,900,236		
Help Eliminate Auto Theft (Heat) (31004)	~~$2,451,974~~	~~$2,451,974~~		
	$1,763,991	*$1,763,991*		
Drug Enforcement (31005)	~~$21,897,541~~	~~$21,784,541~~		
	$19,378,661	*$19,065,661*		
Crime Investigation and Intelligence Services (31006)	~~$25,632,771~~	~~$25,632,771~~		
	$24,732,771	*$24,606,271*		
Uniform Patrol Services (Highway Patrol) (31007)	$137,041,890	~~$135,825,888~~		
		$136,833,430		
Motorists Assistance Program (31008)	$1,631,282	$1,631,282		
Insurance Fraud Program (31009)	~~$5,812,017~~	~~$5,812,017~~		
	$5,200,000	*$5,200,000*		
Vehicle Safety Inspections (31010)	$20,163,237	$20,163,237		

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Fund Sources: General	$173,293,011	~~$171,964,009~~ *$172,971,551*		
Special	~~$29,862,766~~ *$26,443,886*	~~$29,862,766~~ *$26,117,386*		
Commonwealth Transportation	$8,166,805	$8,166,805		
Trust and Agency	$20,000	$20,000		
Dedicated Special Revenue	~~$9,347,951~~ *$8,047,951*	~~$9,347,951~~ *$8,047,951*		
Federal Trust	$10,300,000	$10,300,000		

Authority: §§ 27-56, 33.1-292, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8, 52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.

A. Included in this appropriation is $810,687 the first year and $810,687 the second year from Commonwealth Transportation Funds for the personal and associated nonpersonal services costs for eight positions. These positions will be dedicated to patrolling the I-95/395/495 Interchange.

B. Included in this appropriation is $4,831,625 the first year and $4,831,625 the second year from the Commonwealth Transportation Fund to support enforcement operations at weigh stations statewide.

C. The Department of State Police shall modify the implementation of the division of drug law enforcement established pursuant to § 52-8.1:1, Code of Virginia, and shall redirect, as may be necessary, resources heretofore provided for that purpose by the General Assembly for the purposes of homeland security, the gathering of intelligence on terrorist activities, the preparation for response to a terrorist attack and any other activity determined by the Governor to be crucial to strengthening the preparedness of the Commonwealth against the threat of natural disasters and emergencies. Nothing in this Item shall be construed to prohibit the Department of State Police from performing drug law enforcement or investigation as otherwise provided for by the Code of Virginia.

D. Included within this appropriation is $3,098,098 the first year and $3,098,098 the second year from the Rescue Squad Assistance Fund to support the department's aviation (med-flight) operations.

E. In the event that special fund revenues for this Item exceed expenditures, the balance of such revenues may be used for air medical evacuation equipment improvements, information technology upgrades or for motor vehicle replacement.

F. Included in this appropriation is $110,000 the first year and $110,000 the second year from the general fund to maintain increased increase traffic enforcement on Interstate 81. These funds shall be used to provide overtime payments for extended and additional work shifts so as to maintain the enhanced level of State Police patrols on this and other public highways in the Commonwealth.

G.1. Out of this appropriation, $3,729,650 the first year and $3,729,650 the second year from the general fund is provided for the monitoring of offenders required to comply with the Sex Offender Registry requirements. The department shall coordinate monitoring and verification activities related to registry requirements with other state and local law enforcement agencies that have responsibility for monitoring or supervising individuals who are also required to comply with the requirements of the Sex Offender Registry.

2. The Secretary of Public Safety, in conjunction with the Superintendent of State Police, shall report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements. The report shall include at a minimum: (1) the number of verifications conducted; (2) the number of investigations of violations; (3) the status of coordination with other state and local law enforcement agencies activities to monitor Sex Offender Registry requirements; and (4) an update of the sex offender registration and monitoring section in the department's current "Manpower Augmentation Study." This report shall be provided to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees each year by January 1.

H. Included within this appropriation is $200,000 the first year and $200,000 the second year from nongeneral funds to be used by the Department of State Police to record revenue related

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to overtime work performed by troopers at the end of a fiscal year and for which reimbursement was not received by the department until the following fiscal year. The Department of Accounts shall establish a revenue code and fund detail for this revenue.

I. Included within this appropriation is $100,000 the first year and $100,000 the second year from the general fund for the Department of State Police to enhance its capabilities in recruiting minority troopers. Funding is to support increased marketing and advertising efforts for recruiting minorities.

J. Included within this appropriation is $116,988 the first year and $116,988 the second year from the Department of Aviation's special fund to support the aviation operations of the Department of State Police.

K.1 Out of the amounts appropriated for this Item, $600,000 the first year and $600,000 the second year from nongeneral funds shall be distributed to the department to expand the operations of the Northern Virginia Internet Crimes Against Children Task Force.

2. Pursuant to paragraph H.2 of Item 393, the Northern Virginia Internet Crimes Against Children Task Force shall provide a report on the actual expenditures and performance results achieved each year. Copies of this report shall be provided each year to the Secretary of Public Safety and the Chairmen of the House Appropriations and Senate Finance Committees by October 1.

L. Included within this appropriation is $4,823,210 the first year and $4,823,210 the second year from the general fund to support the Commonwealth's Fusion Center and counter-terrorism activities.

M. Included within this appropriation is $1,543,733 the first year and $1,543,733 the second year from the general fund for debt service to finance the purchase of two helicopters.

N. Included within this appropriation is $2,654,632 the first year and ~~$1,484,670~~ *$2,009,433* the second year from the general fund to support 43 non-sworn positions provided in the first year and 43 non-sworn positions provided in the second year that shall be responsible for monitoring persons required to comply with the requirements of the Sex Offender Registry. The department shall redeploy to other law enforcement activities any state trooper no longer needed for monitoring offenders required to comply with the Sex Offender Registry.

O. Included within this appropriation is $2,911,840 the first year and $3,100,800 the second year from the general fund to fill 40 state trooper positions that shall be used to increase state trooper presence on Virginia's highways.

418.	Administrative and Support Services (39900)			~~$19,168,487~~	~~$19,222,402~~
				$19,268,487	*$20,304,532*
	General Management and Direction (39901)	$4,846,649	$4,900,564		
	Accounting and Budgeting Services (39903)	$1,651,062	$1,651,062		
	Human Resources Services (39914)	$1,822,038	$1,822,038		
	Physical Plant Services (39915)	~~$5,053,170~~	~~$5,053,170~~		
		$5,153,170	*$5,253,170*		
	Procurement and Distribution Services (39918)	$1,932,648	$1,932,648		
	Training Academy (39929)	$3,217,829	~~$3,217,829~~		
			$4,099,959		
	Cafeteria (39931)	$645,091	$645,091		
	Fund Sources: General	~~$18,073,396~~	~~$18,127,311~~		
		$18,173,396	*$19,209,441*		
	Special	$1,070,091	$1,070,091		
	Dedicated Special Revenue	$25,000	$25,000		

Authority: §§ 52-1 and 52-4, Code of Virginia.

The Superintendent of State Police shall establish written procedures for the timely and accurate electronic reporting of crime data reported to the Department of State Police in accordance with the provisions of § 52-28, Code of Virginia. The procedures shall require the principal officer of the reporting organization to certify that the information provided is, to his

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	knowledge and belief, a true and accurate report. Should the superintendent have reason to believe that any crime data is missing, incomplete or incorrect after audit of the data, the superintendent shall notify the reporting organization, as well as the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services. Upon receiving and verifying resubmitted data that corrects the report, the superintendent shall notify the Chairman of the Compensation Board and the Director, Department of Criminal Justice Services that the missing, incomplete or incorrect data has been satisfactorily submitted.				
419.	All revenue received from the sale of motor vehicles shall be reported separately from that received from the sale of other property of the department.				
	Total for Department of State Police			~~**$302,693,442**~~ ***$293,792,305***	~~**$301,418,355**~~ ***$293,224,303***
	General Fund Positions	2,526.00	~~2,526.00~~ *2,541.00*		
	Nongeneral Fund Positions	372.00	372.00		
	Position Level	2,898.00	~~2,898.00~~ *2,913.00*		
	Fund Sources: General	~~$230,475,781~~ *$230,575,781*	~~$229,200,694~~ *$231,706,779*		
	Special	~~$39,466,846~~ *$31,765,709*	~~$39,466,846~~ *$30,066,709*		
	Commonwealth Transportation	$8,166,805	$8,166,805		
	Trust and Agency	$20,000	$20,000		
	Dedicated Special Revenue	~~$13,072,951~~ *$11,772,951*	~~$13,072,951~~ *$11,772,951*		
	Federal Trust	$11,491,059	$11,491,059		
	§ 1-119. VIRGINIA PAROLE BOARD (766)				
420.	Probation and Parole Determination (35200)			$1,354,177	$1,354,191
	Adult Probation and Parole Services (35201)	$1,354,177	$1,354,191		
	Fund Sources: General	$1,354,177	$1,354,191		
	Authority: Title 53.1, Chapter 4, Code of Virginia.				
	Total for Virginia Parole Board			**$1,354,177**	**$1,354,191**
	General Fund Positions	12.00	12.00		
	Position Level	12.00	12.00		
	Fund Sources: General	$1,354,177	$1,354,191		
	§ 1-120. BOARD OF TOWING AND RECOVERY OPERATORS (507)				
421.	Consumer Affairs Services (55000)			$573,743	$573,743
	Consumer Assistance (55002)	$573,743	$573,743		
	Fund Sources: Special	$573,743	$573,743		
	Authority: Title 46.2, Chapter 28, Code of Virginia.				
	Total for Board of Towing and Recovery Operators			**$573,743**	**$573,743**
	Nongeneral Fund Positions	4.00	4.00		
	Position Level	4.00	4.00		
	Fund Sources: Special	$573,743	$573,743		
	TOTAL FOR OFFICE OF PUBLIC SAFETY			~~**$2,562,948,652**~~ ***$2,556,147,557***	~~**$2,553,420,719**~~ ***$2,565,115,110***

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1	General Fund Positions	~~18,093.37~~	~~18,093.37~~		
2		*17,828.87*	*17,957.32*		
3	Nongeneral Fund Positions	2,256.68	~~2,266.68~~		
4			*2,256.18*		
5	Position Level	~~20,350.05~~	~~20,360.05~~		
6		*20,085.55*	*20,213.50*		
7	Fund Sources: General	~~$1,689,119,057~~	~~$1,670,170,715~~		
8		*$1,690,219,099*	*$1,690,486,130*		
9	Special	~~$158,349,660~~	~~$152,033,771~~		
10		*$150,748,523*	*$142,932,359*		
11	Commonwealth Transportation	$9,100,056	$9,100,056		
12	Enterprise	$547,834,736	$563,969,196		
13	Trust and Agency	$10,020,000	$10,020,000		
14	Dedicated Special Revenue	~~$29,233,975~~	~~$29,233,975~~		
15		*$27,933,975*	*$27,933,975*		
16	Federal Trust	~~$119,291,168~~	~~$118,893,006~~		
17		*$120,291,168*	*$120,673,394*		

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	OFFICE OF TECHNOLOGY				
	§ 1-121. SECRETARY OF TECHNOLOGY (184)				
422.	Administrative and Support Services (79900).....			$495,286	$495,706
	General Management and Direction (79901).....	$495,286	$495,706		
	Fund Sources: General.....	$495,286	$495,706		
	Authority: Title 2.2, Chapter 2, Article 9, Code of Virginia.				
	Total for Secretary of Technology.....			**$495,286**	**$495,706**
	General Fund Positions.....	5.00	5.00		
	Position Level	5.00	5.00		
	Fund Sources: General.....	$495,286	$495,706		
	§ 1-122. INNOVATION AND ENTREPRENEURSHIP INVESTMENT AUTHORITY (934)				
423.	Economic Development Services (53400).....			$5,926,877	~~$5,926,877~~ *$7,762,500*
	Technology Entrepreneurial Development Services (53415)	$4,237,811	~~$3,957,811~~ *$5,793,434*		
	Commonwealth Technology Policy Services (53416).....	$44,392	$44,392		
	Technology Industry Development Services (53419)	$854,258	$814,258		
	Technology Industry Research and Developmental Services (53420).....	$790,416	$1,110,416		
	Fund Sources: General.....	$5,926,877	~~$5,926,877~~ *$7,762,500*		

Authority: Title 2.2, Chapter 22, Code of Virginia, and Discretionary Inclusion.

A.*1.* The appropriation in this Item shall be used for the purpose of and in accordance with the terms and conditions specified in Title 2.2, Chapter 22, Code of Virginia.

2. Out of the amounts appropriated for the Innovation and Entrepreneurship Investment Authority, an amount equal to $50,000 shall be used to create the Commonwealth Innovation and Entrepreneurship Measurement System to measure activities worthy of economic development and institutional focus in furtherance of the Commonwealth Research and Development Roadmap.

B. The Innovation and Entrepreneurship Investment Authority is hereby authorized to transfer funds in this appropriation to the Center for Innovative Technology to expend said funds for realizing the statutory purposes of the Authority, by contracting with governmental and private entities, notwithstanding the provisions of § 4-1.05 b of this act.

C. This appropriation shall be disbursed in twelve equal monthly installments each fiscal year.

D. Before the beginning of each fiscal year, the Innovation and Entrepreneurship Investment Authority shall provide to the Chairmen of the House Appropriations and Senate Finance Committees and the Director, Department of Planning and Budget, a report of its operating plan. Within three months after the end of the fiscal year, the center shall submit to the same entities a detailed expenditure report for the concluded fiscal year. Both reports shall be prepared in the formats as approved by the Director, Department of Planning and Budget.

E. As part of its mission to foster technological innovation in the Commonwealth, the Innovation and Entrepreneurship Investment Authority is encouraged to include in its activities Virginia private research universities.

F.*1.* The Center for Innovative Technology shall continue to support efforts of public and

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quasi-public bodies within the Commonwealth to enhance or facilitate the prompt availability of and access to advanced electronic communications services, commonly known as broadband, throughout the Commonwealth, monitoring trends and advances in advanced electronic communications technology to plan and forecast future needs for such technology, and identify funding options.

2. The Center for Innovative Technology shall provide technical assistance to localities where broadband services are not currently available, or where under-served communities have been identified, in order to assist those localities in determining the issues, business practices, and vendor requirements, including an assessment of the existing technologies, for the provision of broadband services to their citizens.

G. The General Assembly supports the Innovation and Entrepreneurship Investment Authority's stated mission to enhance federal research funding to Virginia's colleges and universities and to industry. It is also the intent of the General Assembly to promote a greater reliance by the authority on nongeneral fund revenues for the authority's operations and programs.

H. Notwithstanding any other provision of law, any interest earned on moneys in the Advanced Communications Assistance Fund, as well as any moneys remaining in the fund at the end of each fiscal year, including interest thereon, shall be reverted to the general fund.

I. From the amounts appropriated in this Item $1,000,000 the first year and $1,000,000 the second year from the general fund shall be allocated to the Commonwealth GAP Fund program to foster the development of Virginia-based technology, biosciences, and energy companies. It is the intent of the General Assembly that this funding shall be used to underwrite immediate first financing for not fewer than 20 new early-stage companies and achieve a rate of return of not less than 11:1. As part of the reporting requirements identified within paragraph D of this item, the Director of the Center for Innovative Technology shall provide a detailed report on the number of companies and jobs created pursuant to this additional funding.

J. Out of the appropriation for this item, $480,000 the first year ~~and $520,000 the second year~~ from the general fund is provided to support research and outreach activities, as well as foster growth and diversification within the Commonwealth's initiatives in modeling and simulation.

K. Out of the appropriation for this item, $520,000 the first year and $480,000 the second year from the general fund is provided to support and expand the Commonwealth's initiatives in cyber security.

L. Notwithstanding the definition of qualifying institutions in § 2.2-2233.1, Code of Virginia, a university research consortium that includes Virginia colleges and university member institutions is a qualifying institution for purposes of seeking funding from the Commonwealth Research Commercialization Fund.

M.1. Out of the amounts in this item, $2,500,000 the second year from the general fund shall be provided to establish a cyber-security accelerator which will be managed by the Center for Innovative Technology (CIT). CIT is directed to recruit companies for the accelerator program regionally, and any participating company must agree to start and operate their company in the Commonwealth. Participating companies will be guided through a company initiation and development process supported by key cyber-security professionals, investors and technologists.

2. It is the intent of the General Assembly that this funding shall be used to defray capital expenses of company formation for not fewer than ten companies. Funding from this item shall not be available to any company for longer than two years. As part of the reporting requirements identified within paragraph D of this item, the Director of the Center for Innovative Technology shall provide a detailed report on the number of companies and jobs created pursuant to this additional funding. Any proceeds from the sale of equity in these companies shall not revert to the general fund but shall be used to support the accelerator program.

Total for Innovation and Entrepreneurship Investment Authority.....			**$5,926,877**	**~~$5,926,877~~** ***$7,762,500***

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	Fund Sources: General	$5,926,877	~~$5,926,877~~ *$7,762,500*		

§ 1-123. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)

424.	Information Systems Management and Direction (71100)			$2,150,000	$2,150,000
	Geographic Information Access Services (71105)	$2,150,000	$2,150,000		
	Fund Sources: Dedicated Special Revenue	$2,150,000	$2,150,000		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A.1. All state and nonstate agencies receiving an appropriation in Part 1 shall comply with the guidelines and related procedures issued by Virginia Information Technologies Agency for effective management of geographic information systems in the Commonwealth.

2. All state and nonstate agencies identified in paragraph A 1 that have a geographic information system, shall assist the department by providing any requested information on the systems including current and planned expenditures and activities, and acquired resources.

3. The State Corporation Commission, Virginia Employment Commission, the Department of Game and Inland Fisheries, and other nongeneral fund agencies are encouraged to use their own fund sources for the acquisition of hardware and development of data for the spatial data library in the Virginia Geographic Information Network.

B. The Virginia Information Technologies Agency, through its Geographic Information Network Division (VGIN), or its counterpart, shall acquire on a four-year cycle high-resolution digital orthophotography of the land base of Virginia pursuant to VGIN's Virginia Base Mapping Program (VBMP) and digital road centerline files. VGIN shall administer the maintenance of the VBMP and appropriate addressing and standardized attribution in collaboration with local governments. All digital orthophotography, Digital Terrain Models and ancillary data produced by the VBMP, but not including digital road centerline files, shall be the property of the Commonwealth of Virginia and administered by VGIN. The VGIN, or its counterpart, will be responsible for protecting the data through appropriate license agreements and establishing appropriate terms, conditions, charges and any limitations on use of the data. VGIN will license the data at no charge (other than media / transfer costs) to Virginia governmental entities or their agents. Such data shall not be subject to release by such entities under the Freedom of Information Act or similar laws. VGIN in its discretion may release certain data by posting to the Internet. Distribution of the data for commercial or private use or to users outside the Commonwealth will be the sole responsibility of VGIN or its agent(s) and shall require payment of a license fee to be determined by VGIN. All fees collected as a result will be added to the GIS Fund as established in the Code of Virginia § 2.2-2028. Collected fees and grants are hereby appropriated for future data updates or to cover the costs of existing digital ortho acquisition or for other purposes authorized in § 2.2-2028.

C. Funding in this Item shall be used to support the efforts of the Virginia Geographic Information Network which provides for the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services. Funding is to be earmarked for major updates of the VBMP and digital road centerline files.

D. Notwithstanding the provisions of Article 7, Chapter 15, Title 56, Code of Virginia, $1,750,000 the first year and $1,750,000 the second year from Emergency Response Systems Development Technology Services dedicated special revenue shall be used to support the efforts of the Virginia Geographic Information Network, or its counterpart, for providing the development and use of spatial data to support E-911 wireless activities in partnership with Enhanced Emergency Communications Services.

425.	Emergency Response Systems Development Technology Services (71200)			$39,466,528	~~$39,466,528~~ *$18,307,378*
	Emergency Communication Systems Development Services (71201)	$6,734,309	$6,734,309		

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Financial Assistance to Localities for Enhanced Emergency Communications Services (71202)	$27,740,251	~~$27,740,251~~ *$6,581,101*		
Financial Assistance to Service Providers for Enhanced Emergency Communications Services (71203)	$4,991,968	$4,991,968		
Fund Sources: Dedicated Special Revenue	$39,466,528	~~$39,466,528~~ *$18,307,378*		

Authority: Title 2.2, Chapter 20.1, and Title 56, Chapter 15, Code of Virginia.

A.1.a. Out of the amounts for Emergency Communication Systems Development Services, $1,000,000 the first year and $1,000,000 the second year from dedicated special revenue shall be used for development and deployment of improvements to the statewide E-911 network.

b. These funds shall remain unallotted until their expenditure has been approved by the Wireless E-911 Services Board.

2. Out of the amounts for Emergency Communication Systems Development Services, $4,000,000 the first year and $4,000,000 the second year from dedicated special revenue shall be used for wireless E-911 service costs as determined by the Wireless E-911 Services Board.

B. The operating expenses, administrative costs, and salaries of the employees of the Public Safety Communications Division shall be paid from the Wireless E-911 Fund created pursuant to § 56-484.17.

426. Information Technology Development and Operations (82000)			~~$5,607,709~~ *$6,457,324*	~~$5,607,709~~ *$6,457,324*
Network Services -- Data, Voice, and Video (82003)	~~$5,607,709~~ *$6,457,324*	~~$5,607,709~~ *$6,457,324*		
Data Center Services (82005)	a sum sufficient			
Desktop and End User Services (82006)	a sum sufficient			
Computer Operations Security Services (82010)	a sum sufficient			
Fund Sources: Special	~~$5,607,709~~ *$6,457,324*	~~$5,607,709~~ *$6,457,324*		
Internal Service	a sum sufficient			

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A.1. Amounts for Information Technology Development and Operations represent an internal service fund and shall be paid solely from revenues derived from charges for services. The estimated cost for Network Services — Data, Voice, and Video is ~~$104,521,937~~ *$124,591,656* the first year and ~~$104,888,677~~ *$117,161,685* the second year, for Data Center Services is ~~$104,552,507~~ *$107,215,166* the first year and ~~$104,919,355~~ *$110,431,621* the second year, for Desktop and End User Services is ~~$99,329,337~~ *$103,192,465* the first year and ~~$99,677,858~~ *$106,288,239* the second year, and for Computer Operations Security Services is ~~$5,099,160~~ *$5,209,677* in the first year and ~~$5,117,052~~ *$5,365,967* the second year.

2. ~~Not i~~*I*ncluded in these amounts are the projected first and second year costs for workplace productivity and ~~management information~~ *collaboration* solutions. These solutions are ~~to be~~ offered as optional services to executive branch agencies and other customers~~, pending approval of service rates by the Joint Legislative Audit and Review Commission~~.

~~3. Not included in these amounts are the projected first and second year costs for securing an upgraded broadband capacity to meet the current and ever-expanding demands of Commonwealth agencies for services including remote computer access, streaming audio and video, general internet access, and future technological offerings, such as storage and message archiving.~~

~~4.a. Out of the amounts for this Item, $90,000 the first year and $90,000 the second year from the Acquisition Services Special Fund is provided. These funds are paid solely from receipts from vendor information technology contracts provided to finance procurement and~~

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~~implementation activities for a contracts management system.~~

~~b. Also i~~ *I*ncluded in the amounts for Network Services - Data, Voice, and Video are funds from the Acquisition Services Special Fund which is paid solely from receipts from vendor information technology contracts. These funds will be used to finance procurement and contracting activities and costs unallowable for federal fund reimbursement.

B. Political subdivisions and local school divisions are hereby authorized to purchase information technology goods and services of every description from the Virginia Information Technologies Agency and its vendors, provided that such purchases are not prohibited by the terms and conditions of the contracts for such goods and services.

427. Information Technology Planning and Quality Control (82800)			~~$5,745,975~~ *$5,746,285*	~~$3,448,175~~ *$3,368,279*
Information Technology Investment Management (Itim) Oversight Services (82801)	~~$1,387,408~~ *$1,387,718*	~~$1,387,408~~ *$1,307,512*		
Enterprise Development Services (82803)	$4,358,567	$2,060,767		
Procurement and Contracting Services (82804)	a sum sufficient			
Web Development and Support Services (82805)	a sum sufficient			
Fund Sources: General	~~$2,016,673~~ *$2,016,983*	~~$2,016,673~~ *$1,936,777*		
Dedicated Special Revenue	$1,153,400	$1,355,600		
Federal Trust	$2,575,902	$75,902		

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

A.1. Notwithstanding any other provision of law except the limitations imposed by § 2.2-518, § 2.2-4803 and § 2.2-4806, Code of Virginia, Executive Department agencies and institutions may enter into management agreements with CGI Technologies & Solutions, Inc. (CGI) for debt collection and cost recovery services pursuant to Statements of Work 6 and 7 of the Enterprise Applications Master Services Agreement between the Commonwealth of Virginia and CGI. Executive Department agencies and institutions may also enter into additional Statements of Work with CGI pursuant to § 2.2.4 of the Enterprise Applications Master Services Agreement for services related to such Agreement, which may include, but not be limited to, services supporting projects in the five towers of enterprise-level endeavors (financial management, human resource management, supply chain management, administrative management, and applications development and management). Work on enhanced collections and recoveries or any additional Statements of Work pursuant to § 2.2.4 of the Enterprise Applications Master Services Agreement shall not proceed if they commit the Commonwealth to expanding or significantly altering any existing federal or state program without the review and approval of the Governor and prior consultation with the Chairmen of the House Appropriations and Senate Finance Committees.

2. Moneys resulting from enhanced collections and cost recoveries pursuant to this Item shall be held in the Virginia Technology Infrastructure Fund as established by § 2.2-2023, Code of Virginia.

3. The Auditor of Public Accounts shall provide the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than December 1, 2013, a report of the result of a financial and operational audit of CGI and its subcontractors, as provided in parts 15.2 and 15.3 of the Enterprise Applications Master Services Agreement. The audit shall review all management agreements between CGI and Executive Department agencies and institutions pursuant to Statements of Work 6 and 7 and include a review of CGI and its subcontractors' performance with regard to measured service levels.

B.1. As established in § 3-2.03 of this act, working capital advances totaling up to $90,000,000 will provide for the development of enterprise applications for the Commonwealth, including the development of the performance budgeting and financial management systems. These working capital advances will be repaid from anticipated revenues from enhanced collections, cost recoveries, inter-agency collaborative projects and other initiatives to be collected pursuant to this item and will be deposited into the Virginia Technology Infrastructure Fund. No funds

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derived from these working capital advances shall be expended without the prior budget approval of the Secretaries of Technology and Finance. The State Comptroller shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance Committees prior to any approved expenditure.

2. Funds received from the working capital advance will be used only for enterprise resource planning and development costs. No funds received from this working capital advance shall be used as payment toward operating costs of this or any other program.

3. At the end of each fiscal year, the Governor is authorized to apply up to $2,000,000 from the unappropriated general fund balance in this act to pay down this working capital advance in the event other repayment sources in this act are not available or are insufficient to maintain a reasonable schedule for the payback of the working capital advance.

C.1. In order to minimize the cost of information systems development, the Secretary of Technology shall work with all Cabinet Secretaries and their agencies to develop Commonwealth data standards for citizen-centric data, personnel, recipient information, and other common sources of information gathered by the Commonwealth and in use by systems set out within this item. Not later than November 1, 2012, the Secretary of Technology shall communicate an initial plan that will provide at least an estimated timetable, cost and description of the anticipated scope of the effort to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance. A final plan, with a specified timetable and costs required to gather, approve and publish these standards, shall be communicated to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance by July 1, 2013. In developing the plan, the Secretary of Technology shall use best practices, federal requirements, and existing data standards.

2. Where active projects in this item, have implemented standardized data, the Secretary of Technology shall work with all Cabinet Secretaries and their agencies to determine if these standards should be adopted as Commonwealth data standards for use in active or future major IT projects or investments. Where active projects in this item do not conform to the Commonwealth's data standard, the Secretary of Technology shall include in the interim a plan for how the Secretary of Technology will identify data standards that should be adopted as Commonwealth data standards and the estimated cost of ensuring that each active IT project in the item complies with the Commonwealth data standard.

D.1. *Notwithstanding the provisions of §§ 2.2-1509, 2.2-2007 and 2.2-2017, Code of Virginia, the scope of formal reporting on major information technology projects in the Recommended Technology Investment Projects (RTIP) report is reduced beginning in the second year. The efforts involved in researching, analyzing, reviewing, and preparing the report will be streamlined and project ranking will be discontinued. Project analysis will be targeted as determined by the Chief Information Officer (CIO) and the Secretary of Technology. Information on major information technology investments will continue to be provided General Assembly members and staff. Specifically, the following tasks will not be required, though the task may be performed in a more streamlined fashion: (i) The annual report to the Governor, the Secretary, and the Joint Commission on Technology and Science; (ii) The annual report from the CIO for submission to the Secretary, the Information Technology Advisory Council, and the Joint Commission on Technology and Science on a prioritized list of Recommended Technology Investment Projects (RTIP Report); (iii) The development by the CIO and regular update of a methodology for prioritizing projects based upon the allocation of points to defined criteria and the inclusion of this information in the RTIP Report; (iv) The indication by the CIO of the number of points and how they were awarded for each project recommended for funding in the RTIP Report; (vi) The reporting, for each project listed in the RTIP, of all projected costs of ongoing operations and maintenance activities of the project for the next three biennia following project implementation, a justification and description for each project baseline change, and whether the project fails to incorporate existing standards for the maintenance, exchange, and security of data; and (vii) The reporting of trends in current projected information technology spending by state agencies and secretariats, including spending on projects, operations and maintenance, and payments to Virginia Information Technologies Agency.*

2. Pursuant to §2.2-1509.3, Code of Virginia, the following major information technology projects are active and have been approved and recommended for funding by the Secretary of Technology. The data listed was self-reported to the Virginia Information Technologies Agency

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by the responsible agencies. These projects are supported by strong business cases and thus were considered as priorities for funding in this biennium.

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of Social Services (765) — Automated Child Care Subsidy System	Jan 11, 2010	~~Not Available~~ *Completed*	$20,364,802

Implement a Child Care Subsidy Payment System (CCSPS) for Child Care Subsidies. The CCSPS will allow for real-time documentation of attendance and enable the program to better address issues relating to improper use of subsidies.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	*Start Date*	*Completion Date*	*Estimated Project Cost*
Department of Social Services (765) - EDSP - Eligibility Modernization - MAGI Project	*Oct 22, 2012*	*Oct 31, 2013*	*$22,525,210*

The Eligibility Modernization Modified Adjusted Gross Income (MAGI) project will implement a single Medicaid case management system for MAGI Medicaid and CHIP/FAMIS categories by modifying Virginia Case Management System (VaCMS) for new applications. This initiative will implement a streamlined, secure, and interactive customer experience that will maximize automation and real-time adjudication while protecting privacy and personally identifiable information. This enhancement to the Customer Portal will determine MAGI Medicaid eligibility on-line, perform MMIS enrollment, perform MMIS disenrollment, access Federal and State verification systems through Exchanges, and leverage web-services such as the Commonwealth Authentication Service (CAS) and the Enterprise Data Management (EDM) solution projects under eHHR.

Estimated Project Expenditures	*FY 2013*	*FY 2014*
General Fund	*$2,305,736*	*$768,579*
Nongeneral Fund	*$14,588,173*	*$4,862,724*

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Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Department of Social Services (765) - EDSP - Eligibility Modernization - Program Migration Project	*Oct 22, 2012*	*Mar 31, 2016*	*$75,212,015*

The modernization and migration consists of MAPPER UNISYS system replacement for the ADAPT application and the Energy Assistance Program application. ADAPT is the current eligibility determination and case management system for SNAP, TANF, Employment Service. The Eligibility Modernization Program Migration Project will convert the cases that contain the programs in ADAPT and the Energy system into VaCMS along with accepting new applications for these programs via online (Customer Portal) and paper (manual data entry) processes. This project also involves the external rules engine (iLOG). All program rules will be incorporated into iLOG with the outcome of eligibility determination, authorization, and case management within this single case management solution.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$2,924,187*	*$5,848,374*
Nongeneral Fund	*$8,646,892*	*$17,293,784*

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Department of Social Services (765) - EDSP - Eligibility Modernization - Conversion	*Nov 13, 2012*	*Apr 30, 2015*	*$10,583,249*

The EDSP Eligibility Modernization Conversion project will focus its efforts on converting the data in the ADAPT legacy system and DMAS CHAMPS legacy system for the Families & Children's Medicaid, CHIP, and FAMIS categories into VaCMS. The CMS federal requirement stipulates for these eligible ongoing Medicaid categories (staring April 2014) at the time of their renewal process, continued eligibility must be evaluated against the new MAGI Medicaid rules. This conversion project will move those existing cases into VaCMS and eligibility determination be performed by the external rules engine accomplished in the Eligibility Modernization MAGI project. Conversion will be performed on a month by month schedule (based on the Medicaid renewal date) until all cases for these categories have been converted from these two legacy systems.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$297,654*	*$892,962*
Nongeneral Fund	*$2,348,158*	*$7,044,475*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Accounts (151) — Cardinal Project	Apr 17, 2008	~~Oct 2014~~	~~$114,329,233~~
		Completed	*$58,337,353*

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The Department of Accounts is replacing its statewide general ledger system- CARS. The new system will serve as the Commonwealth's general ledger system of record. The functional scope of the project includes General Ledger, Cash Receipting, and Cash Disbursement, which is considered the Enterprise Base System. This project consists of roll-out of the base application to replace the Virginia Department of Transportation's (VDOT) FMS II system, roll-out of the Enterprise Base System at the Department of Accounts Fiscal Office, and statewide roll-out to all agencies of the Enterprise Base System, replacing CARS as the Commonwealth's general ledger system. Estimated project cost includes VDOT costs.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$22,333,480~~ *$164,978*	~~$29,903,680~~ *$0*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Professional and Occupational Regulation (222) — EAGLES	Mar 1, 2007	~~Not Available~~ *Jan 31, 2014*	~~$1,499,000~~ *$7,977,793*

EAGLES will be a web-enabled application implemented to replace two legacy systems, CLES and ETS. EAGLES will also support the agency's new business requirements. This project is in line with the Commonwealth's electronic government initiative, which requires that the Department be aligned closely with the Digital Signatures and COVA PIN initiative. Project Scope: This project scope includes the development of the EAGLES web-enabled application to replace the legacy systems, CLES and ETS, and the expansion of the system to include the Department's new business requirements.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$1,260,600	$376,500

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Social Services (765) — EDS - Customer Portal Enterprise Delivery System Program	Feb 8, 2011	Sep 14, 2012	~~$9,722,312~~ *$11,201,779*

The Enterprise Delivery System Program represents four major projects: the EDSP Worker Portal, the EDSP Customer Portal, the EDSP Master Customer ID and the EDSP Document Management Imaging System. The four major projects are the foundation for implementing the VDSS vision of a self-service model that is efficient, effective and provides a streamlined customer friendly experience. Within the vision, clients will be able to file applications for benefits or services through an online application process, report changes, and manage benefit "accounts" online.

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Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$31,499	$0
Nongeneral Fund	$65,501	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Department of Transportation (501) — Highway Performance Monitoring System (HPMS)	Sep 1, 2009	~~Not Available~~ *Completed*	~~$1,000,000~~ *$1,316,375*

The Highway Performance Monitoring System (HPMS) supports the Roadway Network Systems (RNS) program within the Department of Transportation (VDOT). The HPMS project includes adding new data fields to RNS for new data; adding classified public roads to the Highway Traffic Records Information System (HTRIS); building a user interface to add/edit data in RNS; and developing a means of managing and creating a file to send all required data to the Federal Highway Administration (FHWA).

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$0~~ *$35,000*	$0

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Virginia Department of Transportation (501) - CSC System 2.0	*Aug 6, 2012*	*Jun 30, 2014*	*$4,500,000*

The Customer Service Center Portal 2.0 project will enhance the functionality and usability of the Customer Service Center Portal, and will: Enable Customer Service Center Agents to better respond to customer inquiries; - Promote VDOT's ability to share information throughout the agency; and Enhance VDOT's ability to quickly and efficiently respond to citizen requests for roadway service/ maintenance.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$0*	*$0*
Nongeneral Fund	*$2,754,340*	~~$0~~ *$3,053,060*

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Virginia Department of Transportation (501) - Construction Documentation Management	*Aug 31, 2012*	*Jun 28, 2013*	*$1,100,000*

This project is to implement a consistent way of managing construction documents, and in particular electronic documents, across all districts. Part of this initiative is to also to automate the Advertisement and Award process workflow to optimize its document management during the initial stages of the construction management lifecycle.

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Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$0*	*$0*
Nongeneral Fund	*$1,100,000*	*$0*

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Virginia Department of Transportation (501) - Snow Plowing Tracking	*Oct 12, 2012*	*May 31, 2014*	*$5,220,380*

The scope of the Snow Plow Tracking Project is to provide a comprehensive approach for VDOT to manage its snow plowing tracking initiative across the entire Commonwealth. VDOT intends to provide snow plowing tracking and display for operational use and public consumption statewide on all VDOT managed roadways at the street level. The Department also wishes to improve customer services and transparency of services being provided across the Commonwealth and improve internal business operations across the enterprise.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$0*	*$0*
Nongeneral Fund	*$2,805,760*	*$2,414,620*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Medical Assistance Services (602) — HIPAA Upgraded Transactions (5010/NCPDPD.0)	Apr 19, 2011	~~Feb 29, 2012~~ *Completed*	~~$8,624,000~~ *$1,446,945*

The Centers for Medicare and Medicaid Services (CMS) has proposed regulations requiring that all X12 Transactions be upgraded to the 5010 versions and that the ICD-10 version of the code sets be implemented. DMAS must implement the new versions in order to remain HIPAA compliant and continue to receive and send electronic eligibility, claims, and payment data with approximately 50,000 providers and 300 plus service centers. Implementation of the changes will require modification to the MMIS and extensive provider outreach and trading partner testing.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	~~$0~~ *$212,525*	$0
Nongeneral Fund	~~$0~~ *$1,234,420*	$0

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Department of Medical Assistance Services (602) - ACA - NCCI (National Correct Coding Initiative)	*Sep 28, 2012*	*Jul 31, 2013*	*$1,539,247*

In accordance with the implementation of the Patient Protection and Affordable Care Act of 2010 and as amended by the Health Care and Education Recovery Act of 2010 (known together as the Affordable Care Act), the Virginia Department of Medical Assistance Services is conducting a project to comply with the Mandatory State Use of National Correct Coding Initiative (NCCI).

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Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$160,111*	*$0*
Nongeneral Fund	*$1,379,136*	*$0*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia State Police (156) — Law Enforcement Activity Management System	Jun 13, 2007	~~Not Available~~ *Feb 15, 2013*	~~$3,530,000~~ *$3,421,600*

The LEAMS project will provide a comprehensive system to support the documentation of criminal investigations and related law enforcement activities and reduce the agency's dependence on burdensome paper-based workflows and difficult-to-change legacy technologies. The system will make use of up-to-date technology to upgrade process controls, management/supervisory oversight, data quality, processing timeliness, system access, analytical tools, and intra-agency and inter-agency cooperation needed to maintain quality law enforcement records as mandated under § 15.2.-1722 of the Code of Virginia.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$13,200	$0
Nongeneral Fund	$712,000	$0

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Virginia State Police (156) - AFIS Upgrade to Integra - Phase 1	*Jan 18, 2012*	*Nov 18, 2012*	*$1,010,354*

Upgrade the current AFIS system hardware and software with a new NEC Integra ID system. This new system will be installed at the VSP central site and will offer added flexibility in the automated workflow options and specifications. The proposed redundant hardware solution will offer improved Disaster Recovery possibilities. The proprietary hardware matchers will be replaced with off-the-shelf hardware and software matching. Phase 1: Phase 1 of the project will include the new functionality for Mobile ID identifications and responses and submission of the searches to the FBI Repository of Individuals of Special Concern (RISC). This will require the current database to be converted to the new Automated Biometric Identification System (ABIS) format. New hardware is needed to support the new functionality and the new database.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$0*	*$0*
Nongeneral Fund	*$0*	*$0*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Behavioral Health and Developmental Services (720) — Medication Management System: Pharmacy Systems Software Application	Oct 6, 2008	~~Not Available~~ *Completed*	$3,500,000

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The Medication Management System will replace the legacy pharmacy system with an integrated medication management application sharing an electronic medical record repository. The scope of the project is to implement a medication management system that utilizes an electronic medical record repository at each DBHDS facility. The project would replace legacy systems and integrate with recent IT investments such as AVATAR for patient/resident admissions, discharges, and reimbursements. The project would also replace the outdated In-Patient and Aftercare pharmacy systems.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Planning and Budget (122) — Performance Budgeting Solution	Jul 24, 2009	~~Jan 20, 2012~~ *Completed*	~~$11,402,864~~ *$15,000,312*

The project is the implementation of a performance budgeting system to replace the current budgeting and strategic planning applications (PROBUD, WebBEARS, Budgetwise and Expendwise). Today the Commonwealth's strategic planning and budget development processes use a wide range of disparate systems. These systems have limited integration and interfacing capabilities. The Commonwealth currently relies on numerous systems, applications, and processes to support the Performance Budgeting business process.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$0~~ *$1,842,283*	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Corrections (799) — Phase 2 and 3 Virginia Correctional Information System (CORIS)	Jun 22, 2006	~~Not Available~~ *Nov 30, 2012*	~~$17,781,554~~ *$23,093,458*

The Department of Corrections (DOC) has established an automated Offender Management Information System (OMS) Program, now called VirginiaCORIS. This is a major technology effort and is critical to the successful accomplishment of the DOC mission. The VirginiaCORIS Program will be composed of multiple major projects, and will result in a single, fully integrated system that should replace most of the DOC's current offender-related application portfolio. The selected solution is already in production in other state DOCs, with some additional required functionality being developed and planned for deployment in the next 12 months.

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Estimated Project Expenditures	FY 2013	FY 2014
General Fund	~~$0~~ *$1,176,100*	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Virginia Department of Transportation (501) — Roadway Inventory Management System	Jan 1, 2010	~~Not Available~~ *Aug 30, 2013*	~~$3,005,115~~ *$4,995,000*

The Roadway Inventory Management System (RIMS) supports the Roadway Network Systems (RNS) program within the Department of Transportation (VDOT). RIMS involve a process redesign that will assist RNS in providing road inventory and attribute data on Straight Line Diagrams (SLDs) and maps. The current process and systems for capturing roadway inventory data are slow, inefficient and do not portray an accurate picture of the ground truth. No mapping capability is present today. Upon completion, RIMS will support RNS in providing streamlined business processes; timely updates to inventory; advanced inventory query and reporting; enhanced mapping functions; improved performance; and eliminate duplicate data entry for road inventory within the Database for Administering Changes in VDOT Highway Systems (DACHS) application.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of Education (201) — State Longitudinal Data System (SLDS)	Feb 16, 2011	~~Aug 30, 2013~~ *Sep 30, 2013*	$13,522,897

The Virginia Department of Education (VDOE) ˙in partnership with the Office of the Governor, the State Council of Higher Education (SCHEV), the Virginia Community College System, the Virginia Information Technologies Agency, and Virginia's workforce agencies˙proposes to expand on the advancements we have made through our current Statewide Longitudinal Data Systems (SLDS) grant.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	$3,002,565	$0

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Virginia Employment Commission (182) — Unemployment Insurance Modernization	Sep 17, 2009	~~Sep 27, 2013~~ *Sep 11, 2014*	~~$58,831,331~~ *$58,540,155*

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The VEC needs to modernize the Unemployment Insurance Benefits and Tax (UIBT) system. The current system is based on VEC priorities identified in the mid-1980s. Since that time, the statutory environment and the business processes have changed. The current UIBT system is difficult to upgrade and costly to maintain when compared to systems that are available in today's market. As a result of these concerns, VEC has identified two goals for the Unemployment Insurance Modernization Project: ·Replace the existing UIBT applications using a foundation of new technology and improved design methods to improve flexibility and maintainability.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$14,594,530	$8,052,200

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Department of Transportation (501) — VGIN/VDOT Road Centerline Transition Project	Jun 15, 2010	~~Not Available~~ *Completed*	$1,053,521

The Commonwealth of Virginia has established the goal that for each type of data there will be a single source system of record. In addition, the Commonwealth Chief Information Officer (CIO) has mandated that the Roadway Network System (RNS) migrate to and use the enterprise road centerlines (E-RCL) maintained by the Virginia Geographic Information Network (VGIN). This project supports achievement of both goals by addressing two main business problems: 1) the existence of multiple sources of road centerline (RCL) data, and 2) the duplication of effort required to maintain these multiple data sets.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Health (601) — Women, Infants, Children (WIC) Electronic Benefits Transfer (EBT) Project	Jan 8, 2009	~~Oct 31, 2012~~ *Aug 26, 2013*	~~$3,980,666~~ *$6,619,018*

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The Women, Infants, and Children (WIC) Electronic Benefits Transfer (EBT) Project will develop and implement the business processes and associated technology to provide electronic WIC (e-WIC) issuance, redemption, payment, and reconciliation services to distribute food benefits in the Virginia WIC Program. The manual, paper-based system introduces numerous inefficiencies into the process. The project will require procurement of a number of services including support for the development of an Implementation Advanced Planning Document (IAPD), as required by the United States Department of Agriculture Food and Nutrition Service, Quality Assurance and Monitoring, and Design, Development, and Implementation of the selected e-WIC solution. The project will implement an online, outsourced EBT technology.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$802,075	$21,713

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Information Technologies Agency (136) — Commonwealth Enterprise Data Management (EDM)	Sep 1, 2011	~~Aug 17, 2012~~ *Jun 21, 2013*	~~$7,889,520~~ *$7,625,177*

The Health and Human Resources (HHR) Secretary and the Commonwealth's MITA Program Manager have requested that the Virginia Information Technologies Agency (VITA) provide an enterprise data management solution that will store enterprise data and facilitate data sharing at an enterprise level. The Secretary, in collaboration with the Secretary of Technology, is leading the Commonwealth's efforts to improve and modernize the Medicaid program's information technology infrastructure.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	~~$0~~ *$64,132*	$0
Nongeneral Fund	~~$2,080,000~~ *$577,000*	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Information Technologies Agency (136) — Commonwealth Service Oriented Architecture	Sep 21, 2011	~~Aug 17, 2012~~ *Nov 29, 2013*	~~$8,347,520~~ *$11,756,392*

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This program created the Commonwealth Service Oriented Architecture Project to provide the necessary infrastructure and governance. As such, the project shall procure, install, and configure the software and hardware necessary to establish test, production, and disaster recovery environments. In addition, the project shall institute an appropriate Center of Competence and related governance. Finally, in concert with the Commonwealth Enterprise Data Management (EDM) Project, this project shall develop and deploy the web services for the Commonwealth's EDM solution.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	~~$0~~ *$68,080*	$0
Nongeneral Fund	~~$2,416,000~~ *$612,724*	$0

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Virginia Information Technologies Agency (136) - Telecommunications Expense (Management) and Billing Systems (TEBS)	*May 1, 2013*	*Mar 31, 2015*	*$3,000,000*

The Telecommunications Expense (Management) and Billing System (TEBS) project will procure and implement a modern, integrated, user-friendly telecommunications expense management and billing solution. The TEBS project is for the Virginia Information Technologies Agency (VITA). The goal of the TEBS project is to replace the 30+ year-old mainframe Telecommunications Inventory Billing System (TIBS) that currently supports VITA's Telecommunications Service Delivery with a modern integrated, user-friendly system that supports all of the existing TIBS functionality and providing additional telecommunication expense functionality.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$0*	*$0*
Nongeneral Fund	*$0*	*$1,820,000*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Department of Transportation (501) — Urban ~~Roads Consolidation~~ *Conversion Project*	Oct 11, 2010	Dec 12, 2013	$2,722,535

VDOT is required to submit annual reports to the Federal Highway Administration as part of the Highway Performance Monitoring System (HPMS). To expedite the generation of these reports, VDOT desires to generate a Linear Referencing System based on both local government roadway information and Virginia Geographic Information Network (VGIN) urban data set. This project will consolidate the local data, the VGIN data and VDOT's data into a single set.

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Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$1,142,785	$329,300

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Health (601) — Electronic Death Registration (EDR)	Mar 22, 2011	Dec 30, 2014	$3,003,500

The Electronic Death Registration (EDR) system is a proposed web-based system that would allow for the electronic capture of death data from funeral service licensees, state medical examiners and state physicians. The system would allow the VDH Division of Vital Records (DVR) and local health departments to issue and retain death certificates electronically as opposed to the manual process that is currently used. The Electronic Death Registration system is expected to reduce reporting delays, improve data quality, and increase the utility of death data.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$880,500	$421,666

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Employment Commission (182) — Financial Management System	Aug 18, 2011	~~Mar 29, 2013~~ *Dec 31, 2013*	~~$4,734,900~~ *$4,948,456*

The Financial Management Accounting System will replace the current mainframe batch system. The new system will include modules for accounts payable, accounts receivable, general ledger, cost allocation, time distribution and procurement. Financial data will be processed in an on-line, real-time environment. These features will greatly improve efficiency in financial processes, availability of management information, and the accuracy of accounting reports, thus reducing the potential for audit findings.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$2,018,925~~ *$2,495,500*	~~$0~~ *$1,855,196*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Motor Vehicles (154) — DMV CSI Systems Redesign - Development and Implementation	Nov 15, 2010	~~Sep 1, 2013~~ *Cancelled*	$69,954,521

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The CSS Redesign focuses on the fragmented processing of DMV's three major business areas: driver, vehicle, and motor carrier. The purpose of the redesign is to transform these fragmented fifteen year old systems into one modernized system that is responsive to the ever-changing needs relating to internal security, homeland security, legislative mandates, and customer relationship management. DMV has a unique opportunity to revolutionize the agency's approach to fulfilling its mission, carrying out core functions, and delivering service. DMV intends to fully integrate processing while incorporating and leveraging the full functionality and benefits of proposed technology solutions as well as the technology already in place.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$22,663,410	$2,658,663

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Department of Motor Vehicles (154) — DMV FACE - DMV Correspondence Transformation	*Aug 15, 2012*	*Jun 30, 2013*	*$1,382,400*

DMV issues an average of 30,000 pieces of correspondence weekly (1.56 million annually), many of which are required by Virginia Code. The current solution for developing and modifying correspondence has reached its end of life and is no longer supported. It requires professional IT resources for every change. This FACE sub-project will replace all existing correspondence and transform the business logic which drives it. The resulting solution will allow business owners to self-service correspondence and play an expanded role in the creation of new artifacts.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$0*	*$0*
Nongeneral Fund	*$1,382,400*	*$0*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Secretary of Health and Human Resources (188) — Birth Reporting Interface (BRI)	Dec 30, 2011	~~Dec 31, 2012~~ *Sep 30, 2014*	~~$2,639,952~~ *$2,112,000*

This project will establish a birth reporting service/interface between the birth registry and the ESB. The system of record for all birth records will be VVESTS (Virginia Vital Events and Screening Tracking System). The proposed functionality must support a HITSAC approved data standard which should align with the EDM standards. The project requires use of HITSAC endorsed messaging standards.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	~~$105,598~~ *$71,280*	~~$0~~ *$142,560*
Nongeneral Fund	~~$950,383~~	~~$0~~

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	$562,320	*$1,124,640*		

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of Motor Vehicles (154) — Commonwealth Authentication Services	Dec 18, 2011	~~Feb 29, 2012~~ *Jun 24, 2013*	~~$10,000,000~~ *$4,408,762*

Through the collaboration of the Technology, Health and Human Resources, and Transportation secretariats, on-line identity authentication services will be built for all Commonwealth agencies to use. The Commonwealth Authentication Services (CAS) project will implement a COTS project with the assistance of an implementation partner so that DMV, DSS, DMAS and the Health Information Exchange (HIE) can all leverage a common authentication system for users to gain access to selected customer-facing systems. The CAS system will be hosted, operated and maintained by VITA as a shared service, and participating agencies will pay to use CAS. Once CAS is fully operational, additional agencies will be encouraged to convert over from their own point-solutions to CAS.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	~~$0~~ *$389,876*	$0
Nongeneral Fund	~~$0~~ *$3,508,886*	$0

Agency Name / Project Title / Description	*Start Date*	*Completion Date*	*Estimated Project Cost*
Department of Motor Vehicles (154) - FACE - Motor Carrier Portal Phase 1	*Dec 15, 2013*	*Dec 31, 2013*	*$1,797,120*

DMV has a highly sophisticated Motor Carrier operation that manages every aspect of driver and vehicle licensing, fuels tax, inter- and intra-state regulations and licensing. The Motor Carrier work centers operate in a mixed application environment with outdated systems. DMV's commercial carrier customers also interface with DMV through up to three different systems depending upon the transaction. Each of the systems is at end-of-life. Among the key business strategies for the agency, is the recruitment of additional Motor Carrier customers. DMV has attracted several Top 100 carriers to Virginia in the past year representing millions in revenue and is need of system updates to remain competitive. Thus, the need to develop a single-point of entry for all Motor Carrier customers' needs.

Estimated Project Expenditures	*FY 2013*	*FY 2014*
General Fund	*$0*	*$0*
Nongeneral Fund	*$898,560*	*$898,560*

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Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Secretary of Health and Human Resources (188) — Death Reporting Interface (DRI)	Dec 30, 2011	~~Dec 31, 2012~~ *Sep 30, 2014*	~~$2,639,952~~ *$2,112,000*

This project is designed to establish a death reporting service/interfaces between the death registry and the ESB. The service will be supported by an extract of the minimum required fields to identify a death record. Additional development may be required to add a match code (Yes/No) and an MPI placeholder.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	~~$105,598~~ *$71,280*	~~$0~~ *$142,560*
Nongeneral Fund	~~$950,383~~ *$562,320*	~~$0~~ *$1,124,640*

Agency Name / Project Title / Description	***Start Date***	***Completion Date***	***Estimated Project Cost***
Secretary of Health and Human Resources (188) - HIT/MITA Program	*Nov 14, 2011*	*Apr 29, 2014*	*$53,373,320*

The purpose of the HIT/MITA Program is to align the Commonwealth with Federal direction relative to the American Recovery and Reinvestment Act (ARRA) and the Patient Protection and Affordable Care Act of 2010 (PPACA). These acts present significant funding opportunities to improve the quality and value of American healthcare. PPACA mandates Medicaid expansion in 2014, which is predicted to increase Virginia's Medicaid membership by 35-45%. Leveraging the Federal funding opportunities to offset the impact of expansion is an important investment in Virginia's future. The Federal funding available under ARRA and PPACA provide opportunities to achieve the following outcomes for Virginia; Build on current health reform efforts; Modernize information technology infrastructure as an enabler for future business transformation; Provide a technical environment where standards-based interoperability is possible between new and legacy systems; Provide web based self-directed service options for human services; Reduce the need for large administrative and operational staff for Federal and State programs; Reduce overall long-term technology costs for Federal and State programs; and Provide an enterprise technology environment that is accessible on a pay-for-use basis by Federal, State, and local governments as well as non-government organizations, community based-services, and commercial interests as allowed by policy.

Estimated Project Expenditures	***FY 2013***	***FY 2014***
General Fund	*$704,245*	*$603,304*
Nongeneral Fund	*$3,387,170*	*$2,848,475*

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Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of Medical Assistance Services (602) — DMAS Eligibility System Support	Jul 30, 2012	~~Jun 30, 2014~~ *Cancelled*	$4,871,340

The Patient Protection and Affordable Care Act (ACA) require a Medicaid population expansion that will occur in 2014. Along with the expansion a Health Insurance Exchange and a standardization of enrollment forms across all health & human services programs will also take place. The DMAS Eligibility System Support project will provide the needed support to the contractor for the replacement of the eligibility systems.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$443,292	$189,9820
Nongeneral Fund	$2,966,646	$1,271,420

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of Behavioral Health and Developmental Services (720) — Electronic Health Records (EHR)	Dec 30, 2011	~~Sep 30, 2014~~ *Jun 30, 2015*	~~$16,000,000~~ *$34,256,000*

The Clinical Apps/EHR project will replace legacy systems with integrated clinical applications sharing an electronic medical record repository. The scope of the project is to implement an electronic medical record repository and clinical applications at each DBHDS facility and Central Office. The project would replace legacy systems and integrate with recent IT investments such as AVATAR for patient/resident admissions, discharges, and reimbursements.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	~~$0~~ *$4,380,000*	~~$0~~ *$1,900,000*
Nongeneral Fund	~~$2,909,418~~ *$12,000,000*	~~$4,272,289~~ *$8,500,000*

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Secretary of Health and Human Resources (188) — Electronic Lab Reporting Interface (ELRI)	Dec 30, 2011	Dec 2, 2012	$2,074,248

Clinical laboratories throughout Virginia (including DGS Department of Consolidated Laboratory Services (DCLS) and national clinical reference laboratories submit reportable disease findings to VDH. Test orders are submitted to DCLS and DCLS returns test results. Current partners include VDH and a growing number of Virginia hospitals. Additional legacy formatted exchanges between DCLS and VDH will continue until they are converted to HL7, but the legacy messages will not be managed through the interface. This project interfaces DCLS interfaces to the Commonwealth's Enterprise Service Bus (ESB) for access by the Health Information Exchange.

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Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$107,861	$0
Nongeneral Fund	$721,838	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Accounts (151) — Financial Management Enterprise Rollout (Cardinal Project Part 3)	Jul 1, 2012	~~Jul 1, 2014~~ *Mar 1, 2015*	$56,991,880

This project will replace the Commonwealth's (Department of Accounts) current financial system, Commonwealth Accounting and Reporting System (CARS). It will be an Enterprise Resource Planning (ERP) implementation of General Ledger and Accounts Payable, the two accounting features currently contained within CARS. The system will be deployed to all current day CARS users and interfaced with the financial systems that currently interface to CARS. The scope of this project also includes the Change Leadership and Training required to migrate off of CARS.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$22,333,480	$29,903,680
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Department of ~~Taxation~~ *Transportation* (501) — FMS Sun Set and Data Marts	Sep 1, 2011	~~Dec 31, 2012~~ *Mar 15, 2013*	~~$2,180,000~~ *$1,820,000*

The implementation of the Cardinal Project will necessitate the sun setting of both the FMSI and FMSII Financial Systems and retention of business critical data. Sun Setting of these systems in an organized fashion will create greatly reduced operational expenses from VITA. The FMS Data Marts will retain critical data from the FMSI and FMSII Financial Systems and create a Financial Data Store for reporting purposes. The objective of this project is to have the data store information available to VDOT internal systems to merge with Cardinal financial data for business intelligence reporting.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$780,000~~ *$1,005,000*	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Medical Assistance Services (602) — HIPAA Upgrade Code Set (ICD010)	Dec 15, 2011	~~Nov 29, 2013~~ *Feb 14, 2014*	~~$2,200,000~~ *$9,872,529*

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The Centers for Medicare and Medicaid Services (CMS) has proposed regulations requiring that all X12 Transactions be upgraded to the 5010 versions and that the ICD010 version of the code sets be implemented. DMAS must implement the new versions in order to remain HIPAA compliant and continue to receive and send electronic eligibility, claims, and payment data with approximately 50,000 providers and 300 plus service centers. Implementation of the changes will require modification to the MMIS and extensive provider outreach and trading partner testing.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	~~$60,000~~	~~$0~~
	$1,051,700	*$141,441*
Nongeneral Fund	~~$180,000~~	~~$0~~
	$6,217,280	*$1,003,907*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Motor Vehicles (154) — KATS II: Next Generation Knowledge Automated Testing System	Jun 15, 2012	~~Aug 30, 2013~~	~~$5,000,000~~
		Dec 1, 2013	*$1,944,693*

The Virginia Department of Motor Vehicles seeks to acquire a turn-key contract, through competitive negotiation, for the acquisition, design, custom development, installation, training, and maintenance of a network of Knowledge Automated Testing Systems (KATS) on a firm fixed price basis. The KATS system will be installed in all DMV Customer Service Center locations and mobile Customer Service Centers throughout the Commonwealth as specified by DMV. This project will replace the current KATS system with one incorporating necessary advancements in testing and technology which were not available when the current KATS was implemented in 1993 and updated in 2005.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$0~~	~~$0~~
	$1,868,298	*$76,395*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Secretary of Health and Human Resources (188) — Immunization Registry Interface (IRI)	Dec 30, 2011	~~Dec 2, 2012~~	~~$2,262,816~~
		Sep 30, 2014	*$1,808,000*

Participating organizations such as hospital providers create a file to include new and updated immunization activity for import into Virginia Immunization Information System (VIIS) and receive an acknowledgement of their transmission from VIIS. All content processing and data de-duplication will be performed by VIIS. Business partners may also create a query message to which VIIS will generate a response message.

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Estimated Project Expenditures	FY 2013	FY 2014
General Fund	~~$29,417~~	~~$0~~
	$54,240	*$108,480*
Nongeneral Fund	~~$196,865~~	~~$0~~
	$488,160	*$976,320*

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Virginia Department of Transportation (501) — Inventory Module (Cardinal)	Jan 1, 2012	~~Dec 31, 2012~~ *Dec 31, 2013*	$4,900,000

Replace the software technology for the Web IMS application. The current WebIMS application technology is reaching the end of its productive life. Microsoft Corporation stopped supporting this classic Active Server Pages software in 2008 and it is not possible to make changes to certain sections of the application. This project will also encompass ITD activities supporting the data exchanges between the Inventory Management System (IMS) and the Cardinal Project FMS. This effort includes interface design review, data mapping and validation, analysis, and Financial Planning Division and Cardinal Project support activities carried out by ITD related to this effort. Currently several potential data exchange processes (interfaces) have been defined. Analysis and design tasks will define final scope of effort.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	$4,000,000	~~$0~~
		$900,000

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Virginia Department of Transportation (501) — Maintenance Infrastructure Management System	Sep 1, 2011	Aug 1, 2014	$4,879,112

Replace the existing Asset Management System which is no longer adequate for the increased demand for information sharing that has come into being over the last few years. The current system does not support many needed functions for use, which makes it more labor intensive and error prone than the Agency can tolerate in this environment. It was designed to be a standalone system, and now there are requests for the data contained within. The 'Blueprint' activities over the last year and resulting reduction in force have left VDOT with more to do with less people. The need for more efficient and reliable system is needed.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	$1,931,948	$178,468

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Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of State Police (156) — Replacement and Enhancement of the Central Criminal History (CCH) Application	Jul 9, 2012	Dec 31, 2015	$6,500,000

The Centralized Criminal History (CCH) application is a component of the larger Central Criminal Records Exchange (CCRE) system. CCH is more than 30 years old, and many of its capabilities are based on a proprietary emulation package, which limits the Virginia State Police (VSP) ability to use the updated infrastructure on which it resides. The project includes purchasing of consulting services to gather requirements and develop an implementation plan for either the replacement or enhancement of the CCH system. Once the requirements have been gathered, the agency will survey the market to determine whether a suitable commercial off the shelf (COTS) package exists or whether development will be necessary. The project also includes planning for implementation of the system, including installation and deployment of the software at VSP and training services for VSP staff and local agencies.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	~~$0~~	~~$0~~
	$2,000,000	*$2,000,000*

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of State Police (156) — Replacement and Enhancement of the Statewide Incident Based Reporting System	Jul 9, 2012	~~Dec 31, 2013~~ *Dec 31, 2014*	$1,200,000

The project will either replace or enhance the current statewide IBRS which operates on legacy technology and does not meet the needs of the law enforcement community in Virginia. Consulting services will be used to gather the requirements for the target system. Once the requirements have been gathered, the agency will survey the market to determine whether a suitable commercial off the shelf (COTS) package exists, or whether development will be necessary. The project also includes planning for implementation of the system, including installation and deployment of the software at Virginia State Police (VSP), and training services for VSP and the local agencies.

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	~~$0~~	~~$0~~
	$200,000	*$500,000*

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Secretary of Health and Human Resources (188) — Rhapsody Connectivity (RC)	Dec 30, 2011	~~Dec 2, 2012~~ *Sep 30, 2014*	~~$2,074,248~~ *$1,656,000*

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The Orion Rhapsody data integration engine is used by DGS Department of Consolidated Laboratory Services (DCLS) and VDH to facilitate the accurate and secure exchange of electronic data using with the COV Enterprise Service Bus (ESB). VDH and DCLS interfaces use Rhapsody for messaging.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	~~$107,861~~	~~$0~~
	$49,680	*$99,360*
Nongeneral Fund	~~$721,838~~	~~$0~~
	$447,120	*$894,240*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Virginia Department of Transportation (501) — SharePoint 2010	Jan 20, 2011	~~Feb 17, 2012~~ *Completed*	$1,914,944

An upgrade will be made to the agency intranet `InsideVDOT' currently powered by Microsoft SharePoint 2003 software. Since the current software has not been supported since 2009, an upgrade to Microsoft Office SharePoint Server 2010 is necessary to support the added functionality.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of State Police (156) — STARS Asset Management Tracking System	May 14, 2012	~~Dec 31, 2013~~ *Jun 30, 2014*	$1,020,000

The Statewide Agencies Radio System (STARS) Program needs an asset management and tracking system to provide up to date inventory information and historical tracking of radio and tower assets and equipment. Motorola, under the terms of the STARS contract, provides an inventory system for VSP's STARS equipment. This inventory system does not provide timely information on the STARS assets and inventory. Nor does it provide historical tracking of assets. In addition, once 60,000 items are in the inventory, Motorola's charges for the system will greatly increase. Currently, VSP has over 40,000 items in inventory.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$0~~	~~$0~~
	$460,000	*$560,000*

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Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Secretary of Health and Human Resources (188) — Syndromic Surveillance Interface (SSI)	Dec 30, 2011	Dec 2, 2012	$2,639,952
Participating organizations create a file to include data transmitted to the Virginia Department of Health (VDH) from facilities on a daily basis. The data is grouped into syndromes and statistical algorithms and are run to identify unusual temporal and geographic patterns that might indicate situations of concern.			

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$34,319	$0
Nongeneral Fund	$229,676	$0

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of Taxation (161) — ~~Telephony~~ *Telephone* Replacement with VOIP	Dec 30, 2011	~~Aug 1, 2012~~ *May 1, 2013*	~~$1,500,000~~ *$2,100,000*
This project will replace the Department's current phone system components with VOIP. This will allow the agency to eliminate its Rockwell Phone System and adhere with VITA strategic direction.			

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	~~$0~~ *$937,000*	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of Human Resource Management (129) — Time, Attendance, and Leave (TAL)	Dec 16, 2011	Oct 31, 2013	$966,739
TAL is a manual process for most Commonwealth agencies. The responsible stewardship of state resources demands the adoption of a modern approach to TAL. This project will automate an intensely manual process and thereby create efficiencies and improvements in and provide statewide economies of scale for the time and leave accounting process.			

Estimated Project Expenditures	FY 2013	FY 2014
General Fund	$0	$0
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	Start Date	Completion Date	Estimated Project Cost
Department of State Police (156) — Virginia Intelligence Management System (VIMS)	Jan 3, 2012	~~Jun 28, 2013~~ *Jun 28, 2014*	~~$1,500,000~~ *$2,500,000*

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In 2005, the Virginia Fusion Center (VFC) was formed within Virginia State Police to focus on counter terrorism intelligence investigations and analysis. The VFC is a joint operation between VSP and the Virginia Department of Emergency Management (VDEM). VSP currently operates a system for statewide intelligence, Tactical Intelligence Processing System (TIPS). VSP plans to replace and enhance the TIPS system since it is based on proprietary technology (Mapper) and has limited functionality.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$0~~	~~$0~~
	$1,000,000	*$1,500,000*

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Department of Corrections (799) — Virginia CORIS Integration with LIDS (Local Inmate Data System)	Nov 1, 2011	~~Dec 31, 2012~~ *Jun 30, 2013*	~~$1,405,400~~ *$2,240,480*

The LIDS system records offenders who enter and exit jail for purpose of funding per diem costs in these facilities. This project will enhance the existing Department of Corrections' VirginiaCORIS system to include the LIDS functionality.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	~~$0~~	$0
	$1,599,280	
Nongeneral Fund	$0	$0

Agency Name / Project Title / Description	**Start Date**	**Completion Date**	**Estimated Project Cost**
Jamestown-Yorktown Foundation (425) — Yorktown Museum Replacement Technology	Dec 30, 2011	~~Jun 30, 2016~~ *Dec 31, 2016*	~~$2,315,000~~ *$2,395,000*

This project will install the requisite technology components for the Yorktown Museum replacement project, including exhibit technology, audio visual components, wireless, data and telecommunications. The Yorktown Museum Replacement project will improve the necessary IT infrastructure in order to accommodate expected future visitation.

Estimated Project Expenditures	**FY 2013**	**FY 2014**
General Fund	$0	$0
Nongeneral Fund	~~$556,000~~	~~$200,000~~
	$146,000	*$747,000*

2. The Health Care Reform program office has been established by the Secretary of Health and Human Resources to address the American Recovery and Reinvestment Act (ARRA), the Patient Protection and Patient Affordability Act (PPACA), and the Medicaid Information Technology Architecture (MITA). This program will be generating approximately 23 major as well as non-major projects and the total cost of the program over seven years is expected to be $93,043,146 with a cost to the Commonwealth of $9,773,220. Projects will be established over the next four years. The seven year costs include six years of operational expenses associated

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with the provider incentive program that sunsets in 2021. New recurring Medicaid expenses are also reflected in the seven year cost estimates. The projects and cost estimates in this paragraph include efforts to modernize eligibility determination systems within the Department of Social Services.

428. Administrative and Support Services (89900).....			~~$310~~ *a sum*	~~$608~~ *sufficient*
~~General Management and Direction (89901)~~.....	~~$310~~	~~$608~~		
Accounting and Budgeting Services (89903).....	a sum sufficient			
Human Resources Services (89914).....	a sum sufficient			
Procurement and Contracting Services (89918).....	a sum sufficient			
Audit Services (89931).....	a sum sufficient			
Fund Sources: ~~General~~.....	~~$310~~	~~$608~~		
Internal Service.....	a sum sufficient			

Authority: Title 2.2, Chapter 20.1, Code ofVirginia.

A. Operational costs for Administrative and Support Services shall be paid solely from charges to other programs within this agency.

B. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the Virginia Port Authority.

C. The requirement that the Department of Behavioral Health and Developmental Services purchase information technology equipment or services from the Virginia Information Technologies Agency (VITA) according to the provisions of Chapters 981 and 1021 of the Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally disabled clients.

D. The Chief Information Officer and the Secretary of Technology shall provide the Governor and the Chairmen of the Senate Finance and House Appropriations Committees with a report detailing any amendments or modifications to the comprehensive infrastructure agreement. The report shall include statements describing the fiscal impact of such amendments or modifications and shall be submitted within 30 days following the signing of any amended agreement.

E. An annual assessment of the VITA organization and in-scope information technology and telecommunications costs will be provided to the Governor and Chairmen of the House Appropriations and Senate Finance Committees by September 15 of each year. This assessment should (i) include a review of agency productivity, efficiency, and effectiveness, (ii) identify opportunities to reduce the number of retained employees, (iii) establish and update standards for hardware, such as the number of printers per employees and using docking stations instead of laptops and desktops, and (iv) offer options for decreasing agency overhead costs.

F. The Chief Information Officer shall provide the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no later than December 1, 2013, an assessment of the current comprehensive infrastructure agreement. The assessment shall (i) include a detailed overview of all in-scope agency infrastructure transition timelines and costs, including untransformed agencies; (ii) describe all efforts undertaken to ensure the market competitiveness of the fees paid by the Commonwealth to Northrop Grumman; (iii) assess whether the financial and contractual terms of the comprehensive agreement ensure that the Commonwealth's needs are met, including whether any modifications thereto are required; and (iv) identify options available to the Commonwealth at the expiry of the current agreement including any anticipated steps required to plan for its expiration.

429. Information Technology Security Oversight (82900).....			~~a sum~~ *$121,535*	~~sufficient~~ *$132,582*
Technology Security Oversight Services (82901).....	*$121,535*	*$132,582*		
Fund Sources: *General*.....	*$121,535*	*$132,582*		
Internal Service.....	a sum sufficient			

Authority: Title 2.2, Chapter 20.1, Code of Virginia.

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Amounts for Technology Security Oversight Services are $2,459,844 the first year and ~~$2,459,844~~ *$2,533,639* the second year and represent an internal service fund that shall be paid solely from revenues derived from charges for services.				
Total for Virginia Information Technologies Agency.....			~~**$52,970,522**~~ ***$53,941,672***	~~**$50,673,020**~~ ***$30,415,563***
General Fund Positions.....	26.00	26.00		
Nongeneral Fund Positions.....	268.00	268.00		
Position Level	294.00	294.00		
Fund Sources: General.....	~~$2,016,983~~ *$2,138,518*	~~$2,017,281~~ *$2,069,359*		
Special.....	~~$5,607,709~~ *$6,457,324*	~~$5,607,709~~ *$6,457,324*		
Dedicated Special Revenue.....	$42,769,928	~~$42,972,128~~ *$21,812,978*		
Federal Trust.....	$2,575,902	$75,902		
TOTAL FOR OFFICE OF TECHNOLOGY.....			~~**$59,392,685**~~ ***$60,363,835***	~~**$57,095,603**~~ ***$38,673,769***
General Fund Positions.....	31.00	31.00		
Nongeneral Fund Positions.....	268.00	268.00		
Position Level	299.00	299.00		
Fund Sources: General.....	~~$8,439,146~~ *$8,560,681*	~~$8,439,864~~ *$10,327,565*		
Special.....	~~$5,607,709~~ *$6,457,324*	~~$5,607,709~~ *$6,457,324*		
Dedicated Special Revenue.....	$42,769,928	~~$42,972,128~~ *$21,812,978*		
Federal Trust.....	$2,575,902	$75,902		

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	OFFICE OF TRANSPORTATION				
	§ 1-124. SECRETARY OF TRANSPORTATION (186)				
430.	Administrative and Support Services (79900).....			$814,573	$814,573
	General Management and Direction (79901).....	$814,573	$814,573		
	Fund Sources: Commonwealth Transportation.....	$814,573	$814,573		

Authority: Title 2.2, Chapter 2, Article 10, § 2.2-201, and Titles 33, 46, and 58, Code of Virginia.

A. The transportation policy goals enumerated in this act shall be implemented by the Secretary of Transportation, including the Secretary acting as Chairman of the Commonwealth Transportation Board.

1. The maintenance of existing transportation assets to ensure the safety of the public shall be the first priority in budgeting, allocation, and spending. The highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

2. The efficient and cost-effective movement of people and goods will consider the needs in, and connectivity of, all modes of transportation, including bicycling, walking, public transportation, highways, freight and passenger rail, ports, and airports. The planning, development, construction, and operations of Virginia's transportation facilities will reflect this goal.

3. To the greatest extent possible, the appropriation of transportation revenues shall reflect planned spending of such revenues by agency and by program. The maximization of all federal transportation funds available to the Commonwealth shall be paramount in the budgetary, spending, and allocation processes. *Notwithstanding any provision of law to the contrary,* ~~The~~ *the* secretary ~~is~~ *and all agencies within the transportation secretariat are* hereby authorized to take all actions necessary to ensure that federal transportation funds are allocated and utilized for the maximum benefit of the Commonwealth, whether such *actions or* funds *or both* are authorized under P.L. ~~109-59~~*112-141* of the ~~109th~~*112th* Congress, or any successor or related federal transportation legislation, *or regulation, rule, or guidance issued by the U.S. Department of Transportation or any federal agency*.

B.1. The secretary shall ensure that the allocation of transportation funds apportioned and for which obligation authority is expected to be available under federal law shall be in accordance with such laws and in support of the transportation policy goals enumerated in this act. Furthermore, the secretary is authorized to take all actions necessary to allocate the required match for federal highway funds to ensure their appropriate and timely obligation and expenditure within the fiscal constraints of state transportation revenues. By June 1 of each year, the secretary, as Chairman of the Board, shall report to the Governor and General Assembly on the allocation of such federal transportation funds and the actions taken to provide the required match.

2. The board shall only make allocations providing the required match for federal Regional Surface Transportation Program funds to those Metropolitan Planning Organizations in urbanized areas greater than 200,000 that, in consultation with the Office of Intermodal Planning and Investment, have developed regional transportation and land use performance measures pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly and have been approved by the board.

3. Projects funded, in whole or part, from federal funds referred to as congestion mitigation and air quality improvement, shall be selected as directed by the board. Such funds shall be federally obligated within 24 months of their allocation by the board and expended within 48 months of such obligation. If the requirements included in this paragraph are not met by such agency or recipient, then the board shall use such federal funds for any other project eligible under 23 USC 149.

4. Funds apportioned under federal law for the Surface Transportation Program shall be

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distributed and administered in accordance with federal requirements, including the ~~seven~~*22* percent *of the non-suballocated portion* that is required to be allocated for public transportation purposes. *Funds for contract fees paid by the Virginia Railway Express for access to the rights-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation shall be allocated from the public transportation's portion of federal Surface Transportation Program funds.*

5. Funds made available to the Metropolitan Planning Organizations known as the Regional Surface Transportation Program for urbanized areas greater than 200,000 shall be federally obligated within 12 months of their allocation by the board and expended within 36 months of such obligation. If the requirements included in this paragraph are not met by the recipient, then the board may rescind the required match for such federal funds.

~~6. Funds apportioned under federal law for the Equity Bonus program shall be allocated as required by federal law, including the thirteen percent that is required to be allocated for public transportation purposes. Funds for contract fees paid by the Virginia Railway Express for access to the rights-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation shall be allocated from the public transportation's portion of federal Equity Bonus program funds.~~

7. Notwithstanding paragraph B.1. of this Item, the required matching funds for ~~enhancement~~*Transportation Alternatives* projects are to be provided by the recipient of the federal-aid funding.

8.a. Federal funds provided to the ~~National Highway System~~*National Highway Performance Program*, Surface Transportation Program, ~~Equity Bonus Program,~~ and Congestion Mitigation and Air Quality categories as well as the required state matching funds may be allocated by the Commonwealth Transportation Board for transit purposes under the same rules and conditions authorized by federal law. The Commonwealth Transportation Board, in consultation with the appropriate local and regional entities, may allocate to local and regional public transit operators, for operating and/or capital purposes, state revenues designated by formula for primary, urban, and secondary highways.

b. Federal funds ~~apportioned as the Highway Bridge Program~~ *used to fund bridge projects* shall be allocated and obligated as required by federal law to eligible projects across the Commonwealth. The Commonwealth Transportation Board shall consider the sufficiency and deficiency ratings of such eligible projects in making their allocations.

9. If a regional area (or areas) of the Commonwealth is determined to be not in compliance with Clean Air Act rules regarding conformity and as a result federal and/or state allocations, apportionments or obligations cannot be used to fund or support transportation projects or programs in that area, such funds may be used to finance demand management, conformity, and congestion mitigation projects to the extent allowed by federal law. Any remaining amount of such allocations, apportionments, or obligations shall be set aside to the extent possible under law for use in that regional area.

10. Appropriations in this act related to federal revenues outlined in this section may be adjusted by the Director, Department of Planning and Budget, upon request from the Secretary of Transportation, as needed to utilize and allocate additional federal funds that may become available.

C. The secretary may ensure that appropriate action is taken to maintain a minimum cash balance and/or cash reserve in the Highway Maintenance and Operating fund.

D.1. The Commonwealth Transportation Board is hereby authorized to apply for, execute, and/or endorse applications submitted by private entities to obtain federal credit assistance for one or more qualifying transportation infrastructure projects or facilities to be developed pursuant to the Public-Private Transportation Act of 1995, as amended. Any such application, agreement and/or endorsement shall not financially obligate the Commonwealth or be construed to implicate the credit of the Commonwealth as security for any such federal credit assistance.

2. The Commonwealth Transportation Board is hereby authorized to pursue or otherwise apply for, and execute, an agreement to obtain financing using a federal credit instrument for project financings otherwise authorized by this Act or other Acts of Assembly.

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E. Revenues generated pursuant to the provisions of § 58.1-3221.3, Code of Virginia, shall only be used to supplement, not supplant, any local funds provided for transportation programs within the localities authorized to impose the fees under the provisions of § 58.1-3221.3, Code of Virginia.

F. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds which were authorized in the prior fiscal year but not issued, pursuant to Section 2 of Enactment Clause 2 of Chapter 896 of the 2007 General Assembly Session.

G. The Director, Department of Planning and Budget, is authorized to adjust the appropriation of transportation agencies in order to utilize proceeds from the sale of Commonwealth of Virginia Federal Transportation Grant Anticipation Revenue Notes.

H. Pursuant to the provisions of the Memorandum of Agreement between the Commonwealth of Virginia Department of Transportation and the Metropolitan Washington Airports Authority, in conjunction with the construction of rail mass transit in the right of way of the Dulles Access/Toll Road Connector (DATRC), sound walls shall be constructed along residential properties from the beginning of the DATRC to Interstate Route 66 with funding from the Commonwealth Transportation Fund.

I. Upon completion of the operational report by the Secretary of Transportation, the Virginia Commercial Space Flight Authority shall develop a comprehensive Virginia Aerospace Strategic Plan to increase the competitiveness of the Virginia aerospace industry. The strategic plan shall be delivered to the Secretary of Transportation for his consideration no later than December 1, 2012.

J. Not later than October 1, 2012, in order to provide the Commonwealth with the greatest flexibility in the use of the Mid-Atlantic Regional Spaceport, the Virginia Commercial Space Flight Authority shall renegotiate the memorandum of understanding among the Commonwealth of Virginia, the Virginia Commercial Space Flight Authority, and Orbital Sciences Corporation.

K.1. Pursuant to the provisions of ~~House Bill 813 and Senate Bill 284~~ *Chapters 779 and 817,* 2012 Session of the General Assembly, $9,500,000 in the first year and $9,500,000 in the second year shall be transferred to the Commonwealth Space Flight Fund as set forth in § 33.1-23.03:2 to support the maintenance and operations of the Virginia Commercial Space Flight Authority. *This amount shall be increased by $800,000 the second year to support shoreline protection activities at Wallops Island.*

2. Upon completion of an evaluation by the Inspector General and certification of the costs associated with the improvements at the Mid-Atlantic Regional Spaceport, the Secretary is authorized to request payment by the Comptroller of additional amounts associated with the Launch Pad 0-A and liquid fueling facility improvements at the Mid-Atlantic Regional Spaceport to Orbital Sciences from ~~unencumbered amounts in~~ the Highway Maintenance and Operating Fund. Such payment shall not occur until the memorandum of understanding between the Commonwealth and Orbital Sciences has been renegotiated. Any payment from Commonwealth Transportation Funds shall not be used to compensate Orbital Sciences for any personal property improvements or costs associated with auxiliary facilities, but shall be limited to launch pad and liquid fueling facility improvements contingent upon transfer of such property to the Virginia Commercial Space Flight Authority.

L. The Secretary of Transportation and, upon request for assistance, staff from the Virginia Department of Transportation, shall collaborate with the Joint Commission on Transportation Accountability to examine ways to improve the efficiency and effectiveness of the implementation of the small, women, and minority owned business program at the Department of Transportation. If, following such a review, the Commission has recommendations regarding improvements to such program, the findings shall be presented to the House Appropriations and Senate Finance Committees at their regularly scheduled meetings in October 2012.

M.1. Except as required by federal law, when engaged in procuring products or services or letting contracts for construction, maintenance, or operation of any transportation facility paid for in whole or in part by state funds, or when overseeing or administering such procurement, construction, maintenance, or operation, neither the Commonwealth Transportation Board, any

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state transportation agency, nor any construction manager acting on behalf of the state agency shall, in its bid specifications, project agreements, or other controlling documents, provide an incentive in their scoring favoring entities entering into project labor agreements.

2. These provisions shall not apply to any public-private agreement for any construction or infrastructure project in which the private body, as a condition of its investment or partnership with the state agency, requires that the private body have the right to control its labor relations policy and perform all work associated with such investment or partnership in compliance with all collective bargaining agreements to which the private party is a signatory and is thus legally bound with its own employees and the employees of its contractors and subcontractors in any manner permitted by the National Labor Relations Act, 29 U.S.C. § 151 et seq. or the Railway Labor Act, 45 U.S.C. § 151 et seq.; prohibit an employer or any other person covered by the National Labor Relations Act or the Railway Labor Act, 45 U.S.C. § 151 et seq.; from entering into agreements or engaging in any other activity protected by law; or be interpreted to interfere with the labor relations of persons covered by the National Labor Relations Act or the Railway Labor Act.

N. Notwithstanding any provision of law, any agreement to transfer money from the Commonwealth Transportation Funds to the Metropolitan Washington Airports Authority (MWAA) in connection with Phase II of the Dulles Corridor Metrorail Project beyond Wiehle Avenue in Fairfax County to Washington Dulles International Airport and on to Virginia Route 772 in Loudoun County shall include provisions stating that the MWAA has addressed all of the recommendations included in the November 2012 report of the Inspector General of the U.S. Department of Transportation as a condition of transferring such money. The Governor may waive this requirement for one or more specific recommendations that have not been implemented by notifying the Chairmen of the House Appropriations and Senate Finance Committees of his reason for granting the waiver or waivers.

O. 1. The Secretary of Transportation and the Virginia Department of Transportation are hereby directed to initiate an evaluation of whether it would be in the best interest of the Commonwealth to enter into an agreement to purchase the Dulles Greenway, a privately owned toll road extending approximately 14 miles from Washington Dulles International Airport to the Town of Leesburg and connecting the same, as well as any commuter vehicle parking facility used primarily by Dulles Greenway commuters or Dulles Toll Road commuters; or any buildings, structures, parking areas, appurtenances, or other property needed to operate such facility with such parking facility located within one mile of any part of the Dulles Greenway. The intent of such a potential purchase would be to ensure that toll rates remain at reasonable levels and to encourage the implementation of distance tolling.

2. In undertaking this evaluation the Secretary shall solicit the input of the Director, Department of General Services and the Department of Treasury to evaluate appropriate financing structures. In evaluating the feasibility of such a plan, it must be shown that any potential purchase price would not exceed fair market value, and that the existing toll rates therefrom could be reasonably expected to pay (i) in full and when payable the debt service on any bonds or obligations issued to acquire and, if necessary, improve or upgrade the Dulles Greenway; (ii) the ongoing costs of operating and maintaining the Dulles Greenway; (iii) the costs of purchasing and installing electronic tolling equipment or other equipment for the Dulles Greenway if such equipment is determined necessary; (iv) ongoing necessary administrative costs relating to the Dulles Greenway. In addition, the tolls for the use of the Dulles Greenway must be reasonably expected to result in a debt service coverage ratio of at least 1.25 for any debt of other obligations proposed to support the purchase of the facility.

3. The Secretary shall submit the findings of his assessment to the Chairmen of the House Appropriations and Senate Finance Committees by August 1, 2013 for their review and comment.

4. Nothing in the language contained in this item shall be construed as authority to enter into a purchase agreement without notification to the General Assembly of the full details of any proposed purchase agreement no later than 45 days prior to the proposed completion of any proposed purchase agreement. If the recommendation is to proceed with the purchase of such facility, the report to the House Appropriations and Senate Finance Committee Chairmen shall be accompanied by a certification from the Governor that the proposed purchase price could be supported by 9(c) revenue bonds of the Commonwealth.

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	Total for Secretary of Transportation.....			**$814,573**	**$814,573**
	Nongeneral Fund Positions.....	6.00	6.00		
	Position Level	6.00	6.00		
	Fund Sources: Commonwealth Transportation	$814,573	$814,573		
	§ 1-125. DEPARTMENT OF AVIATION (841)				
431.	Financial Assistance for Airports (65400).....			$28,351,475	$28,351,475
	Financial Assistance for Airport Maintenance (65401).....	$1,000,000	$1,000,000		
	Financial Assistance for Airport Development (65404)....	$25,976,475	$25,976,475		
	Financial Assistance for Aviation Promotion (65405).....	$1,375,000	$1,375,000		
	Fund Sources: Commonwealth Transportation	$28,351,475	$28,351,475		
	Authority: Title 5.1, Chapters 1, 3, and 5; Title 58.1, Chapter 6, Code of Virginia.				
	A. It is the intent of the General Assembly that the Department of Aviation match federal funds for Airport Assistance to the maximum extent possible. In furtherance of this maximization, the Commonwealth Transportation Board may request funding from the Commonwealth Airport Fund for surface transportation projects that provide airport access. The Aviation Board shall consider such requests and provide funding as it so approves. However, the legislative intent expressed herein shall not be construed to prohibit the Virginia Aviation Board from allocating funds for promotional activities in the event that federal matching funds are unavailable.				
	B. The department is authorized to expend up to $400,000 of Aviation Special Funds in each year to support a partnership between industry, academia, and Virginia Small Aircraft Transportation System. The project shall target research efforts to promote safety and greater access for rural airports.				
	C. The department is authorized to pay to the Civil Air Patrol from Aviation Special Funds $100,000 the first year and $100,000 the second year. The provisions of § 2.2-1505, Code of Virginia, and § 4-5.05 of this act shall not apply to the Civil Air Patrol.				
	D. Out of the amounts included in this Item $500,000 the first year and $500,000 the second year shall be paid to the Washington Airports Task Force.				
432.	Air Transportation System Planning, Regulation, Communication and Education (65500).....			~~$2,530,699~~ *$2,573,197*	~~$2,530,699~~ *$2,573,197*
	Aviation Licensing and Regulation (65501).....	~~$101,167~~ *$103,573*	~~$101,167~~ *$103,573*		
	Aviation Communication and Education (65502).....	~~$760,666~~ *$773,872*	~~$760,666~~ *$773,872*		
	General Aviation Personnel Development (65503).....	$26,400	$26,400		
	Air Transportation Planning and Development (65504)...	~~$1,642,466~~ *$1,669,352*	~~$1,642,466~~ *$1,669,352*		
	Fund Sources: Commonwealth Transportation	~~$2,030,699~~ *$2,073,197*	~~$2,030,699~~ *$2,073,197*		
	Federal Trust.....	$500,000	$500,000		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
433.	State Aircraft Flight Operations (65600)			~~$1,782,826~~ *$1,806,536*	~~$1,782,826~~ *$1,806,536*
	State Aircraft Operations and Maintenance (65602).....	~~$1,782,826~~ *$1,806,536*	~~$1,782,826~~ *$1,806,536*		

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	Fund Sources: General	$30,246	$30,246		
	Commonwealth Transportation	~~$1,752,580~~ *$1,776,290*	~~$1,752,580~~ *$1,776,290*		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				
434.	Administrative and Support Services (69900)			~~$1,763,924~~ *$1,779,327*	~~$1,763,924~~ *$1,779,327*
	General Management and Direction (69901)	~~$1,763,924~~ *$1,779,327*	~~$1,763,924~~ *$1,779,327*		
	Fund Sources: Commonwealth Transportation	~~$1,763,924~~ *$1,779,327*	~~$1,763,924~~ *$1,779,327*		
	Authority: Title 5.1, Chapter 1, Code of Virginia.				

A. The Director, Department of Aviation, shall prepare general guidelines regarding aircraft acquisition and use that shall include a requirement for state agencies to develop written policies on usage, charge rates and record-keeping. The Director shall examine the aircraft needs of state agencies and determine the most efficient and effective method of organizing and managing the Commonwealth's aircraft operations. The Director shall implement the aircraft management system he determines to be most suitable and revise it periodically as the need arises.

B. The Virginia Aviation Board and the Department of Aviation may obligate funds in excess of the current biennium appropriation for aviation financial assistance programs supported by the Commonwealth Transportation Fund provided 1) sufficient cash is available to cover projected costs in each year and 2) sufficient revenues are projected to meet all cash obligations for new obligations as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

	Total for Department of Aviation			~~**$34,428,924**~~ ***$34,510,535***	~~**$34,428,924**~~ ***$34,510,535***
	Nongeneral Fund Positions	34.00	34.00		
	Position Level	34.00	34.00		
	Fund Sources: General	$30,246	$30,246		
	Commonwealth Transportation	~~$33,898,678~~ *$33,980,289*	~~$33,898,678~~ *$33,980,289*		
	Federal Trust	$500,000	$500,000		

§ 1-126. DEPARTMENT OF MOTOR VEHICLES (154)

435.	Ground Transportation Regulation (60100)			~~$154,388,821~~ *$157,194,383*	~~$154,388,821~~ *$157,194,383*
	Customer Service Centers Operations (60101)	~~$107,251,713~~ *$109,091,302*	~~$107,251,713~~ *$109,091,302*		
	Ground Transportation Regulation and Enforcement (60103)	~~$35,224,037~~ *$35,912,495*	~~$35,224,037~~ *$35,912,495*		
	Motor Carrier Regulation Services (60105)	~~$11,913,071~~ *$12,190,586*	~~$11,913,071~~ *$12,190,586*		
	Fund Sources: Commonwealth Transportation	~~$148,942,221~~ *$151,747,783*	~~$148,942,221~~ *$151,747,783*		
	Trust and Agency	$5,446,600	$5,446,600		

Authority: Title 46.2, Chapters 1, 2, 3, 6, 8, 10, 12, 15, 16, and 17; §§ 18.2-266 through 18.2-272; Title 58.1, Chapters 21 and 24, Code of Virginia. Title 33, Chapter 4, United States Code.

A. The Commissioner, Department of Motor Vehicles, is authorized to establish, where feasible and cost efficient, contracts with private/public partnerships with commercial operations, to

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provide for simplification and streamlining of service to citizens through electronic means. Provided, however, that such commercial operations shall not be entitled to compensation as established under § 46.2-205, Code of Virginia, but rather at rates limited to those established by the commissioner.

B. The Department of Motor Vehicles shall work to increase the use of alternative service delivery methods. As part of its effort to shift customers to internet usage where applicable, the department shall not charge its customers for the use of credit cards for internet or other types of transactions. To mitigate the impact of the federal Real ID Act of 2005 on customer service centers, the Department of Motor Vehicles shall promulgate policies to direct vehicle registration renewal transactions to more efficient delivery channels pursuant to the provisions of § 46.2-214.2, Code of Virginia. In addition, notwithstanding the provisions § 46.2-342, Code of Virginia, and in accordance with the newly released regulations governing the Real ID Act of 2005, the department may issue driver's licenses and identification cards with photographs in color or black and white.

C. In order to provide citizens of the Commonwealth greater access to the Department of Motor Vehicles, the agency is authorized to enter into an agreement with any local constitutional officer or combination of officers to act as a license agent for the department, with the consent of the chief administrative officer of the constitutional officer's county or city, and to negotiate a separate compensation schedule for such office other than the schedule set out in § 46.2-205, Code of Virginia. Notwithstanding any other provision of law, any compensation due to a constitutional officer serving as a license agent shall be remitted by the department to the officer's county or city on a monthly basis, and not less than 80 percent of the sums so remitted shall be appropriated by such county or city to the office of the constitutional officer to compensate such officer for the additional work involved with processing transactions for the department. Funds appropriated to the constitutional office for such work shall not be used to supplant existing local funding for such office, nor to reduce the local share of the Compensation Board-approved budget for such office below the level established pursuant to general law.

D. The base compensation for DMV Select Agents shall be set at 4.5 percent of gross collections for the first $500,000 and 5.0 percent of all gross collections in excess of $500,000 made by the entity during each fiscal year. The commissioner shall supply the agents with all necessary agency forms to provide services to the public, and shall cause to be paid all freight and postage, but shall not be responsible for any extra clerk hire or other business-related expenses or business equipment expenses occasioned by their duties.

E. Out of the amounts identified in this Item, $297,052 the first year and $297,052 the second year from the Commonwealth Transportation Fund shall be paid to the Washington Metropolitan Area Transit Commission.

F. 1. Notwithstanding any other provision of law, the department shall assess a minimum fee of $10 for all replacement and supplemental titles. The revenue generated from this fee shall be set aside to meet the expenses of the department.

2. Notwithstanding any other provision of law, the department shall assess a $10 late fee on all registration renewal transactions that occur after the expiration date. The late fee shall not apply to those exceptions granted under § 46.2-221.4, Code of Virginia. In assessing the late renewal fee the department shall provide a ten day grace period for transactions conducted by mail to allow for administrative processing. This grace period shall not apply to registration renewals for vehicles registered under the International Registration Plan. The revenue generated from this fee shall be set aside to meet the expenses of the department.

3. Notwithstanding any other provision of law, the department shall establish a $20 minimum fee for original driver’s licenses and replacements. The revenue generated from this fee shall be set aside to meet the expenses of the department.

G. The Department of Motor Vehicles is hereby granted approval to renew or extend existing capital leases due to expire during the current biennium for existing customer service centers.

H. Out of the amounts in this item, $200,000 the first year is hereby authorized to be utilized for a pilot project with the University of Virginia to evaluate virtual reality driving simulators as a tool for assessment of driving competency.

ITEM 435.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	I. The Department of Motor Vehicles is hereby appropriated revenues from the additional sales tax on fuel in certain transportation districts to recover the direct cost of administration incurred by the department in implementing and collecting this tax as provided by § 58.1-2295, Code of Virginia.				
436.	Ground Transportation System Safety Services (60500) ..			~~$5,664,570~~ *$5,726,721*	~~$5,664,570~~ *$5,726,721*
	Highway Safety Services (60508)	~~$5,664,570~~ *$5,726,721*	~~$5,664,570~~ *$5,726,721*		
	Fund Sources: Commonwealth Transportation	~~$4,932,246~~ *$4,994,397*	~~$4,932,246~~ *$4,994,397*		
	Federal Trust	$732,324	$732,324		
	Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.				
437.	Administrative and Support Services (69900)			~~$59,263,668~~ *$60,151,056*	~~$59,263,668~~ *$60,151,056*
	General Management and Direction (69901)	~~$24,903,539~~ *$25,316,749*	~~$24,903,539~~ *$25,316,749*		
	Information Technology Services (69902)	~~$29,496,858~~ *$29,933,173*	~~$29,496,858~~ *$29,933,173*		
	Facilities and Grounds Management Services (69915)	~~$4,863,271~~ *$4,901,134*	~~$4,863,271~~ *$4,901,134*		
	Fund Sources: Commonwealth Transportation	~~$58,026,668~~ *$58,914,056*	~~$58,026,668~~ *$58,914,056*		
	Federal Trust	$1,237,000	$1,237,000		
	Authority: Title 46.2, Chapters 1 and 2, and § 46.2-697.1; Title 58.1, Chapters 17, 21, and 24, Code of Virginia.				
	The Department of Transportation shall reimburse the Department of Motor Vehicles for the operating costs of the Fuels Tax Evasion Program.				
	Total for Department of Motor Vehicles			~~**$219,317,059**~~ ***$223,072,160***	~~**$219,317,059**~~ ***$223,072,160***
	Nongeneral Fund Positions	2,038.00	2,038.00		
	Position Level	2,038.00	2,038.00		
	Fund Sources: Commonwealth Transportation	~~$211,901,135~~ *$215,656,236*	~~$211,901,135~~ *$215,656,236*		
	Trust and Agency	$5,446,600	$5,446,600		
	Federal Trust	$1,969,324	$1,969,324		
	Department of Motor Vehicles Transfer Payments (530)				
438.	Ground Transportation System Safety Services (60500) ..			$30,255,029	$30,255,029
	Financial Assistance for Transportation Safety (60507) ...	$30,255,029	$30,255,029		
	Fund Sources: Federal Trust	$30,255,029	$30,255,029		
	Authority: §§ 46.2-222 through 46.2-224, Code of Virginia; Chapter 4, United States Code.				
439.	Financial Assistance to Localities - General (72800)			$20,891,500	~~$5,891,500~~ *$85,691,500*
	Financial Assistance to Localities - Mobile Home Tax (72803)	$5,500,000	$5,500,000		

ITEM 439.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Financial Assistance to Localities - Rental Vehicle Tax (72810)	$15,000,000	$0		
Financial Assistance to Localities for the Disposal of Abandoned Vehicles (72814)	$391,500	$391,500		
Distribution of Sales Tax on Fuel in Certain Transportation Districts (72815)	*$0*	*$79,800,000*		
Fund Sources: Commonwealth Transportation	$391,500	$391,500		
Trust and Agency	$20,500,000	$5,500,000		
Dedicated Special Revenue	*$0*	*$79,800,000*		
Authority: §§ 46.2-416, 58.1-2402, and 58.1-2425, and 46.2-1200 through 46.2-1208, Code of Virginia.				
Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in amounts equivalent to the shares collected in the respective member jurisdictions.				
Total for Department of Motor Vehicles Transfer Payments			**$51,146,529**	**~~$36,146,529~~** ***$115,946,529***
Fund Sources: Commonwealth Transportation	$391,500	$391,500		
Trust and Agency	$20,500,000	$5,500,000		
Dedicated Special Revenue	*$0*	*$79,800,000*		
Federal Trust	$30,255,029	$30,255,029		
Grand Total for Department of Motor Vehicles			**~~$270,463,588~~** ***$274,218,689***	**~~$255,463,588~~** ***$339,018,689***
Nongeneral Fund Positions	2,038.00	2,038.00		
Position Level	2,038.00	2,038.00		
Fund Sources: Commonwealth Transportation	~~$212,292,635~~ *$216,047,736*	~~$212,292,635~~ *$216,047,736*		
Trust and Agency	$25,946,600	$10,946,600		
Dedicated Special Revenue	*$0*	*$79,800,000*		
Federal Trust	$32,224,353	$32,224,353		
§ 1-127. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)				
440. Ground Transportation Planning and Research (60200)			$3,017,798	$3,017,798
Rail and Public Transportation Planning, Regulation, and Safety (60203)	$3,017,798	$3,017,798		
Fund Sources: Commonwealth Transportation	$3,017,798	$3,017,798		
Authority: Titles 33.1 and 58.1, Code of Virginia.				
The Commonwealth Transportation Board may allocate up to three percent of the funds appropriated in Item 441 and Item 442 to support costs of project development, project administration and project compliance incurred by the Department of Rail and Public Transportation in implementing rail, public transportation, and congestion management grants and programs set out in §§ 58.1-638, 33.1-221.1:1.1 and 33.1-221.1:1.2, Code of Virginia.				
441. Financial Assistance for Public Transportation (60900)			$313,725,346	~~$318,246,652~~ *$321,533,800*
Public Transportation Programs (60901)	$297,858,139	~~$302,379,445~~ *$305,666,593*		
Congestion Management Programs (60902)	$9,344,000	$9,344,000		
Human Service Transportation Programs (60903)	$6,523,207	$6,523,207		

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Fund Sources: Special	$790,156	$790,156		
Commonwealth Transportation	$312,935,190	~~$317,456,496~~ *$320,743,644*		

Authority: Titles 33.1 and 58.1, Code of Virginia.

A.1. Except as provided in Item 440, the Commonwealth Transportation Board shall allocate all monies in the Commonwealth Mass Transit Fund, as provided in § 58.1-638, Code of Virginia. The total appropriation for the Commonwealth Mass Transit Fund is $152,552,684 the first year and ~~$157,073,990~~ *$160,361,138* the second year from the Transportation Trust Fund. From these funds, the following estimated allocations shall be made:

a. $114,087,563 the first year and ~~$117,334,290~~ *$123,546,936* the second year to statewide ~~Formula~~ *Operating* Assistance as provided in § 58.1-638, Code of Virginia. The allocation of ~~Formula~~ *Operating* Assistance to each recipient shall be limited to the recipient's maximum eligibility as defined in § 58.1-638, Code of Virginia. When the initial allocation to a recipient is greater than the recipient's eligibility to receive ~~Formula~~ *Operating* Assistance, the Commonwealth Transportation Board may transfer the surplus funds to the statewide Capital Assistance program for distribution under that program. The Commonwealth Transportation Board may hold harmless from a reduction in state formula assistance any transit system that maintains service levels from the previous year.

b. $31,128,865 the first year and ~~$32,233,194~~ *$33,315,285* the second year from the Commonwealth Mass Transit Fund to statewide Capital Assistance.

c. Notwithstanding the provisions of paragraph A.1.a and A.1.b. of this Item, prior to the annual adoption of the Six-Year Improvement Program, the Commonwealth Transportation Board may allocate funding from the Commonwealth Mass Transit Fund to implement the transit and transportation demand management improvements identified for the I-95 corridor. Such costs shall include only direct transit capital and operating costs as well as transportation demand management activities. Costs associated with additional park and ride lots required to be funded by the Commonwealth under the provisions of the Comprehensive Agreement for the Interstate 95 High Occupancy Toll Lanes project shall be borne by the Department of Transportation as set out in Item 446 of this act.

2. Included in this Item is $1,500,000 the first year and $1,500,000 the second year from the Commonwealth Mass Transit Trust Fund. These allocations are designated for "paratransit" capital projects and enhanced transportation services for the elderly and disabled.

3. From the amounts appropriated in this Item from the Commonwealth Mass Transit Fund, $1,867,731 the first year and ~~$1,933,991~~ *$1,998,917* the second year is the estimated allocation to statewide Special Programs as provided in § 58.1-638, Code of Virginia.

4. Not included in this appropriation is an amount estimated at $26,243,763 the first year and $26,728,838 the second year allocated to transit agencies from federal sources for the Surface Transportation Program (STP) and the Minimum Guarantee program.

B. The Commonwealth Transportation Board shall operate a program entitled the Transportation Efficiency Improvement Fund (TEIF). The purpose of the TEIF program is to reduce traffic congestion by supporting transportation demand management programs and projects designed to reduce the movement of passengers and freight on Virginia's highway system. Using transportation revenues generally available to the Board, funds shall be apportioned as determined by the Board to designated transportation projects in addition to funds allocated pursuant to § 33.1-23.1, Code of Virginia. Total TEIF program funding shall not exceed $4,000,000 the first year and $4,000,000 the second year.

C. Funds from a stable and reliable source, as required in Public Law 96-184, as amended, are to be provided to Metro from payments authorized and allocated in this program and pursuant to §§ 58.1-1720 *and 58.1-2295*, Code of Virginia. Notwithstanding any other provision of law, funds allocated to Metro under this program may be disbursed by the Department of Rail and Public Transportation directly to Metro or to any other transportation entity that has an agreement to provide funding to Metro as deemed appropriate by the Department. In appointing the Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall

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include the Secretary of Transportation or his designee as a principal member on the WMATA board of directors.

~~D. Funds appropriated to the Department of Rail and Public Transportation and allocated to the Northern Virginia Transportation Commission to be allocated to its member jurisdictions are held in trust by the commission for those jurisdictions until released by specific authorization from the governing bodies of the jurisdictions for the purpose for which funds were appropriated.~~

E. All Commonwealth Mass Transit Funds appropriated for Financial Assistance for Public Transportation shall be used only for public transportation purposes as defined by the Federal Transit Administration or outlined in § 58.1-638 *A.*4., subparagraphs b. through g., or in § 58.1-638 *A.*5., Code of Virginia.

F. From the amounts provided for experimental transit in the Public Transportation Program, there is hereby provided $200,000 in the first year *and $200,000 the second year* for the planning and development of a Hampton Roads Fast Ferry demonstration project in coordination with Hampton Roads Transit. In developing this plan, the Department shall assess the potential for designating a high speed ferry corridor within the Hampton Roads region with intermodal service to properties under the control of the Commonwealth as well as current transit properties operated by Hampton Roads Transit including, but not limited to, the Norfolk passenger light rail service.

G. It is the intent of the General Assembly that no transit ~~formula~~ *operating* assistance funding be used to support any new transit system or route at a level higher than such project would be eligible for under the allocation formula set out in § 58.1-638 A 4. e., Code of Virginia, beyond the first two years of its operation.

H. From such funds appropriated for public transportation purposes in this item, there is hereby allocated $68,000 in the first year for the continued operation of GRTC Express services between Chesterfield Town Centre in Chesterfield County and downtown Richmond, and $200,000 in the first year for the continued operation of GRTC Express services between Hull Street Road in Chesterfield County and downtown Richmond. Receipt of this funding is contingent upon the commitment of local matching funding of not less than a like amount. It is the intent of the General Assembly that any future commitment of state funding shall be provided only through the transit operating formula.

I. From such funds appropriated for public transportation purposes, there is hereby allocated $2,000,000 in the second year to conduct a transit study along the US Route 1 corridor in Fairfax County that (i) addresses current and projected future traffic deficiencies with a viable long-term transit solution for the corridor, (ii) transforms the area into transit-oriented and transit-supportive mixed use development near stations and stops, (iii) identifies a locally preferred alternative (LPA) that produces the greatest number of new transit riders taking into account cost and impact, and (iv) supports the social and economic renewal of the corridor through public transportation investment, and develop recommendations for a financial plan to implement the LPA.

442. Financial Assistance for Rail Programs (61000).....			$57,587,000	$50,062,000
Rail Industrial Access (61001).....	$3,000,000	$3,000,000		
Rail Preservation Programs (61002).....	$7,987,000	$7,887,000		
Passenger and Freight Rail Financial Assistance Programs (61003).....	$46,600,000	$39,175,000		
Fund Sources: Commonwealth Transportation.....	$57,587,000	$50,062,000		

Authority: Title 33.1, Code of Virginia.

A. Except as provided in Item 440, the Commonwealth Transportation Board shall operate the Shortline Railway Preservation and Development Program in accordance with § 33.1-221.1:1.2, Code of Virginia. The board may allocate funds pursuant to § 33.1-23.1, Code of Virginia, to the Shortline Railway Preservation and Development Fund.

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B. The Commonwealth Transportation Board shall operate the Rail Industrial Access Program in accordance with §33.1-221.1:1, Code of Virginia. The board may allocate funds pursuant to §33.1-23.1, Code of Virginia, to the fund for construction of industrial access railroad tracks.

C. Because of the overwhelming need for the development of a balanced transportation system in the Commonwealth, upon approval by the Commonwealth Transportation Board and notwithstanding the provisions of § 33.1-221.1:1.1, Code of Virginia, the 30 percent match requirement for the Rail Enhancement Fund is hereby waived exclusively for funding allocated from such fund for improvements for the Richmond/Hampton Roads Passenger Rail Project between Richmond and Norfolk in the 2012-2014 biennium.

D. Notwithstanding any other provision of law, in implementing the provisions of the Intercity Passenger Rail Operating and Capital Fund created pursuant to § 33.1-221.1:1.3, Code of Virginia, the Commonwealth Transportation Board may allocate such funds as it deems necessary from the Rail Enhancement Fund, created pursuant to § 33.1-221.1:1.1, Code of Virginia. Such funding shall not exceed $6,700,000 the first year and $19,400,000 the second year, unless additional funding shall be required in either year for capital improvements between Petersburg and Richmond in conjunction with the acquisition of slots two and three for regional passenger rail service initiating in Norfolk. Such request shall be made only if the Director notifies the Commonwealth Transportation Board of any verifiable action by any federal entity or agency, or any other state, to secure from CSX the slots Virginia would require for this service.

E. Included in the amounts for Passenger and Freight Rail Financial Assistance, $150,000 in the first year is provided for the continued operation of transit connector service from the Roanoke Valley to the Kemper Street Station in Lynchburg as part of the daily intercity passenger rail service. Receipt of this funding is contingent upon the Greater Roanoke Transit Service establishing AMTRAK reservation capabilities for the daily service. It is the intent of the General Assembly that no additional funding in excess of normal transit formula distribution as awarded by the Department shall be appropriated in support of this service in any future years.

F.1. The director, Department of Rail and Public Transportation, with the approval of CSX Transportation, shall initiate infrastructure improvement projects which promote safety or reduce the average dwell times of hazardous material shipments subject to regulation under Title 49 CFR Part 174 et seq. within rail yards, depots, sidings, and other intermediate terminals or facilities and properties located in the City of Fredericksburg to not longer than 24 hours. These improvements may include, but are not limited to, those that (i) increase capacity at existing storage facilities terminating near Fredericksburg; (ii) increase the physical distance between commodity storage areas and residential communities; and (iii) transfer intermediate storage of commodities to locations closer to terminus of the shipment.

2. Out of the funds available for Rail Industrial Access pursuant to § 33.1-221.1:1, Code of Virginia, up to $450,000 in the first year and up to $450,000 in the second year is hereby authorized for associated infrastructure improvements which may be constructed in any location in Virginia so long as their use results in increased safety in Fredericksburg or reduced average dwell times of hazardous materials currently staged in Fredericksburg. Such funds may be awarded to CSX Transportation or other entities or political subdivisions identified by the Department as having responsibility for implementing the associated infrastructure improvement. In the allocation of funds for this project by the Commonwealth Transportation Board, the requirements of § 33.1-22.1:1, Code of Virginia, with the exception of § 33.1-22.1:1 F., are waived.

G. Of the funds appropriated pursuant to Chapters 1019 and 1044 of the 2000 Acts of Assembly for passenger rail capacity improvements in the I-95 passenger rail corridor between Richmond and the District of Columbia, the Director of the Department of Rail and Public Transportation is authorized to utilize any remaining funds along the described corridor for the development of intercity passenger rail enhancements to include rail improvements and passenger station facilities.

443. Administrative and Support Services (69900).....			$5,270,584	$5,375,321
General Management and Direction (69901).....	$5,270,584	$5,375,321		

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	Fund Sources: Commonwealth Transportation	$5,270,584	$5,375,321		
	Authority: Titles 33.1 and 58.1, Code of Virginia.				
	The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Department of Rail and Public Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.				
	Total for Department of Rail and Public Transportation..			**$379,600,728**	**~~$376,701,771~~** ***$379,988,919***
	Nongeneral Fund Positions.....	53.00	53.00		
	Position Level	53.00	53.00		
	Fund Sources: Special.....	$790,156	$790,156		
	Commonwealth Transportation	$378,810,572	~~$375,911,615~~ *$379,198,763*		
	§ 1-128. DEPARTMENT OF TRANSPORTATION (501)				
444.	Environmental Monitoring and Evaluation (51400).....			~~$12,018,832~~ *$12,362,456*	~~$12,274,468~~ *$12,418,890*
	Environmental Monitoring and Compliance for Highway Projects (51408)	~~$9,926,648~~ *$10,162,192*	~~$10,129,354~~ *$10,214,212*		
	Environmental Monitoring Program Management and Direction (51409).....	~~$2,092,184~~ *$2,200,264*	~~$2,145,114~~ *$2,204,678*		
	Fund Sources: Commonwealth Transportation	~~$12,018,832~~ *$12,362,456*	~~$12,274,468~~ *$12,418,890*		
	Authority: Title 33.1, Code of Virginia.				
445.	Ground Transportation Planning and Research (60200)...			~~$61,964,511~~ *$65,093,846*	~~$63,844,831~~ *$63,963,012*
	Ground Transportation System Planning (60201)	~~$46,647,365~~ *$49,602,824*	~~$48,220,927~~ *$48,247,511*		
	Ground Transportation System Research (60202).....	~~$11,878,514~~ *$11,932,745*	~~$12,096,802~~ *$12,126,618*		
	Ground Transportation Program Management and Direction (60204).....	~~$3,438,632~~ *$3,558,277*	~~$3,527,102~~ *$3,588,883*		
	Fund Sources: Commonwealth Transportation	~~$61,964,511~~ *$65,093,846*	~~$63,844,831~~ *$63,963,012*		
	Authority: Title 33.1, Code of Virginia.				

A. Included in the amount for ground transportation system planning and research is no less than $4,500,000 the first year and no less than $4,500,000 the second year from the highway share of the Transportation Trust Fund for the planning and evaluation of options to address transportation needs.

B. In addition, the Commonwealth Transportation Board may approve the expenditures of up to $500,000 the first year and $500,000 the second year from the highway share of the Transportation Trust Fund for the completion of advance activities, prior to the initiation of an individual project's design along existing highway corridors, to determine short-term and long-term improvements to the corridor. Such activities shall consider safety, access management, alternative modes, operations, and infrastructure improvements. Such funds shall be used for, but are not limited to, the completion of activities prior to the initiation of an individual project’s design or to benefit identification of needs throughout the state or the prioritization of those needs. For federally eligible activities, the activity or item shall be included in the Commonwealth Transportation Board’s annual update of the Six-Year

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Improvement program so that (i) appropriate federal funds may be allocated and reimbursed for the activities and (ii) all requirements of the federal Statewide Transportation Improvement Program can be achieved.

C.1. The Office of Intermodal Planning and Investment shall recommend to the Commonwealth Transportation Board all allocations of such funds in this paragraph. The planning and evaluation may be conducted or managed by the Department of Transportation, Department of Rail and Public Transportation, or another qualified entity selected and/or approved by the Commonwealth Transportation Board.

2. The office shall work directly with affected Metropolitan Planning Organizations to develop and implement quantifiable and achievable goals relating to congestion reduction and safety, transit and HOV usage, job/housing ratios, job and housing access to transit and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled pursuant to Chapters 670 and 690 of the 2009 Acts of Assembly.

3. For allocation of funds under Paragraph 1, the office may give a higher priority for planning grants to (i) regional organizations to analyze various land development scenarios for their long range transportation plans, (ii) local governments to revise their comprehensive plans and other applicable local ordinances to designate urban development areas pursuant to Chapter 896 of the 2007 Acts of Assembly and incorporate the principles included in such act, and (iii) local governments, regional organizations, transit agencies and other appropriate entities to develop plans for transit oriented development and the expansion of transit service. Such analyses, plans, and ordinances shall be shared with the regional planning district commission or metropolitan planning organization and the department.

D. Notwithstanding the provisions of House Bill 1248 and Senate Bill 639, 2012 Session of the General Assembly, the Commonwealth Transportation Board shall not reallocate any funds from projects on roadways controlled by any county that has withdrawn or elects to withdraw from the secondary system of state highways, nor from any roadway controlled by a city or town as part of the state's urban roadway system, based on a determination of nonconformity with the Commonwealth Transportation Board's Statewide Transportation Plan or the Six-Year Improvement Program. In jurisdictions that maintain roadways within their boundaries, the provisions of § 33.1-12, 9(f) shall apply only to highways controlled by the Department of Transportation.

446.	Highway System Acquisition and Construction (60300)..		~~$1,622,843,387~~ *$1,925,326,072*	~~$1,490,922,063~~ *$1,388,027,944*
	Dedicated and Statewide Construction (60302).....	~~$1,155,022,537~~ *$1,347,879,412*	~~$1,050,673,174~~ *$854,154,047*	
	Interstate Construction (60303).....	~~$220,561,415~~ *$166,357,184*	~~$202,447,773~~ *$170,187,226*	
	Primary Construction (60304).....	~~$141,611,068~~ *$221,146,620*	~~$122,620,762~~ *$203,337,569*	
	Secondary Construction (60306).....	~~$50,600,055~~ *$65,029,136*	~~$54,468,009~~ *$73,681,316*	
	Urban Construction (60307).....	~~$35,538,009~~ *$101,624,158*	~~$40,690,432~~ *$64,843,454*	
	Highway Construction Program Management (60315).....	~~$19,510,303~~ *$23,289,562*	~~$20,021,913~~ *$21,824,332*	
	Fund Sources: Commonwealth Transportation.....	~~$1,012,137,837~~ *$1,087,708,452*	~~$984,748,946~~ *$952,282,581*	
	Trust and Agency.....	~~$610,705,550~~ *$837,617,620*	~~$506,173,117~~ *$435,745,363*	

Authority: Title 33.1, Chapter 1; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of 1989, Special Session II.

A. From the appropriation for dedicated and statewide construction, the Commonwealth Transportation Board shall determine an amount each year, not less than $15,000,000 and not to exceed $200,000,000 from the Commonwealth Transportation Fund, which shall be allocated to localities for revenue sharing. No additional amount shall be appropriated from the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds for this program.

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B. Notwithstanding § 33.1-23.1 of the Code of Virginia, the proceeds from the lease or sale of surplus and residue property purchased under this program in excess of related costs shall be applied to the system and locality where the residue property is located. This funding shall be provided as an increase to the allocations distributed to the systems and localities according to § 33.1-23.1 of the Code of Virginia.

C. The Director, Department of Planning and Budget, is authorized to increase the appropriation as needed to utilize amounts available from prior year balances in the dedicated funds.

D. Included in the amounts for dedicated and statewide construction is the reappropriation of ~~$4,000,000~~ *$311,000,000* the first year and ~~$29,200,000~~ *$119,300,000* the second year from bond proceeds or dedicated special revenues for anticipated expenditure of amounts collected in prior years. The amounts will be provided from balances in the Northern Virginia Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund and the Priority Transportation Fund. These amounts were originally appropriated when received or forecasted and are not related to FY 2013 and FY 2014 estimated revenues.

E. Projects being developed and procured through adopted state, local or regional design-build provisions, other than those required by § 33.1-12(2)(b), Code of Virginia, may be considered for funding from the Transportation Partnership Opportunity Fund. In addition, an application requesting funding from the fund shall be limited to requesting only one form of assistance and the limitations included in § 33.1-221.1:8(E), Code of Virginia.

F. Prior to annual adoption of the Six Year Improvement Program, the Commonwealth Transportation Board may allocate funding from the highway portion of the Transportation Trust Fund to undertake any park and ride lot improvements for the I-95 Corridor required pursuant to the Comprehensive Agreement for the I-95 High Occupancy Toll Lanes project.

G.1 Prior to the adoption of the Six-Year Improvement Program for the fiscal year beginning July 1, 2013, the Commonwealth Transportation Board shall annually determine an amount, not less than $500,000 and not to exceed $2,500,000, from state transportation revenues deposited to the Commonwealth Transportation Fund to maintain a program for the enhancement of statewide transportation assets, including Virginia Byways.

2. From the amounts allocated by the Commonwealth Transportation Board to the fund set forth in paragraph 1, $500,000 in the second year shall be provided for transportation enhancements consistent with the Route 15 "Journey Through Hallowed Ground" corridor management plan. This funding shall be available for improvements related to the approved corridor management plan.

H. Out of the amounts provided for dedicated and statewide construction, the Commonwealth Transportation Board shall provide up to $5,000,000 the second year from Commonwealth Transportation Funds to begin an environmental assessment for the replacement of the I-64 High Rise Bridge in Chesapeake, Virginia.

447. Highway System Maintenance and Operations (60400) ...			~~$1,400,599,891~~	~~$1,442,664,773~~
			$1,454,182,000	*$1,523,337,571*
Interstate Maintenance (60401)	~~$377,814,155~~	~~$385,871,943~~		
	$338,216,253	*$395,184,449*		
Primary Maintenance (60402)	~~$472,099,665~~	~~$485,073,839~~		
	$435,154,975	*$392,242,337*		
Secondary Maintenance (60403)	~~$339,686,942~~	~~$354,423,260~~		
	$416,383,760	*$452,109,368*		
Transportation Operations Services (60404).....	~~$135,587,865~~	~~$139,900,897~~		
	$178,195,012	*$197,569,417*		
Highway Maintenance Operations, Program Management and Direction (60405).....	~~$75,411,264~~	~~$77,394,834~~		
	$86,232,000	*$86,232,000*		
Fund Sources: Commonwealth Transportation	~~$1,400,599,891~~	~~$1,442,664,773~~		
	$1,454,182,000	*$1,523,337,571*		

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Authority: Title 33.1, Chapter 1, Code of Virginia.

A. Out of the funds provided in this program, an amount estimated at ~~$311,666,021~~ *$330,247,280* the first year and ~~$298,083,854~~ *$222,366,751* the second year from federal funds shall be used to address the maintenance of pavements and bridges and the operations of the transportation system. These funds shall be matched by other funds appropriated to this Item.

B. The department is authorized to enter into agreements with state and local law enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV) restrictions throughout the Commonwealth and metropolitan planning regions.

C. Should federal law be changed to permit privatization of rest area operations, the department is hereby authorized to accept or solicit proposals for their development and/or operation under the Public Private Transportation Act.

D. The Director, Department of Planning and Budget, is authorized to increase the appropriation in this Item as needed to utilize amounts available from prior year balances in the dedicated funds.

448. Commonwealth Toll Facilities (60600)			~~$38,856,625~~	~~$35,604,925~~
			$43,321,621	*$38,406,204*
Toll Facility Debt Service (60602)	$7,226,852	$3,236,106		
Toll Facility Maintenance and Operation (60603)	~~$5,264,249~~	~~$5,372,642~~		
	$9,747,126	*$13,878,991*		
Toll Facilities Revolving Fund (60604)	~~$26,365,524~~	~~$26,996,177~~		
	$26,347,643	*$21,291,107*		
Fund Sources: Commonwealth Transportation	~~$33,207,915~~	~~$29,914,520~~		
	$36,683,484	*$31,716,869*		
Trust and Agency	~~$5,648,710~~	~~$5,690,405~~		
	$6,638,137	*$6,689,335*		

Authority: §§ 33.1-23.03:1 and 33.1-267 through 33.1-295, Code of Virginia.

A. Included in this Item are funds for the installation and implementation of a statewide Electronic Toll Customer Service/Violation Enforcement System.

B. Funds as appropriated are provided for other toll facility initiatives as needed during the biennium including but not limited to funding activities to advance projects pursuant to the Public-Private Transportation Act.

449. Financial Assistance to Localities for Ground Transportation (60700)			~~$387,744,291~~	~~$399,624,797~~
			$389,915,476	*$427,347,427*
Financial Assistance for City Road Maintenance (60701)	~~$324,589,408~~	~~$334,651,680~~		
	$325,805,339	*$335,905,305*		
Financial Assistance for County Road Maintenance (60702)	$49,453,394	$50,986,449		
Financial Assistance for Planning, Access Roads, and Special Projects (60704)	~~$13,701,489~~	~~$13,986,668~~		
	$14,656,743	*$40,455,673*		
Fund Sources: Commonwealth Transportation	~~$387,744,291~~	~~$399,624,797~~		
	$389,915,476	*$427,347,427*		

Authority: Title 33.1, Chapter 1, Code of Virginia.

A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special Projects, $7,000,000 the first year and $7,000,000 the second year from the Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.1-221, 33.1-221.1:1, and 33.1-223, Code of Virginia. Of this amount, the allocation for Recreational Access Roads shall be $1,500,000 the first year and $1,500,000 the second year.

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B. Out of the amounts for Financial Assistance for Planning, Access Roads, and Special Projects, $50,000 the first year and $50,000 the second year from the Commonwealth Transportation Fund shall be provided to support the transportation planning activities of the Northern Virginia Transportation Authority. The authority shall comply with all applicable federal and state regulations to receive the funds.

C. For any city or town that assumes responsibility for its construction program as outlined in § 33.1-23.3 D, Code of Virginia, the matching highway fund requirement contained in § 33.1-44, Code of Virginia, shall be waived for all new projects approved on or after July 1, 2005.

D. The Department of Transportation is encouraged to promote the construction and improvement of primary and secondary highways by counties, consistent with § 33.1-75.3 of the Code of Virginia, whether or not such improvements are contained in the Six-Year Improvement Program or Plan. If such improvements are not contained in the Six-Year Improvement Program or Plan, the counties may not seek reimbursement from the department for the improvements.

E. Out of the amount otherwise to be allocated to Arlington County for road maintenance pursuant to the provisions of §§ 33.1-23.1(A) and 33.1-23.5:1, $100,000 shall be transferred to Item 446 of this Act.

450. Non-Toll Supported Transportation Debt Service (61200)			~~$353,732,352~~ *$319,768,169*	~~$359,022,768~~ *$302,663,445*
Highway Transportation Improvement District Debt Service (61201)	$7,530,300	$7,528,050		
Designated Highway Corridor Debt Service (61202)	~~$64,846,430~~ *$63,768,329*	~~$68,028,794~~ *$66,949,380*		
Federal Highway Revenue Anticipation Notes Debt Service (61203)	$96,383,963	$31,041,238		
Commonwealth Transportation Capital Projects Bond Act Debt Service (61204)	~~$135,122,814~~ *$118,655,551*	~~$169,675,603~~ *$148,165,772*		
Federal Transportation Grant Anticipation Revenue Notes Debt Service (61205)	~~$49,848,845~~ *$33,430,026*	~~$82,749,083~~ *$48,979,005*		
Fund Sources: General	$40,000,000	$40,000,000		
Commonwealth Transportation	~~$49,848,845~~ *$33,430,026*	~~$82,749,083~~ *$48,979,005*		
Trust and Agency	~~$241,357,306~~ *$223,811,942*	~~$213,747,483~~ *$191,158,238*		
Federal Trust	$22,526,201	$22,526,202		

Authority: Titles 15, 33, and 58 of the Code of Virginia; Chapters 827 and 914, Acts of Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as amended by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of Assembly of 2000; Chapter 799, Acts of Assembly of 2002; and Chapter 896, Acts of Assembly of 2007

A.1. The amount shown for Highway Transportation Improvement District Construction shall be derived from payments made to the Transportation Trust Fund pursuant to the Contract between the State Route 28 Highway Transportation Improvement District and the Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended and Restated District Contract by and among the Commonwealth Transportation Board, the Fairfax County Economic Development Authority and the State Route 28 Highway Transportation Improvement District Commission (the "District Commission") dated August 30, 2002*, and May 1, 2012* (the "District Contract").

2. There is hereby appropriated for payment immediately upon receipt to a third party approved by the Commonwealth Transportation Board, or a bond trustee selected by such third party, a sum sufficient equal to the special tax revenues collected by the Counties of Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District and paid to the Commonwealth Transportation Board by or on behalf of the District Commission (the

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"contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and the District Contract between the Commonwealth Transportation Board and the District Commission.

3. The contract payments may be supplemented from primary funds allocated to the highway construction district in which the project financed is located, or from the secondary system construction allocation to the county or counties in which the project financed is located, and from any other lawfully available revenues of the Transportation Trust Fund, as may be necessary to meet debt service obligations. The payment of debt service shall be for the bonds (the Series ~~2002~~ *2012* Bonds) issued under the "Commonwealth of Virginia Transportation Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay the total debt service on the Series ~~2002~~ *2012* Bonds shall be made available in the amounts indicated in paragraph E of this Item.

B.1. Out of the amounts for Designated Highway Corridor Construction, $40,000,000 the first year and $40,000,000 the second year from the general fund shall be paid to the U.S. Route 58 Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to § 58.1-815, Code of Virginia. This payment shall be in lieu of the deposit of state recordation taxes to the Fund, as specified in the cited Code section. Said recordation taxes which would otherwise be deposited to the Fund shall be retained by the general fund. Additional appropriations required for the U.S. Route 58 Corridor Development Fund, an amount estimated at ~~$10,000,000~~ *$9,000,000* the first year and ~~$13,000,000~~ *$12,000,000* the second year shall be transferred from the highway share of the Transportation Trust Fund.

2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly), the amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

3. The commissioner shall report on or before July 1 of each year to the Chairmen of the Senate Finance and House Appropriations Committees on the cash balances in the Route 58 Corridor Development Fund. In addition, the report shall include the following program-to-date information: (i) a comparison of actual spending to allocations by project and district; (ii) expenditures by project, district, and funding source; and (iii) a six-year plan for planned future expenditures from the Fund by project and district.

C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 58.1-815.1, Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the Fund shall include at least the following elements:

a. Amounts transferred from Item 265 of this act to this Item.

b. An amount estimated at ~~$8,000,000~~ *$7,000,000* the first year and $7,000,000 the second year, which shall be transferred from the highway share of the Transportation Trust Fund.

c. Any public right-of-way use fees allocated by the Department of Transportation pursuant to § 58.1-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and Prince William, the amounts estimated at ~~$5,841,514~~ *$5,468,445* the first year and ~~$5,841,514~~ *$6,018,712* the second year.

d. Any amounts which may be deposited into the Fund pursuant to a contract between the Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in the Northern Virginia Transportation District Program, the amounts estimated to be $816,000 the first year and $816,000 the second year.

2. The Fund shall support the issuance of bonds at a total authorized level of $500,200,000 for the purposes provided in the "Northern Virginia Transportation District, Commonwealth of Virginia Revenue Bond Act of 1993," Chapter 391, Acts of Assembly of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly.

3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia

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Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in paragraph E of this Item shall be available from the Fund for debt service for the bonds previously issued and additional bonds issued pursuant to said act.

4. Should the actual distribution of recordation taxes to the localities set forth in § 58.1-815.1, Code of Virginia, exceed the amount required for debt service on the bonds issued pursuant to the above act, such excess amount shall be transferred to the Northern Virginia Transportation District Fund in furtherance of the program described in § 33.1-221.1:3, Code of Virginia.

5. Should the actual distribution of recordation taxes to said localities be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, to the extent required, from funds identified in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.

D.1. The Commonwealth Transportation Board shall maintain the City of Chesapeake account of the Set-aside Fund, pursuant to § 58.1-816.1, Code of Virginia, which shall include funds transferred from Item 265 of this act to this Item, and an amount estimated at $1,500,000 the first year and $1,500,000 the second year received from the City of Chesapeake pursuant to a contract or other alternative mechanism for the purpose provided in the "Oak Grove Connector, City of Chesapeake Commonwealth of Virginia Transportation Program Revenue Bond Act of 1994," Chapters 233 and 662, Acts of Assembly of 1994 (hereafter referred to as the "Oak Grove Connector Act").

2. The amounts shown in paragraph E of this Item shall be available from the City of Chesapeake account of the Set-aside Fund for debt service for the bonds issued pursuant to the Oak Grove Connector Act.

3. Should the actual distribution of recordation taxes and such local revenues from the City of Chesapeake as may be received pursuant to a contract or other alternative mechanism to the City of Chesapeake account of the Set-aside Fund be less than the amount required to pay debt service on the bonds, the Commonwealth Transportation Board is authorized to meet such deficiency, pursuant to Enactment No. 1, Section 11 of the Oak Grove Connector Act.

E. Pursuant to various Payment Agreements between the Treasury Board and the Commonwealth Transportation Board, funds required to pay the debt service due on the following Commonwealth Transportation Board bonds shall be transferred to the Treasury Board as follows:

	FY 2013	**FY 2014**
Transportation Contract Revenue Refund Bonds, Series ~~2002~~*2012* (*Refunding* Route 28)	~~$7,530,300~~ *$7,259,155*	~~$7,528,050~~ *$7,209,719*
Commonwealth of Virginia Transportation Revenue Bonds:		
U.S. Route 58 Corridor Development Program:		
~~Series 2001B~~	~~$3,756,619~~	~~$0~~
~~Series 2002 B (Refunding)~~	~~$7,239,188~~	~~$7,239,688~~
Series 2004B	$23,090,750	$26,841,500
Series 2006C	$3,173,000	$3,173,000
Series 2007B	$11,857,750	$15,029,750
Series 2012B (Refunding)	*$10,143,250*	*$6,382,900*
Northern Virginia Transportation District Program:		
~~Series 2001A~~	~~$666,750~~	~~$666,750~~
~~Series 2002A~~	~~$12,359,694~~	~~$12,360,694~~
Series 2004A	$8,292,750	$10,449,250
Series 2006B	$973,363	$973,363
Series 2007A	$4,544,600	$4,553,400
Series 2009A-1	$2,206,750	$2,209,350
Series 2009A-2	$3,305,799	$3,305,799
Series 2012A (Refunding)	*$13,798,788*	*$11,647,788*

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Transportation Program Revenue Bonds:				
Series 2006A (Oak Grove Connector, City of Chesapeake)	$2,224,500		$2,226,250	
Capital Projects Revenue Bonds:				
Series 2010A-1	$16,796,750		$16,659,000	
Series 2010A-2	$20,351,593		$20,351,593	
Series 2011	$42,108,863		$42,110,613	
Series 2012	*$39,398,346*		*$40,280,650*	

F.1. Out of the amounts provided for in this Item, an estimated $96,383,963 the first year and $31,041,238 the second year from federal highway and highway assistance reimbursements shall be provided for the debt service payments on the Federal Highway Reimbursement Anticipation Notes.

2. Notwithstanding Chapters 1019 and 1044, Acts of Assembly of 2000, this act, or any other provision of law, any additional amounts needed to offset the debt service payment requirements on the Transportation Trust Fund attributable to the issuance of Federal Highway Reimbursement Anticipation Notes shall be provided from the Priority Transportation Fund to the extent available and then from the portion of the Transportation Trust Fund available for highway construction purposes prior to making the allocations required by § 33.1-23.1 B of the Code of Virginia.

G. Out of the amounts provided for in this Item, an estimated ~~$49,848,845~~ *$33,374,721* the first year and ~~$82,749,083~~ *$47,744,705* the second year from federal reimbursements shall be provided for debt service payments on the Federal Transportation Grant Anticipation Revenue Notes.

H. Out of the amounts provided for this Item, an estimated ~~$114,080,643~~ *$111,532,494* the first year and ~~$148,021,698~~ *$141,042,716* the second year from the Priority Transportation Fund shall be provided for debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds. Any additional amounts needed to offset the debt service payment requirements attributable to the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation Trust Fund.

I. The Commonwealth Transportation Board is hereby authorized, by and with the consent of the Governor, to issue, pursuant to the applicable provisions of the State Revenue Bond Act (§ 33.1-267 et seq., Code of Virginia) as amended from time to time, revenue obligations of the Commonwealth to be designated "Commonwealth of Virginia Transportation Capital Projects Revenue Bonds, Series XXXX" at one or more times in an aggregate principal amount not to exceed $180,000,000, after all costs. The net proceeds of the bonds shall be used exclusively for the purpose of providing funds for paying the costs incurred or to be incurred for construction or funding of transportation projects set forth in Item 449.10 of Chapter 847 of the Acts of Assembly of 2007, including but not limited to environmental and engineering studies; rights-of-way acquisition; improvements to all modes of transportation; acquisition, construction and related improvements; and any financing costs and other financing expenses. Such costs may include the payment of interest on the bonds for a period during construction and not exceeding one year after completion of construction of the projects.

451. Administrative and Support Services (69900).....			~~$217,945,846~~ *$231,280,655*	~~$224,330,877~~ *$232,639,906*
General Management and Direction (69901).....	~~$108,492,158~~ *$111,013,953*	~~$110,974,469~~ *$109,797,265*		
Information Technology Services (69902).....	~~$89,185,381~~ *$99,671,353*	~~$87,544,412~~ *$96,990,709*		
Facilities and Grounds Management Services (69915).....	~~$14,129,143~~ *$14,254,677*	~~$14,518,002~~ *$14,444,234*		
Employee Training and Development (69924).....	~~$6,139,164~~ *$6,340,672*	~~$11,293,994~~ *$11,407,698*		
Fund Sources: Commonwealth Transportation.....	~~$217,945,846~~ *$231,280,655*	~~$224,330,877~~ *$232,639,906*		

Authority: Title 33.1, Code of Virginia.

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A. Notwithstanding any other provision of law, the highway share of the Transportation Trust Fund shall be used for highway maintenance and operation purposes prior to its availability for new development, acquisition, and construction.

B. Administrative and Support Services shall include funding for management, direction, and administration to support the department's activities that cannot be directly attributable to individual programs and/or projects.

C. Out of the amounts for General Management and Direction, allocations shall be provided to the Commonwealth Transportation Board to support its operations, the payment of financial advisory and legal services, and the management of the Transportation Trust Fund.

D. Notwithstanding any other provision of law, the department may assess and collect the costs of providing services to other entities, public and private. The department shall take all actions necessary to ensure that all such costs are reasonable and appropriate, recovered, and understood as a condition to providing such service.

E. Each year, as part of the six-year financial planning process, the commissioner shall implement a long-term business strategy that considers appropriate staffing levels for the department. In addition, the commissioner shall identify services, programs, or projects that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking such evaluations, the commissioner is authorized to use the appropriate resources, both public and private, to competitively procure those identified services, programs, or projects and shall identify total costs for such activities.

F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be exempt from recovering statewide and agency indirect costs from the Federal Highway Administration until an indirect cost plan can be evaluated and developed by the agency and approved by the Federal Highway Administration.

G. The Director, Department of Planning and Budget, is authorized to adjust appropriations and allotments for the Virginia Department of Transportation to reflect changes in the official revenue estimates for commonwealth transportation funds.

H. Out of the amounts for General Management and Direction, allocations shall be provided to support the capital lease agreement with Fairfax County for the Northern Virginia District building. An amount estimated at $7,800,000 the first year and $7,800,000 the second year from Commonwealth Transportation Funds shall be provided.

I. Notwithstanding any other provisions of law, the Commonwealth Transportation Commissioner may enter into a contract with homeowner associations for grounds-keeping, mowing, and litter removal services.

452. A full accrual system of accounting shall be effected by the Department, subject to the authority of the State Comptroller, as stated in § 2.2-803, Code of Virginia.

Total for Department of Transportation.....			~~**$4,095,705,735**~~	~~**$4,028,289,502**~~
			$4,441,250,295	***$3,988,804,399***
Nongeneral Fund Positions.....	7,499.00	~~7,499.00~~		
		7,485.00		
Position Level	7,499.00	~~7,499.00~~		
		7,485.00		
Fund Sources: General.....	$40,000,000	$40,000,000		
Commonwealth Transportation.....	~~$3,175,467,968~~	~~$3,240,152,295~~		
	$3,310,656,395	*$3,292,685,261*		
Trust and Agency	~~$857,711,566~~	~~$725,611,005~~		
	$1,068,067,699	*$633,592,936*		
Federal Trust.....	$22,526,201	$22,526,202		

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	§ 1-129. MOTOR VEHICLE DEALER BOARD (506)				
453.	Consumer Affairs Services (55000)			~~$221,289~~ *$230,053*	~~$221,289~~ *$230,053*
	Consumer Assistance (55002)	~~$221,289~~ *$230,053*	~~$221,289~~ *$230,053*		
	Fund Sources: Special	~~$221,289~~ *$230,053*	~~$221,289~~ *$230,053*		
	Authority: Title 46.2, Chapter 15, Code of Virginia.				
454.	Regulation of Professions and Occupations (56000)			~~$2,048,522~~ *$2,119,246*	~~$2,048,522~~ *$2,121,646*
	Motor Vehicle Dealer and Salesman Regulation (56023)	~~$1,042,561~~ *$1,063,984*	~~$1,042,561~~ *$1,063,984*		
	Administrative Services (56048)	~~$1,005,961~~ *$1,055,262*	~~$1,005,961~~ *$1,057,662*		
	Fund Sources: Special	~~$2,048,522~~ *$2,119,246*	~~$2,048,522~~ *$2,121,646*		
	Authority: Title 46.2, Chapter 15, Code of Virginia.				
	Total for Motor Vehicle Dealer Board			~~**$2,269,811**~~ ***$2,349,299***	~~**$2,269,811**~~ ***$2,351,699***
	Nongeneral Fund Positions	22.00	22.00		
	Position Level	22.00	22.00		
	Fund Sources: Special	~~$2,269,811~~ *$2,349,299*	~~$2,269,811~~ *$2,351,699*		
	§ 1-130. VIRGINIA PORT AUTHORITY (407)				
455.	Economic Development Services (53400)			$5,288,618	$5,288,618
	National and International Trade Services (53413)	$4,374,365	$4,374,365		
	Commerce Advertising (53426)	$914,253	$914,253		
	Fund Sources: Special	$5,288,618	$5,288,618		
	Authority: Title 62.1, Chapter 10, Code of Virginia.				
456.	Port Facilities Planning, Maintenance, Acquisition, and Construction (62600)			$68,344,059	$68,344,059
	Maintenance and Operations of Ports and Facilities (62601)	$7,250,000	$7,250,000		
	Port Facilities Planning (62606)	$1,191,574	$1,191,574		
	Debt Service for Port Facilities (62607)	$59,902,485	$59,902,485		
	Fund Sources: Special	$33,991,035	$33,987,640		
	Commonwealth Transportation	$31,353,024	$31,356,419		
	Federal Trust	$3,000,000	$3,000,000		
	Authority: Title 62.1, Chapter 10; Title 33.1, Chapter 1, Code of Virginia.				

A. 1. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority refunded bonds issued on October 22, 1996, in the amount of $38,300,000 for the purposes of completing the Phase II Expansion at Norfolk International Terminals and replacing and improving equipment at other port facilities. The debt service on the 2006 refunding bonds is estimated to be $3,116,625 the first year and $3,119,175 the second year and all or a portion of such 2006 refunding bonds may be refunded by the authority pursuant to §62.1-140, Code of Virginia.

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2. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on July 11, 2002, in the amount of $135,000,000 to reconstruct the Norfolk International Terminal (South), Capital Project 407-16644, Phase I. The project also includes the replacement of equipment, the purchase of the Physical Oceanographic Real-Time System, and other equipment required to enhance the security and protection of the port properties. Debt service on bonds referenced in this paragraph is estimated to be $10,206,293 the first year, and $10,203,333 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority issued Commonwealth Port Fund bonds on April 14, 2005, in the amount of $60,000,000, for the purpose of regrading and reconstruction of Norfolk International Terminals (South), Phase III, land acquisition, and other improvements, Capital Project 407-16644. The debt service on bonds referenced in this paragraph is estimated to be $4,280,106 the first year and $4,282,606 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

4. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue Commonwealth Port Fund bonds up to the amount of $125,000,000, for the purpose of developing the Craney Island Marine Terminal and creating road and rail access to such terminal, capital project 407-17513. Such bonds may also be used for the purpose of constructing warehouses at a facility owned by the Virginia Port Authority. All or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia. The debt service on the bonds referenced in this paragraph is estimated to be $9,500,000 the first year and $9,500,000 the second year.

It is hereby acknowledged that the Virginia Port Authority issued $57,370,000 of such Commonwealth Port Fund bonds noted in the paragraph above in July 2011 for the purpose of developing the Craney Island Marine Terminal and creating road and rail access to such terminal, capital project 407-17513. The debt service on bonds referenced in this paragraph is estimated to be $2,868,500 the first year and $2,868,500 the second year, and all or a portion of such bonds may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia.

5. In the event revenues of the Commonwealth Port Fund are insufficient to provide for the debt service on the Virginia Port Authority Commonwealth Port Fund Revenue Bonds authorized by paragraphs A 1, A 2, A 3, and A 4; or any bonds payable from the revenues of the Commonwealth Port Fund, there is hereby appropriated a sum sufficient first from the legally available moneys in the Transportation Trust Fund and then from the general fund to provide for this debt service. Total debt service on the bonds referenced in paragraphs A 1, A 2, A 3, and A 4 is estimated at $27,105,574 the first year and $27,106,419 the second year.

6. Notwithstanding § 62.1-140, Code of Virginia, the aggregate principal amount of Commonwealth Port Fund bonds, and including any other long-term commitment that utilizes the Commonwealth Port Fund, shall not exceed $420,000,000.

B.1. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority has issued Port Facilities Revenue Bonds, Series 1997, in the amount of $98,065,000 to finance the cost of capital projects for the Virginia Port Authority marine and intermodal terminals. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority refunded certain maturities of the bonds in 2007. The debt service on the 2007 refunding bonds is estimated at $6,343,750 the first year and $6,351,250 the second year from special funds and all or a portion of such bonds may be refunded by the authority pursuant to §62.1-140, Code of Virginia. The Virginia Port Authority is authorized to transfer to the Virginia International Terminals Inc. (VIT), from the revenues of the authority's port facilities, funds that are available for the purpose under the Authority's applicable Bond Resolution.

2. In accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority on June 18, 2003, issued additional Port Facilities Revenue bonds in the amount of $55,155,000 to regrade and reconstruct the Norfolk International Terminal (South) backlands (Phase II, capital outlay project 407-16644), and to construct security related facilities at Norfolk International Terminals (North) and Portsmouth Marine Terminal (capital outlay project 407-16961). Total debt service on these bonds referenced in this paragraph is estimated at $3,485,700 the first year and $3,483,300 the second year from special funds, and all or a portion of such bonds

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may be refunded by the authority pursuant to § 62.1-140, Code of Virginia.

3. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue additional bonds, in an amount of up to $90,000,000, for the purposes of the reconstruction and expansion of Norfolk International Terminals, and other improvements to port facilities (capital outlay project 407-17252). The debt service on these bonds, estimated to be $4,482,019 the first year and $4,478,419 the second year, will be paid from special funds, and all or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia.

4. Prior to the 2006-2008 biennium, the Virginia Port Authority purchased, through their master equipment lease program, equipment at a total cost of $60,163,170 (capital outlay projects 407-16962 and 407-16989). Total debt service on the equipment leases referenced in this paragraph is estimated at $6,546,189 the first year and $6,546,189 the second year from special funds, and such lease purchases may be refunded by the authority.

5. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority is authorized to purchase, through a purchase agreement (master equipment lease program), terminal operating equipment at a total cost of $41,493,035 (capital outlay project 407-16962). Total debt service referenced in this paragraph, including any interim financing issued in anticipation of such program, is estimated at $4,848,458 the first year and $4,848,458 the second year from special funds, and such lease purchases may be refunded by the authority.

6. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority on April 21, 2010, issued Port Facilities Revenue Refunding bonds in an amount of $68,630,000, for the purposes of the reconstruction and expansion of Norfolk International Terminals (NIT), reconstruction and expansion of Portsmouth Marine Terminal (PMT), land acquisitions adjacent to NIT and PMT, and other improvements to port facilities (capital outlay project 407-16644). The debt service on these bonds, estimated to be $3,308,319 the first year and $3,308,319 the second year, will be paid from special funds, and all or a portion of such bonds may be refunded by the authority pursuant to § 62.1-140, Code of Virginia.

7. It is hereby acknowledged that, in accordance with § 62.1-140, Code of Virginia, the Virginia Port Authority may issue short-term debt on a revolving basis as interim or anticipation financing in order to cover costs of planning, design, and construction pending the receipt of bond or master equipment lease program proceeds authorized in paragraphs A 4, B 5, and B 6 in an amount not to exceed the authorized amount for the projects. In the aggregate, the short-term debt shall not exceed $200,000,000 at any point in time and all or a portion of such debt may be refunded by the Authority pursuant to § 62.1-140, Code of Virginia. The debt service, including associated fees, on the short-term debt may be paid, as recommended by the authority and approved by the Board, from the bond or master equipment lease proceeds, special funds, or other revenues or proceeds.

8. Total debt service paid from special funds for all bonds, lease agreements, and short-term debt noted herein shall not exceed $42,000,000 the first year and $42,000,000 the second year.

C. In order to remain consistent with the grant of authority as provided in Chapter 10, § 62.1-128 et seq. of the Code of Virginia, the Virginia Port Authority is authorized to maintain independent payroll and nonpayroll disbursement systems and, in connection with such systems, to open and maintain an appropriate account with a qualified public depository. As implementation occurs, these systems and related procedures shall be subject to review and approval by the State Comptroller. The Virginia Port Authority shall continue to provide nonpayroll transaction detail to the State Comptroller through the Commonwealth Accounting and Reporting System.

D. The Virginia Port Authority is directed to further analyze the necessary improvements identified in the study undertaken under contract by the Virginia Port Authority in 2010 regarding the Commonwealth Rail Line Safety Relocation Initiative in the City of Suffolk. Such study shall focus on the improvements needed to implement the aforementioned study and is intended to help address the impacts of port-related rail traffic in the City of Suffolk. The Virginia Port Authority shall work with the Virginia Department of Transportation and the Department of Rail and Public Transportation to identify the respective share of project costs

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that should be borne by each entity, recognizing that the rail project seeks to address adverse highway delays caused by rail traffic emanating from the Virginia Port Authority operated facilities. Such review shall assess the availability of Rail Enhancement Funding, Rail Preservation Funding, Railroad Rehabilitation and Improvement Financing, Transportation Innovation and Finance funding, Highway Safety Improvement Funding, Rail Industrial Access grants and Virginia Port Authority funding available to finance the critical improvements. The Authority shall submit a report to the Chairmen of the House Appropriations and Transportation Committees and the Senate Finance and Transportation Committees by November 15, 2013 outlining the potential funding sources and a proposed schedule of completion for the detailed study.

457. Financial Assistance for Port Activities (62800)			$3,107,625	$3,107,625
Aid to Localities (62801)	$1,000,000	$1,000,000		
Payment in Lieu of Taxes (62802)	$2,107,625	$2,107,625		
Fund Sources: General	$950,000	$950,000		
Special	$1,157,625	$1,157,625		
Commonwealth Transportation	$1,000,000	$1,000,000		

Authority: Title 62.1, Chapter 10, Code of Virginia.

A. Of the amounts in this Item, $950,000 the first year and $950,000 the second year from the general fund is appropriated for service charges to be paid to localities in which the Virginia Port Authority owns tax-exempt real estate. The funds shall be transferred to Item 449 of this act for distribution by the Commonwealth Transportation Board for roadway maintenance activities in the jurisdictions hosting Virginia Port Authority facilities and shall be treated as other Commonwealth Transportation Board payments to localities for highway maintenance. These funds shall not be used for other activities nor shall they supplant other local government expenditures for roadway maintenance. These funds shall be distributed to the localities on a pro rata basis in accordance with the formula set out in § 58.1-3403 D, Code of Virginia; however, the proportion of the funds distributed based on cargo traveling through each port facility shall be distributed on a pro rata basis according to twenty-foot equivalent units.

B. Of the amounts in Item 105 A, $1,000,000 the second year from the general fund may be deposited in the Port of Virginia Economic and Infrastructure Development Zone Grant Fund, created pursuant to § 62.1-132.3:2, Code of Virginia. The Executive Director of the Virginia Port Authority shall disburse the funding in the form of grants to qualified companies in accordance with the provisions of § 62.1-132.3:2, Code of Virginia.

458. Administrative and Support Services (69900)			$66,252,654	$69,452,654
General Management and Direction (69901)	$55,781,542	$58,981,542		
Security Services (69923)	$10,471,112	$10,471,112		
Fund Sources: Special	$64,952,654	$68,152,654		
Commonwealth Transportation	$1,300,000	$1,300,000		

Authority: Title 62.1, Chapter 10, Code of Virginia.

A. Out of the amounts in this Item, the Executive Director is authorized to expend from special funds amounts not to exceed $37,500 the first year and $37,500 the second year, for entertainment expenses commonly borne by businesses. Further, such expenses shall be recorded separately by the agency.

B. Prior to purchasing airline and hotel accommodations related to overseas travel, the Virginia Port Authority shall provide an itemized list of projected costs for review by the Secretary of Transportation.

Total for Virginia Port Authority			**$142,992,956**	**$146,192,956**
Nongeneral Fund Positions	146.00	146.00		
Position Level	146.00	146.00		

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	Fund Sources: General	$950,000	$950,000		
	Special	$105,389,932	$108,586,537		
	Commonwealth Transportation	$33,653,024	$33,656,419		
	Federal Trust	$3,000,000	$3,000,000		
	TOTAL FOR OFFICE OF TRANSPORTATION			~~$4,926,276,315~~	~~$4,844,161,125~~
				$5,275,737,075	*$4,891,681,770*
	Nongeneral Fund Positions	9,798.00	~~9,798.00~~		
			9,784.00		
	Position Level	9,798.00	~~9,798.00~~		
			9,784.00		
	Fund Sources: General	$40,980,246	$40,980,246		
	Special	~~$108,449,899~~	~~$111,646,504~~		
		$108,529,387	*$111,728,392*		
	Commonwealth Transportation	~~$3,834,937,450~~	~~$3,896,726,215~~		
		$3,973,962,589	*$3,956,383,041*		
	Trust and Agency	~~$883,658,166~~	~~$736,557,605~~		
		$1,094,014,299	*$644,539,536*		
	Dedicated Special Revenue	*$0*	*$79,800,000*		
	Federal Trust	$58,250,554	$58,250,555		

ITEM 459.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	OFFICE OF VETERANS AFFAIRS AND HOMELAND SECURITY				
	§ 1-131. SECRETARY OF VETERANS AFFAIRS AND HOMELAND SECURITY (454)				
459.	Disaster Planning and Operations (72200)			$1,368,051	$1,368,239
	Emergency Planning (72205)	$1,368,051	$1,368,239		
	Fund Sources: General	$479,656	$479,844		
	Federal Trust	$888,395	$888,395		
	Authority: Title 2.2, Chapter 3.1, Code of Virginia.				
459.05.	*Economic Development Services (53400)*			*$0*	*$1,286,504*
	Financial Assistance for Economic Development (53410)	*$0*	*$1,286,504*		
	Fund Sources: Dedicated Special Revenue	*$0*	*$1,286,504*		
	Authority: Discretionary Inclusion				
	A. In accordance with Chapter 653 of the 2008 Virginia Acts of Assembly, this item includes the Commonwealth's contribution to address the encroachment of the United States Navy Master Jet Base and shall only be expensed by purchasing property as established under Chapter 653. The contribution includes $1,286,504 from nongeneral funds and out of the appropriation in paragraph J.1.b of Item 469 of this act, an amount equal to $6,213,496 the second year, for a total of $7,500,000.				
	B. The Secretary of Veterans Affairs and Homeland Security shall develop an annual grant application which shall include at a minimum requirements for the Grantee to (1) report expenditures each quarter, (2) retain all invoices, bills, receipts, cancelled checks, proof of payment and similar documentation to substantiate expenditures of grant funding, (3) provide a 50 percent cash match from non-state funds for each property purchased under this program, (4) return excess state grant funding within thirty (30) days after the grant year expires, and (5) split all proceeds from the sale of any properties under Chapter 653 or Chapter 622 of the 2006 Virginia Acts of Assembly with the Commonwealth.				
	C.1. Prior to the distribution of any funds, any Grantee seeking funding under this Item shall submit a grant application to the Secretary of Veterans Affairs and Homeland Security for consideration.				
	2. Payments to Grantees shall be made in equal quarterly installments. After the initial payment, the Secretary of Veterans Affairs and Homeland Security shall make additional quarterly payments to the Grantee based on the quarterly expenditure reports. In making subsequent payments, the Secretary shall ensure the Grantee's match funding is being expensed at the appropriate rate and limit surplus state funding at the local level by withholding quarterly payments as necessary.				
	3. The Secretary may approve a request by the Grantee for additional state funding in a particular quarterly payment if supporting documentation is provided.				
	D. The Commonwealth shall have the right to make inspections and copies of the books and records of the Grantee at any time. The Grantee shall undergo an audit for the grant period and provide a copy of the audit report to the Secretary.				
	Total for Secretary of Veterans Affairs and Homeland Security			**$1,368,051**	**~~$1,368,239~~** ***$2,654,743***
	General Fund Positions	6.00	6.00		
	Nongeneral Fund Positions	3.00	3.00		
	Position Level	9.00	9.00		

ITEM 459.05.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: General	$479,656	$479,844		
	Dedicated Special Revenue	*$0*	*$1,286,504*		
	Federal Trust	$888,395	$888,395		

§ 1-132. DEPARTMENT OF VETERANS SERVICES (912)

460.	Higher Education Student Financial Assistance (10800)			$708,562	$708,562
	Education Program Certification for Veterans (10814)	$708,562	$708,562		
	Fund Sources: Federal Trust	$708,562	$708,562		
	Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.				
461.	State Health Services (43000)			$42,276,602	~~$43,182,853~~ *$43,894,638*
	Veterans Care Center Operations (43013)	$42,276,602	~~$43,182,853~~ *$43,894,638*		
	Fund Sources: Special	$29,157,828	~~$29,823,741~~ *$30,535,526*		
	Dedicated Special Revenue	$70,000	$70,000		
	Federal Trust	$13,048,774	$13,289,112		
	Authority: § 51.5-73, Code of Virginia; P.L. 93-112, Federal Code.				
462.	Veterans Benefit Services (46700)			$6,903,910	~~$6,891,622~~ *$7,896,622*
	Case Management Services for Veterans Benefits (46701)	$6,903,910	~~$6,891,622~~ *$4,835,358*		
	Veteran and Wounded Warrior Support Services (46702)	*$0*	*$3,061,264*		
	Fund Sources: General	$6,353,910	~~$6,341,622~~ *$7,096,622*		
	Special	*$0*	*$25,000*		
	Dedicated Special Revenue	$150,000	~~$150,000~~ *$275,000*		
	Federal Trust	$400,000	~~$400,000~~ *$500,000*		
	Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.				

A. Notwithstanding § 23-7.4:1, Code of Virginia, the department shall provide the State Council of Higher Education for Virginia the information these schools need to administer the Virginia Military Survivors and Dependent Education Program. The department shall retain the responsibility to certify the eligibility of those who apply for financial aid under this program.

B. No child may receive the education benefits provided by § 23-7.4:1, Code of Virginia, and funded by this or similar state appropriations, for more than four years or its equivalent.

C. Out of the amounts appropriated in this Item, $1,964,246 and seven positions the first year and $1,964,246 and seven positions the second year from the general fund and $550,000 in the first year and $550,000 in the second year from nongeneral funds are provided for the "Wounded Warrior" program, operated in cooperation with the Department of Behavioral Health and Developmental Services and the Department of Rehabilitative Services.

D. Out of the amounts appropriated for this item, $150,000 the first year and $150,000 the second year from the general fund is provided for the licensing fees associated with an automated claims processing system for the submission of veterans' benefit claims.

E. Out of this appropriation, $199,900 the first year and $187,612 the second year from the general fund *and $200,000 the second year from nongeneral funds* is provided to establish and operate the Fort Monroe Freedom Support Center, a highly collaborative, one-stop service

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facility for families of deployed military service members, transitioning service members, and veterans, which will include one full-time employee position to operate the center, identifying and connecting these individuals with service organizations that provide various means of assistance.

F. Included in the amounts for this item, $30,000 the second year from the general fund is appropriated to permit up to 20 benefit claims agents per year to attend training courses offered by national veterans service organizations. Up to 10 benefit claims agents per year shall attend national training courses offered by the American Legion and up to 10 benefit claims agents shall attend national training courses offered by the Veterans of Foreign Wars.

G. Out of this appropriation, up to $300,000 the second year from the general fund shall be provided for training and equipment purchases to support the Virginia Values Veterans Program. The Department of Veterans Services shall develop program guidelines to ensure that the funding mechanism effectively attracts maximum participation of firms to increase the number of veterans hired. Such funds may be used by companies hiring returning or disabled military veterans for new full-time jobs located in the Commonwealth that pay an annual salary of at least $30,000 and for which the returning or disabled military veteran is employed continuously throughout the year. A full-time job is defined as a minimum of either 35 hours per week for at least 48 weeks or 1,680 hours per year.

463. Historic and Commemorative Attraction Management (50200)			$2,441,800	~~$2,446,998~~ *$2,573,258*
Historic Landmarks and Facilities Management (50203)	$743,543	~~$748,741~~ *$795,001*		
State Veterans Cemetery Management and Operations (50206)	$1,698,257	~~$1,698,257~~ *$1,778,257*		
Fund Sources: General	$1,853,334	~~$1,858,532~~ *$1,824,792*		
Special	$358,466	$358,466		
Dedicated Special Revenue	$5,000	$5,000		
Federal Trust	$225,000	~~$225,000~~ *$385,000*		

Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.

The Department of General Services shall continue to provide routine building and grounds maintenance for the Virginia War Memorial as part of services provided under the seat of government rental plan.

464. Administrative and Support Services (49900)			$1,794,014	~~$1,779,083~~ *$1,596,132*
General Management and Direction (49901)	$1,794,014	~~$1,779,083~~ *$1,596,132*		
Fund Sources: General	$1,468,823	~~$1,453,892~~ *$1,270,941*		
Special	$265,191	$265,191		
Dedicated Special Revenue	$60,000	$60,000		

Authority: Title 2.2, Chapters 20, 24, 26, 27, Code of Virginia.

Out of this appropriation, $77,574 the second year from the general fund is included for the purchase of a generator for the Salem Veterans Care Center through the state's master equipment lease purchase program.

Total for Department of Veterans Services			**$54,124,888**	~~**$55,009,118**~~ ***$56,669,212***

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General Fund Positions	~~111.00~~ *112.00*	~~111.00~~ *112.00*		
Nongeneral Fund Positions	~~562.00~~ *561.00*	~~562.00~~ *561.00*		
Position Level	673.00	673.00		
Fund Sources: General	$9,676,067	~~$9,654,046~~ *$10,192,355*		
Special	$29,781,485	~~$30,447,398~~ *$31,184,183*		
Dedicated Special Revenue	$285,000	~~$285,000~~ *$410,000*		
Federal Trust	$14,382,336	~~$14,622,674~~ *$14,882,674*		
TOTAL FOR OFFICE OF VETERANS AFFAIRS AND HOMELAND SECURITY			**$55,492,939**	~~**$56,377,357**~~ ***$59,323,955***
General Fund Positions	~~117.00~~ *118.00*	~~117.00~~ *118.00*		
Nongeneral Fund Positions	~~565.00~~ *564.00*	~~565.00~~ *564.00*		
Position Level	682.00	682.00		
Fund Sources: General	$10,155,723	~~$10,133,890~~ *$10,672,199*		
Special	$29,781,485	~~$30,447,398~~ *$31,184,183*		
Dedicated Special Revenue	$285,000	~~$285,000~~ *$1,696,504*		
Federal Trust	$15,270,731	~~$15,511,069~~ *$15,771,069*		

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CENTRAL APPROPRIATIONS

§ 1-133. CENTRAL APPROPRIATIONS (995)

465. Higher Education Academic, Fiscal, and Facility Planning and Coordination (11100)			~~$4,151,989~~ *$6,594,798*	~~$4,805,566~~ *$6,605,006*
Interest Earned on Educational and General Programs Revenue (11106)	~~$4,151,989~~ *$6,594,798*	~~$4,805,566~~ *$6,605,006*		
Fund Sources: General	~~$3,233,293~~ *$5,676,102*	~~$3,886,870~~ *$5,676,102*		
Higher Education Operating	$918,696	~~$918,696~~ *$928,904*		

Authority: Discretionary Inclusion.

A. The standards upon which the public institutions of higher education are deemed certified to receive the payment of interest earnings from the tuition and fees and other nongeneral fund Educational and General revenues shall be based upon the standards provided in § 4-9.02 of this act, as approved by the General Assembly.

B. The estimated interest earnings and other revenues shall be distributed to those specific public institutions of higher education that have been certified by the State Council of Higher Education for Virginia as having met the standards provided in § 4-9.02 of this act, based on the distribution methodology developed pursuant to Chapter 933, Enactment 2, Acts of Assembly of 2005 and reported to the Chairmen of the House Appropriations Committee and Senate Finance Committee.

C. In accordance with § 2.2-5004 and 2.2-5005, Code of Virginia, this Item provides ~~$1,855,729~~ *$4,425,332* the first year and ~~$2,474,306~~ *$4,425,332* the second year from the general fund, and $918,696 the first year and ~~$918,696~~ *$928,904* the second year from nongeneral funds, for the estimated payments to individual institutions of higher education for interest earned on tuition and fees and other nongeneral fund Education and General Revenues deposited to the state treasury. Upon certification by the State Council of Higher Education for Virginia that all available performance benchmarks have been successfully achieved by the individual institutions of higher education, the Director, Department of Planning and Budget, shall transfer the appropriation in this Item for such estimated interest earnings to the general fund appropriation of each institution's Educational and General program.

D. This Item also includes ~~$1,377,564~~ *$1,250,770* the first year and ~~$1,412,564~~ *$1,250,770* the second year from the general fund for the payment to individual institutions of higher education of a pro rata amount of the rebate paid to the Commonwealth on credit card purchases not exceeding $5,000 during the previous fiscal year. The State Comptroller shall determine the amount owed to each certified institution, net of any payments due to the federal government, using a methodology that equates a pro rata share based upon the total transactions of $5,000 or less made by the institution using the state-approved credit card in comparison to all transactions of $5,000 or less using said approved credit card. By October 15, or as soon thereafter as deemed appropriate, following the year of certification, the State Comptroller shall reimburse each institution its estimated pro rata share.

E. Once actual financial data from the year of certification are available, the State Comptroller and the Director, Department of Planning and Budget, shall compare the actual data with estimates used to determine the distribution of the interest earnings, nongeneral fund Educational and General revenues, and the pro rata amounts to the certified institutions of higher education. In those cases where variances exist, the Governor shall include in his next introduced budget bill recommended appropriations to make whatever adjustments to each institution's distributed amount to ensure that each institution's incentive payments are accurate based on actual financial data.

466. Revenue Administration Services (73200)			a sum sufficient
Designated Refunds for Taxes and Fees (73215)	a sum sufficient		

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Fund Sources: General	a sum sufficient			

Authority: Discretionary Inclusion.

A. There is hereby appropriated from the affected funds in the state treasury, for refunds of taxes and fees, and the interest thereon, in accordance with law, a sum sufficient.

B. There is hereby appropriated from the affected funds in the state treasury for, (1) refunds of previously paid taxes imposed by the Commonwealth at 100 percent of face value up to the amount of the coalfield employment enhancement tax credit authorized by § 58.1-439.2, Code of Virginia, (2) refunds of any remaining credit at 90 percent of face value for credits earned in taxable years beginning before January 1, 2002, and 85 percent of face value for credits earned in taxable years beginning on and after January 1, 2002, and (3) payment of the remaining 10 or 15 percent credit to the Coalfields Economic Development Authority, a sum sufficient.

C. Pursuant to § 2.2-1825, Code of Virginia, and notwithstanding § 59.1-479 et seq., Code of Virginia, beginning January 1, 2013, the State Comptroller shall issue individual income tax refunds only through debit cards, direct deposits, or other electronic means unless the Tax Commissioner determines that a check is more appropriate for a transaction or class of transactions.

467. Distribution of Tobacco Settlement (74500)				
a sum sufficient, estimated at			$88,359,200	$88,359,200
Payments to Tobacco Producers and Tobacco Growing Communities (74501)	$77,000,000	$77,000,000		
Payments for Tobacco Usage Prevention (74502)	$11,359,200	$11,359,200		
Fund Sources: Trust and Agency	$88,359,200	$88,359,200		

Authority: Title 3.2, Chapters 42 and 46, and Title 32.1, Chapter 14, Code of Virginia.

A.1. There is hereby appropriated a sum sufficient estimated at $77,000,000 the first year and $77,000,000 the second year from nongeneral funds for expenditures of securitized proceeds and earnings up to the amount transferred from the endowment to the Tobacco Indemnification and Community Revitalization Fund in accordance with § 3.2-3104, Code of Virginia. Such expenditures shall be made pursuant to § 3.2-3108, Code of Virginia.

2. From the amount deposited into the Tobacco Indemnification and Community Revitalization Fund pursuant to § 3.2-3106, Code of Virginia, shall be paid 50 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 59, Paragraph B of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N, of this act.

B.1. Notwithstanding the provisions of §§ 32.1-354, 32.1-360 and 32.1-361.1, Code of Virginia, the State Comptroller shall deposit 8.5 percent of the Commonwealth's Allocation pursuant to the Master Settlement Agreement with tobacco product manufacturers to the Virginia Tobacco Settlement Fund. There is hereby appropriated a sum sufficient estimated at $11,359,200 the first year and $11,359,200 the second year from available balances in the fund for the purposes set forth in § 32.1-361, Code of Virginia. No less than $1,000,000 the first year and $1,000,000 the second year shall be allocated for obesity prevention activities.

2. From the amount deposited into the Virginia Tobacco Settlement Fund shall be paid 8.5 percent of the costs associated with the diligent enforcement of the non-participating manufacturer statute of the 1998 Tobacco Master Settlement Agreement, § 3.2-4201, Code of Virginia, and Item 59, Paragraph B, of this act. These costs shall be paid pursuant to the transfer to the general fund directed by § 3-1.01, Paragraph N, of this act.

3. Beginning November 1, 2010, and each year thereafter, the Director, Virginia Healthy Youth Foundation, shall report to the Chairmen of the House Appropriations and Senate Finance Committees on funding provided to community-based organizations for obesity prevention activities pursuant to § 32.1-355, Code of Virginia.

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C. The amounts deposited by the State Comptroller pursuant to paragraph B.1. of this Item shall be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.				
468. Compensation and Benefit Adjustments (75700).....			~~$86,887,372~~ *$85,825,318*	~~$155,366,859~~ *$246,073,011*
Adjustments to Employee Compensation (75701).....	$0	~~$54,667,823~~ *$87,614,419*		
Adjustments to Employee Benefits (75702).....	~~$86,887,372~~ *$85,825,318*	~~$100,699,036~~ *$158,458,592*		
Fund Sources: General.....	~~$86,887,372~~ *$85,825,318*	~~$155,366,859~~ *$246,073,011*		

Authority: Discretionary Inclusion.

A. Transfers to or from this Item may be made to decrease or supplement general fund appropriations to state agencies for:

1. Adjustments to base rates of pay;

2. Adjustments to rates of pay for budgeted overtime of salaried employees;

3. Salary changes for positions with salaries listed elsewhere in this act;

4. Salary changes for locally elected constitutional officers and their employees;

5. Employer costs of employee benefit programs when required by salary-based pay adjustments;

6. Salary changes for local employees supported by the Commonwealth, other than those funded through appropriations to the Department of Education; and

7. Adjustments to the cost of employee benefits to include but not limited to health insurance premiums and retirement and related contribution rates.

B. Transfers from this Item may be made when appropriations to the state agencies concerned are insufficient for the purposes stated in paragraph A of this Item, as determined by the Department of Planning and Budget, and subject to guidelines prescribed by the department. Further, the Department of Planning and Budget may transfer appropriations within this Item from the second year of the biennium to the first year, when necessary to accomplish the purposes stated in paragraph A of this Item.

C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as required by this Item, subject to the rules and regulations prescribed by the appointing or governing authority of such agencies. Nongeneral fund revenues and balances required for this purpose are hereby appropriated.

D. The Governor is hereby authorized to transfer funds from agency appropriations to the accounts of participating state employees in such amounts as may be necessary to match the contributions of the qualified participating employees, consistent with the requirements of the Code of Virginia governing the deferred compensation cash match program. Such transfers shall be made consistent with the following:

1. The maximum cash match provided to eligible employees shall not be less than $20.00 per pay period, or $40.00 per month, in each year of the biennium. The Governor may direct the agencies of the Commonwealth to utilize funds contained within their existing appropriations to meet these requirements.

2. The Governor may direct agencies supported in whole or in part with nongeneral funds to utilize existing agency appropriations to meet these requirements. Such nongeneral revenues and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any existing conditions and

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restrictions otherwise placed upon such nongeneral funds.

~~3. Employees who are otherwise eligible but whose 403 (b) provider does not participate in the cash match program by establishing a 401 (a) account are ineligible to receive a cash match.~~

4. The procurement of services related to the implementation of this program shall be governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.

E. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish a program that allows for the sharing of cost savings from improved productivity, efficiency, and performance with agencies and employees. Such gain sharing programs require a management philosophy of open communication encouraging employee participation; a system which seeks, evaluates and implements employee input on increasing productivity; and a formula for measuring productivity gains and sharing these gains between employees and the agency. The Department of Human Resource Management, in conjunction with the Department of Planning and Budget, shall develop specific gain sharing program guidelines for use by agencies. The Department of Human Resource Management shall provide to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees an annual report no later than October 1 of each year detailing identified savings and their usage.

F.1. Out of the appropriation for this Item, amounts estimated at $44,172,400 the first year and ~~$56,126,860~~ *$113,886,416* the second year from the general fund shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.

2. Out of the amounts included in subparagraph 1, $526,849 the first year and ~~$526,849~~ *$981,409* the second year from the general fund shall be transferred to the University of Virginia to cover the state share of the increases in employer premiums for state employees participating in the University of Virginia’s health care plan.

3. Notwithstanding any contrary provision of law, the health benefit plans for state employees resulting from the additional funding in this Item shall allow for a portion of employee medical premiums to be charged to employees.

4. The Department of Human Resource Management shall explore options within the health insurance plan for state employees to promote value-based health choices aimed at creating greater employee satisfaction with lower overall health care costs. It is the General Assembly’s intent that any savings associated with this employee health care initiative be retained and used towards funding state employee salary or fringe benefit cost increases.

5. Notwithstanding any other provision of law, it shall be the sole responsibility and authority of the Department of Human Resource Management to establish and enforce employer contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of Virginia.

6. The Department of Human Resource Management is prohibited from establishing a retail maintenance network for maintenance drugs that includes penalties for non-use of the retail maintenance network. As an alternative, the Department shall include in the upcoming request for proposal a requirement that the successful bidder provide, upon request of the Department, all claims-related financial and utilization information relating to the provision of benefits and all other financial and utilization information relating to benefits to covered individuals. This information shall include information on the nature, type, and amount of all other revenue received in aggregate from pharmaceutical manufacturers or labelers for programs relating to benefits to covered individuals of the State Employee Health Plan.

G.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of public school teachers, state employees, state police officers, state judges, and state law enforcement officers eligible for the Virginia Law Officers Retirement System shall be based on a valuation of retirement assets and liabilities that are consistent with the provisions of Senate Bill 498 and House Bill 1130.

2. Retirement contribution rates for the first year and the second year, excluding the five

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percent employee portion, shall be: 11.66 percent for public school teachers, 8.76 percent for state employees, 24.74 percent for state police officers, 14.80 percent for the Virginia Law Officers Retirement System, and 45.44 percent for the Judicial Retirement System. These rates include both the regular contribution rate and the rate calculated by the Virginia Retirement System actuary for the 10-year payback of the retirement contribution payments deferred for the 2010-12 biennium. *From such general fund revenues as are collected for fiscal year 2013 in excess of the First Year Official Revenue Estimate contained in this Act, the first $100.0 million, or portion thereof, that is not required to meet (i) a Constitutionally-mandated deposit to the Revenue Stabilization Fund, (ii) the Water Quality Improvement Fund, Part A deposit, or (iii) the Item 469 J.1., deposit to the Federal Action Contingency Trust Fund shall be reserved by the Comptroller in the Restricted Fund Balance for payment to the Virginia Retirement System (VRS) prior to June 30, 2014. The VRS shall allocate any payments to the retirement system plans proportionate to each plan's, excluding political subdivision plans, unfunded liability estimated as of June 30, 2012. Said payment to VRS shall constitute a prepayment of the general fund 2014-16 biennial installment of the ten-year payback of retirement contributions deferred for the 2010-12 biennium, thereby reducing the general fund contribution rate in the 2014-16 biennium.*

3. Payments to the Virginia Retirement System shall be made no later than the tenth day following the close of each month of the fiscal year.

4. Out of the general fund appropriation for this Item is included $42,161,373 the first year and $43,994,437 the second year to support the general fund portion of the net costs resulting from changes in employer contributions for state employee retirement as provided for in this paragraph.

5. The funding necessary to support the cost of reimbursements to Constitutional Officers for retirement contributions are appropriated elsewhere in this act under the Compensation Board.

6. The funding necessary to support the cost of the employer retirement contribution rate for public school teachers is appropriated elsewhere in this act under Direct Aid to Public Education.

H.1. Except as authorized in Paragraph H.2. of this Item, rates paid to the VRS on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions shall be based on the higher of: a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-14 biennium, eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium, ninety percent of the results of the June 30, 2015 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2016-18 biennium, one-hundred percent of the results of the June 30, 2017 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2018-20 biennium.

2. Rates paid to the VRS on behalf of employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions (only to the extent that the employer contribution rate is not otherwise specified in this act), and (v) other political subdivisions may, at each participating employers option, be based on the employer contribution rates certified by the Virginia Retirement System (VRS) Board of Trustees pursuant to § 51.1-145(I), Code of Virginia.

3. Every participating employer must certify to the board of the Virginia Retirement System by resolution adopted by its local governing body that it: has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of electing or not electing to utilize the employer contribution rates certified by the Virginia Retirement System (VRS) Board of Trustees, as provided for in paragraph H.2.

4. Prior to electing to utilize the employer contribution rates certified by the Virginia Retirement System (VRS) Board of Trustees, as authorized in paragraph H.2, local public school divisions must receive the concurrence of the local governing body. Such concurrence must be documented by a resolution of the governing body.

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5. The board of the Virginia Retirement System shall provide all employers participating in the Virginia Retirement System with a summary of the implications inherent in the use of the employer contribution rates certified by the Virginia Retirement System (VRS) Board of Trustees set out in paragraph H.2, and the alternate employer contribution rates set out in paragraph H.1

I. The Virginia Retirement System Board of Trustees shall account for the employer retirement contribution payments deferred for the 2010-2012 biennium based on limiting employer retirement contributions to the Virginia Retirement System to the actuarial normal cost. In setting the employer retirement contribution rates for subsequent biennia, the board shall calculate a separate, supplemental employer contribution rate that will amortize such deferred payments over a period of ten years using the board's assumed long-term rate of return. The Governor shall include funds to support payment of such board-approved, supplemental employer contribution rates in the budget submitted to the General Assembly.

J.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to include the public employee group life insurance program, the Virginia Sickness and Disability Program, the state employee retiree health insurance credit, and the public school teacher retiree health insurance credit, shall be based on a valuation of assets and liabilities that assume an investment return of eight percent and an amortization period of 30 years.

2. Contribution rates paid on behalf of public employees for other programs administered by the Virginia Retirement System in the first year and the second year shall be: 1.19 percent for the state employee group life insurance program, 0.48 percent for the employer share of the public school teacher group life insurance program, 0.47 percent for the Virginia Sickness and Disability Program, 1.00 percent for the state employee retiree health insurance credit, and 1.11 percent for the public school teacher retiree health insurance credit.

3. The funding necessary to support the cost of reimbursements to Constitutional Officers for public employee group life insurance contributions is appropriated elsewhere in this act under the Compensation Board.

4. The funding necessary to support the cost of the employer public school teacher group life insurance and retiree health insurance credit rates is appropriated elsewhere in this act under Direct Aid to Public Education.

K. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency shall not be required to pay the Virginia Retirement System the costs of enhanced retirement benefits provided for in § 2.2-3204(A), Code of Virginia~~. Instead~~ *for employees who are involuntarily separated from employment with the Commonwealth if the Director of the Department of Planning and Budget certifies that such action results from 1. budget reductions enacted in the Appropriation Act, 2. budget reductions executed in response to the withholding of appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform actions taken by state agencies to increase efficiency of operations or improve service delivery provided such actions have been previously approved by the Governor, or 4. downsizing actions taken by state agencies as the result of the loss of federal or other grants, private donations, or other nongeneral fund revenue, and if the Director of the Department of Human Resource Management certifies that the action comports with personnel policy. Under these conditions*, the entire cost of such benefits for involuntarily separated employees shall be factored into the employer contribution rates paid to the Virginia Retirement System.

L. The purpose of this paragraph is to provide a transitional severance benefit, under the conditions specified, to eligible city, county, school division or other political subdivision employees who are involuntarily separated from employment with their employer.

1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from employment with the employer, or being placed on leave without pay-layoff or equivalent status, due to budget reductions, employer reorganizations, workforce downsizings, or other causes not related to the job performance or misconduct of the employee, but shall not include voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an employee who is involuntarily separated from employment with his employer.

b. The governing authority of a city, county, school division or other political subdivision electing to cover its employees under the provisions of this paragraph shall adopt a resolution,

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as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An election by a school division shall be evidenced by a resolution approved by the Board of such school division and its local governing authority.

2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in § 51.1-124.3, and (iii) any "local officer" as defined in § 51.1.124.3 except for the treasurer, commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or sheriff of any county or city, and (a) for whom reemployment with his employer is not possible because there is no available position for which the employee is qualified or the position offered to the employee requires relocation or a reduction in salary and (b) whose involuntary separation was due to causes other than job performance or misconduct, shall be eligible, under the conditions specified, for the transitional severance benefit conferred by this paragraph. The date of involuntary separation shall mean the date an employee was terminated from employment or placed on leave without pay-layoff or equivalent status.

b. Eligibility shall commence on the date of involuntary separation.

3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or less to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary; (ii) three years through and including nine years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to four weeks of salary plus one additional week of salary for every year of service over two years; (iii) ten years through and including fourteen years of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or more of consecutive service to the employer shall be entitled to receive a transitional severance benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six weeks of salary.

b. Transitional severance benefits shall be computed by the terminating employer’s payroll department. Partial years of service shall be rounded up to the next highest year of service.

c. Transitional severance benefits shall be paid by the employer in the same manner as normal salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the date of involuntary separation. The right of any employee who receives a transitional severance benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the transitional severance benefit; however, any employee who is entitled to unemployment compensation shall have his transitional severance benefit reduced by the amount of such unemployment compensation. Any offset to a terminated employee's transitional severance benefit due to reductions for unemployment compensation shall be paid in one lump sum at the time the last transitional severance benefit payment is made.

d. For twelve months after the employee's date of involuntary separation, the employee shall continue to be covered under the (i) health insurance plan administered by the employer for its employees, if he participated in such plan prior to his date of involuntary separation, and (ii) group life insurance plan administered by the Virginia Retirement System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be administered by the employer. During such twelve months, the terminating employer shall continue to pay its share of the terminated employee's premiums. Upon expiration of such twelve month period, the terminated employee shall be eligible to purchase continuing health insurance coverage under COBRA.

e. Transitional severance benefit payments shall cease if a terminated employee is reemployed or hired in an individual capacity as an independent contractor or consultant by the employer during the time he is receiving such payments.

f. All transitional severance benefits payable pursuant to this section shall be subject to applicable federal laws and regulations.

4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph, any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have

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the employer purchase on his behalf years to be credited to either his age or creditable service or a combination of age and creditable service, except that any years of credit purchased on behalf of a member of the Virginia Retirement System, including a member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall be added to his creditable service and not his age. The cost of each year of age or creditable service purchased by the employer shall be equal to fifteen percent of the employee's present annual compensation. The number of years of age or creditable service to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153 and 51.1-205, and disability retirement under the provisions of § 51.1-156 et seq., shall not be available under this paragraph.

b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph and (ii) the retirement program provided in this subsection, any employee who is otherwise eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.

c. The retirement allowance for any employee electing to retire under this paragraph who, by adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the actuarial basis provided in subdivision A. 2. of § 51.1-155.

d. The retirement program provided in this subparagraph shall be otherwise governed by policies and procedures developed by the Virginia Retirement System.

e. Costs associated with the provisions of this subparagraph shall be factored into the employer contribution rates paid to the Virginia Retirement System.

M.1. All classified employees of the Executive Branch and other full-time employees of the Commonwealth, except elected officials, who were employed on April 1, 2012, and remain employed until at least November 24, 2012, shall receive a one-time bonus payment equal to three percent of base pay on December 1, 2012, contingent upon additional general fund resources equaling or exceeding $77,200,000 from the combination of actual general fund revenue collections for fiscal year 2012 exceeding the official fiscal year 2012 revenue estimate contained in the first enactment of the 2010-12 appropriations act, as amended by the 2012 session of the General Assembly, and by any discretionary unspent general fund appropriations recommended by the Governor for reversion at the end of fiscal year 2012. In the event that the total of all funds provided for in this paragraph are insufficient to fully fund the general fund cost of the three percent one-time bonus payment, such bonus payment shall be prorated to a percent of base pay for the general fund payroll that equates to the amount of total general fund resources provided.

a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the bonus payment authorized in this paragraph only if they have attained an equivalent rating of at least "Meets Expectations" on their performance evaluation and have no active written notices under the Standards of conduct for the preceding review period.

2. For purposes of paying the general fund share of the December 1, 2012, one-time bonus, after meeting all Constitutionally-required deposits to the Revenue Stabilization Fund, the State Comptroller shall reserve $77,200,000 in the Restricted Fund Balance on the balance sheet for the general fund attributable to fiscal year 2012 general fund revenue collections in excess of the official revenue estimate and discretionary general fund balances recommended for reversion by the Governor, prior to designating amounts for the Committed Fund Balance.

3. The Director of the Department of Planning and Budget shall administratively increase nongeneral fund appropriations as required to implement the one-time bonus payment.

N. Any supplemental salary payment to a state employee or class of state employees by a local governing body shall be governed by a written agreement between the agency head of the employee or class of employees receiving the supplement and the chief executive officer of the local governing body. Such agreement shall also be reviewed and approved by the Director of the State Department of Human Resource Management. At a minimum, the agreement shall specify the percent of state salary or fixed amount of the supplement, the resultant total salary of the employee or class of employees, the frequency and method of payment to the agency of

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the supplement, and whether or not such supplement shall be included in the employee's state benefit calculations. A copy of the agreement shall be made available annually to all employees receiving the supplement. The receipt of a local salary supplement shall not subject employees to any personnel or payroll rules and practices other than those promulgated by the State Department of Human Resource Management.

O. The Governor is hereby authorized to allocate a sum of up to ~~$54,667,823~~ $60,360,733 from this appropriation to the extent necessary to offset any downward revisions of the general fund revenue estimate prepared for fiscal years 2013 and 2014 after the enactment by the General Assembly of the 2012 Appropriation Act. If the general fund revenue estimates prepared subsequent to the 2012 General Assembly Session do not result in downward revisions and, if within 5 days of the preliminary close of the fiscal year ending on June 30, 2013, the Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee compensation purposes as stated in paragraphs P, Q and R below.

P.1. Contingent on the provisions of paragraph O. above, the base salary of the following employees shall be increased by two percent on July ~~10~~25, 2013, for state employees:

a. Full-time and other classified employees of the Executive Department subject to the Virginia Personnel Act;

b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act, except officials elected by popular vote;

c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in the agency head salary levels in § 4-6.01 c; and

d. Full-time professional staff of the Governor's Office, the Lieutenant Governor's Office, the Attorney General's Office, Cabinet Secretaries Offices, including the Deputy Secretaries, the Virginia Liaison Office, and the Secretary of the Commonwealth's Office.

e. Heads of agencies in the Legislative Department;

f. Full-time employees in the Legislative Department, other than officials elected by popular vote; and

g. Secretaries and administrative assistants as provided for in Item 1 of this act.

h. Judges and Justices in the Judicial Department;

i. Heads of agencies in the Judicial Department; and,

j. Full-time employees in the Judicial Department.

k. Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission, the Executive Directors of the Virginia College Savings Plan and the Virginia Office for Protection and Advocacy, and the Directors of the State Lottery Department, and the Virginia Retirement System;

l. Full-time employees of the State Corporation Commission, the Virginia College Savings Plan, the State Lottery Department, Virginia Workers' Compensation Commission, the Virginia Retirement System, and Virginia Office for Protection and Advocacy.

2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative Departments, employees of Independent agencies, and employees of the Executive Department not subject to the Virginia Personnel Act shall be consistent with the provisions of this paragraph, as determined by the appointing or governing authority. *However, notwithstanding anything herein to the contrary, the governing authorities of those state institutions of higher education with employees not subject to the Virginia Personnel Act may implement salary*

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increases for such employees that may vary based on performance and other employment-related factors. The appointing or governing authority shall certify to the Department of Human Resource Management that employees receiving the awards are performing at levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this paragraph.

3. The Department of Human Resource Management shall increase the minimum and maximum salary for each band within the Commonwealth's Classified Compensation Plan by two percent on July ~~10~~*25*, 2013. No salary increase shall be granted to any employee as a result of this action. The department shall develop policies and procedures to be used in instances where employees fall below the entry level for a job classification due to poor performance. Movement through the revised pay band shall be based on employee performance.

4. Out of the amounts for Supplements to Employee Compensation is included ~~$39,116,546~~ *$37,179,293* the second year from the general fund to support the general fund portion of costs associated with the salary increase provided in this paragraph.

5. The following agency heads, at their discretion, may ~~utilize agency funds or the funds provided pursuant to this paragraph to~~ implement the provisions of *new or* existing *performance-based* pay plans:

a. The heads of agencies in the Legislative and Judicial Departments;

b. The Commissioners of the State Corporation Commission and the Virginia Workers' Compensation Commission;

c. The Attorney General;

d. The Director of the Virginia Retirement System;

e. The Director of the State Lottery Department;

f. The Director of the University of Virginia Medical Center;

g. The Executive Director of the Virginia College Savings Plan;

h. The Executive Director of the Virginia Port Authority; and

i. The Executive Director of the Virginia Office for Protection and Advocacy.

Q. The base rates of pay, and related employee benefits, for wage employees may be increased by up to two percent no earlier than July ~~10~~*25*, 2013. The cost of such increases for wage employees shall be borne by existing funds appropriated to each agency.

R.1. Contingent on the provisions of paragraph O. above, the base salary of the following employees shall be increased by ~~two~~ *three* percent on August 1, 2013:

a. Locally elected constitutional officers;

b. General Registrars and members of local electoral boards;

c. Full-time employees of locally elected constitutional officers, *except for assistant Commonwealth's attorney whose salary adjustment upwards by 2 percent of their salary as of June 30, 2013*; and,

d. Full-time employees of Community Services Boards, Centers for Independent Living, secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and local court service units, local social services boards, local pretrial services act and comprehensive community corrections act employees, and local health departments where a memorandum of understanding exists with the Virginia Department of Health.

2. Out of the appropriation for Supplements to Employee Compensation is included ~~$15,551,277~~ *$23,181,440* the second year from the general fund to support the costs associated with the salary increase provided in this paragraph.

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S. Subsequent to effectuating the salary adjustment authorized in paragraph P. of this item the base salary of employees listed in P.1 of this item, except for those listed in subparagraph 1 below, who have five years or more of continuous state service shall be increased by $65 for each full year of service, except sworn employees of the Department of State Police who shall receive $70 for each full year of service, up to thirty years, effective July 25, 2013. The Department of Human Resource Management shall develop guidelines and procedures for implementation of this salary compression compensation adjustment.

1. Employees excluded from adjustment:

a) Faculty at public institutions of higher education;

b) Judges and Justices of the Judicial Department;

c) Commissioners of the State Corporation Commission;

d) Commissioners of the Virginia Workers' Compensation Commission;

e) Employees of public institutions of higher education who are not faculty but are also not subject to the Virginia Personnel Act;

f) Legislative Assistants who are employees of individual members of the General Assembly.

2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive the salary increases authorized in this paragraph only if they attained at least a rating of "Contributor" on their latest performance evaluation.

3. Employees specifically excluded from the salary compression adjustment pursuant to section b) and c) of subparagraph 1 above shall receive a one percent salary adjustment effective July 25, 2013 in addition to the two percent adjustment authorized in paragraph P of this item.

4. The governing authorities of those state institutions of higher education with employees specifically excluded from the salary compression adjustment pursuant to section e) of subparagraph 1 may provide a salary adjustment based on performance and other employment-related factors, as long as the increases do not exceed what the average would have been based on the general methodology authorized in this paragraph.

5. Out of the appropriation Employee Compensation Supplements, $26,621,686 the second year from the general fund is included to support the general fund costs associated with the salary adjustment authorized in this paragraph.

T. The final sentence of § 51.1-145 (N), Code of Virginia providing that the employer contribution rate established for each employer may include the annual rate of contribution payable by such employer with respect to employees enrolled in optional defined contribution retirement plans, shall not apply to optional defined retirement plans established under § 51.1-126 for employees engaged in teaching, administrative or research duties at institutions of higher education, § 51.1-126.1 for employees of teaching hospitals other than VCU and UVA Medical Centers, and § 51.1-126.3 for University of Virginia Medical Center employees.

469. Payments for Special or Unanticipated Expenditures (75800)			~~$10,212,240~~ *$7,988,609*	~~$7,292,240~~ *$4,761,353*
Miscellaneous Contingency Reserve Account (75801)	$750,000	~~$750,000~~ *$2,011,977*		
Undistributed Support for Designated State Agency Activities (75806)	~~$9,462,240~~ *$7,238,609*	~~$6,542,240~~ *$2,749,376*		
Fund Sources: General	~~$10,212,240~~ *$7,988,609*	~~$7,292,240~~ *$4,761,353*		

Authority: Discretionary Inclusion.

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A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to an amount not to exceed $2,000,000 from the unappropriated balance derived by subtracting the general fund appropriations from the projected general fund revenues in this act, to provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made only when (1) sufficient funds are not available within the agency's appropriation and (2) additional funds must be provided prior to the end of the next General Assembly Session.

B.1. The Governor is authorized to allocate from the unappropriated general fund balance in this act such amounts as are necessary to provide for unbudgeted cost increases to state agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to provide for costs associated with the payment of a salary supplement for state classified employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard. Any salary supplement provided to state classified employees ordered to active duty, shall apply only to employees who would otherwise earn less in salary and other cash allowances while on active duty as compared to their base salary as a state classified employee. Guidelines for such payments shall be developed by the Department of Human Resource Management in conjunction with the Departments of Accounts and Planning and Budget.

2. The Governor shall submit a report within thirty days to the Chairmen of House Appropriations and Senate Finance Committees which itemizes any disbursements made from this Item for such costs.

3. The governing authority of the agencies listed in this subparagraph may, at its discretion and from existing appropriations, provide such payments to their employees ordered to active duty as part of a reserve component of the Armed Forces of the United States or the Virginia National Guard, as are necessary to provide comparable pay supplements to its employees.

a. Agencies in the Legislative and Judicial Departments;

b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the Virginia Retirement System, the State Lottery Department, Virginia College Savings Plan, and the Virginia Office for Protection and Advocacy;

c. The Office of the Attorney General and the Department of Law; and

d. State-supported institutions of higher education.

C. The Governor is authorized to expend from the unappropriated general fund balance in this act such amounts as are necessary, up to $1,500,000, to provide for indemnity payments to growers, producers, and owners for losses sustained as a result of an infectious disease outbreak or natural disaster in livestock and poultry populations in the Commonwealth. These indemnity payments will compensate growers, producers, and owners for a portion of the difference between the appraised value of each animal destroyed or slaughtered or animal product destroyed in order to control or eradicate an animal disease outbreak and the total of any salvage value plus any compensation paid by the federal government.

D. Out of the appropriation for this item is included $450,000 the first year and $450,000 the second year from the general fund to be used by the Governor as he may determine to be needed for the following purposes:

1. To address the six conditions listed in § 4-1.03 c 5 of this act.

2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential commodities and services which cannot be absorbed within agency appropriations to include unbudgeted benefits associated with Workforce Transition Act requirements.

3. To secure federal funds in the event that additional matching funds are needed for Virginia to participate in the federal Superfund program.

4. To make additional payments to public institutions of higher education pursuant to Item 465 of this Act, up to a maximum of $1,000,000, in the event that amounts appropriated for that purpose are insufficient.

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5. To provide a payment of up to $100,000 to the Military Order of the Purple Heart, for the continued operation of the National Purple Heart Hall of Honor, provided that at least half of other states have made similar grants.

6. In addition, if the amounts appropriated in this Item are insufficient to meet the unanticipated events enumerated, the Governor may utilize up to $1,000,000 the first year and $1,000,000 the second year from the general fund amounts appropriated for the Governor's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph D.5. of this Item.

7. The Department of Planning and Budget shall submit a quarterly report of any disbursements made from, commitments made against, and requests made for such sums authorized for allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate Finance Committees. This report shall identify each of the conditions specified in this paragraph for which the transfer is made.

8. In addition, to provide for payment of monetary rewards to persons who have disclosed information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.

E. Included in this appropriation is $300,000 the first year and $300,000 the second year from the general fund to pay for private legal services and the general fund share of unbudgeted costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private legal services shall be made by the Director, Department of Planning and Budget upon prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of Virginia or Item 59, Paragraph D of this act. Transfers for enforcement of the Master Settlement Agreement shall be made by the Director, Department of Planning and Budget at the request of the Attorney General, pursuant to Item 59, Paragraph B of this act.

F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be entitled to all sales tax revenues generated by transactions taking place in such public facility.

G.1. Out of the appropriation for this Item, up to ~~$6,128,237~~ *$3,958,652* the first year ~~and $3,208,237 the second year~~ from the general fund is provided to state agencies to cover unanticipated increases in the general fund cost of information technology and telecommunication charges, including contractually required transformations and mission critical telephone system replacements. The Director, Department of Planning and Budget, is authorized to transfer these funds to the impacted state agencies based upon information provided by the Virginia Information Technologies Agency.

2. The Chief Information Officer shall prepare a plan assessing the on-going cost of any telephone system funded from this Item. The plan should focus on options to minimize the on-going costs. The plan shall be submitted by September 1, 2012, to the Secretary of Finance and the Secretary of Technology.

H.*1.* Out of the appropriation for this Item, up to $1,656,925 the first year and up to $1,656,925 the second year from the general fund is provided to state agencies for costs incurred as the result of an internal service fund established within the Department of Accounts to cover ongoing operational and maintenance costs of the Performance Budgeting System, an enterprise application of the Commonwealth. The Director, Department of Planning and Budget, is authorized to transfer these funds to the impacted state agencies.

2. Out of the appropriation for this Item, up to $215,101 the second year from the general fund is provided to state agencies for costs incurred as the result of an internal service fund established within the Department of Accounts to cover ongoing operational and maintenance costs of the Cardinal System, an enterprise application of the Commonwealth. The Director, Department of Planning and Budget, is authorized to transfer these funds to the impacted state agencies.

I. Out of the general fund appropriation for this Item, $1,677,078 in the first year ~~and $1,677,078 in the second year~~ shall be transferred to state agencies and institutions of higher education to support the general fund portion of costs associated with benefits provided

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pursuant to the Line of Duty Act.

J.1.*a.* There is hereby appropriated in the second year an amount not to exceed $20,000,000 from that portion of the general fund balance designated by the State Comptroller on June 30, 2013, for nonrecurring expenditures pursuant to § 2.2-1514 B., Code of Virginia, to further capitalize the Federal Action Contingency Trust (FACT) Fund. The ~~purposes~~ *purpose* of this FACT ~~Fund are to address: (i) impacted localities in funding needs associated with the implementation of and response to the recommendations of the 2005 Base Realignment and Closure Commission (BRAC) or any subsequent BRAC recommendations; (ii) the continuation of statutorily-required federally mandated services at the present level if federal budget reductions are imposed; or (iii) unique economic development opportunities to expand the Commonwealth's ability to attract businesses in targeted sectors to help transition industries negatively affected by federal budget reductions or BRAC recommendations. This FACT Fund may also include support for wastewater treatment facility infrastructure with a Department of Environmental Quality approved Preliminary Engineering Report, as defined in 9 VAC 25-790-110, serving a BRAC affected community with a median household income below $50,000.~~ *Fund is solely to offset the potential loss of any revenue to the Commonwealth, either directly or indirectly related to any actions of the United States Congress as part of any federal budget reductions. In addition to the amounts appropriated herein, included in the FACT Fund is the balance of $22,500,000, which was appropriated in Item 470 K.1 of Chapter 2, 2012 Special Session I. The first priority for the use of these funds shall be to ensure that the Commonwealth maintains sufficient funding to meet all required debt service payments appropriated in Item 280 of this act.*

b. Notwithstanding the provisions of paragraph J.1.a., $6,213,496 from the FACT Fund shall be provided in the second year, in addition to the nongeneral fund amounts in Item 459.05 A. of this act, to meet the Commonwealth's contribution to address encroachment upon the United States Navy Master Jet Base Oceana pursuant to the 2005 Base Realignment and Closure Commission recommendations.

c. Notwithstanding the provisions of paragraph J.1.a., up to $3,000,000 from the FACT Fund, to be matched dollar-for-dollar from sources other than state funds, shall be used to assist any Virginia locality in which a U.S. Air Force Base is located to mitigate adverse impacts on military operations and employment levels caused by encroachment of incompatible uses, in advance of further actions by the federal Base Realignment and Closure Commission or any similar federal actions. Such funds shall only be used to purchase properties from willing sellers.

2. There is hereby created an advisory committee to provide advice to the Governor concerning the use of the Federal Action Contingency Trust (FACT) Fund. The FACT Fund Approval Commission is established as an advisory commission in the legislative branch and shall consist of 10 members, including the Chairman of the House Appropriations Committee and four members of the House Appropriations Committee selected by the chairman, the Chairman of the Senate Finance Committee and four members of the Senate Finance Committee selected by the chairman. The secretaries of Commerce and Trade, Health and Human Resources and Finance shall also be available to provide technical assistance to the advisory committee.

3. Prior to the distribution of any funds from the Federal Action Contingency Trust (FACT) Fund, The FACT Fund Approval Commission shall review all prospective uses of the FACT Fund and recommend approval or denial of such uses to the Governor. The Governor shall also notify the chairmen of the Senate Finance Committee and the House Appropriations Committee in writing within ten days concerning his decision to distribute money from the FACT reserve [having previously received approval from the advisory committee].

I VIEW THIS LANGUAGE TO BE UNCONSTITUTIONAL. /s/ Robert F. McDonnell (6/11/12) (Noted language is enclosed in brackets.)

K.1. Included in this Item is $594,650 the second year from the general fund to support the transition offices established as a result of the 2013 elections for Governor, Lieutenant Governor, and Attorney General. Out of this amount, $504,650 shall be transferred, based on actual expenses, to the Department of General Services and $90,000 to the Division of Select Agencies Support Services for the provision of facilities, equipment, services, and supplies required to support the transition activity.

2. The Commonwealth's financial support for the transition is to be allocated as follows:

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	FY 2014
Office of the Governor	*$414,200*
Office of the Lieutenant Governor	*$83,600*
Office of the Attorney General	*$96,850*

3. The Virginia Information Technologies Agency shall fund all computer and telecommunications costs associated with the transition from the Acquisition Services Special Fund.

L. Included in this Item is $282,700 the second year from the general fund to be transferred, based on actual expenditures, to the Department of General Services to support anticipated costs for the inauguration on January 16, 2014.

M. Included in this Item is $40,000 the second year from the general fund to support the costs anticipated to be incurred by the legislative department for the inauguration on January 16, 2014.

470. A. The Oil Overcharge Expendable Trust Fund shall be established on the books of the Comptroller and the interest earned by investment of funds credited to the Oil Overcharge Expendable Trust Fund shall be allocated to such fund periodically. This fund represents the Commonwealth's proportionate share of the recoveries from the Exxon Corporation, Diamond Shamrock Refining and Marketing Company, Stripper Well and the Texaco Corporation litigations, for petroleum pricing violations between 1973 and 1981.

B.1. Any expenditure involving oil overcharges by the Exxon Corporation shall be utilized according to regulations and procedures of the five state energy conservation and benefits programs specified in the Warner Amendment (Section 155, P.L. 97-377) to provide restitution to the broad class of parties injured by the alleged overcharges. These programs are:

a. Low Income Home Energy Assistance Program, 42 U.S.C. § 8621 et seq.

b. State Energy Conservation Program, 42 U.S.C. § 6321 et seq.

c. Energy Extension Service, 42 U.S.C. § 7001 et seq.

d. Institutional Conservation Program, 42 U.S.C. § 6371 et seq.

e. Weatherization Assistance Program, 42 U.S.C. § 6861 et seq.

2. Any expenditure involving oil overcharges from the approved settlement In Re: The Department of Energy Stripper Well Litigation (MDL No. 378) or the approved settlement in the case of the Diamond Shamrock Refining and Marketing Company (Civil Action No. C2-84-1432) shall be utilized to fund one or more energy-related programs which are designed to benefit, directly or indirectly, consumers of petroleum products. These programs shall be limited to:

a. Administration and operation of the five energy conservation and benefit programs specified under the Warner Amendment (Section 155, P.L. 97-377),

b. Those programs approved by the U.S. Department of Energy's Office of Hearings and Appeals in Subpart V Refund Proceedings,

c. Those programs referenced in the Chevron consent order (46 FR 52221), and

d. Such other restitutionary programs approved by the District Court or the U.S. Department of Energy's Office of Hearings and Appeals.

C. Before appropriations to the Oil Overcharge Expendable Trust Fund can be expended, approval for the use of the funds must be obtained from the United States Department of Energy. Applications to the United States Department of Energy must be made through the Department of Mines, Minerals and Energy.

D. The Governor shall submit such statements and reports as are required by court orders,

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settlements, or the Departments of Energy or Health and Human Services regarding use(s) of these funds and shall also report annually to the Chairmen of the House Appropriations and Senate Finance Committees on the activities funded by transfers from this Item.				
471. Miscellaneous Reversion Clearing Account (22600)			($14,981,316)	~~($15,607,044)~~ *($7,502,009)*
Designated Reversions From Agency Appropriations (22601)	($14,981,316)	~~($15,607,044)~~ *($7,502,009)*		
Fund Sources: General	($14,981,316)	~~($15,607,044)~~ *($7,502,009)*		

Authority: Discretionary Inclusion.

A.1. The Director, Department of Planning and Budget shall withhold and transfer to this Item an amount estimated at $186,355 the first year from the general fund appropriations of state agencies and institutions of higher education, representing savings resulting from a reduction in the rate charged to agencies for purchases made under the statewide purchase and supply system administered by the Department of General Services.

2. Pursuant to § 3-1.01 of this act, an amount estimated at $164,885 the first year shall be transferred from eligible nongeneral fund accounts to the general fund, representing nongeneral fund savings associated with the reduction in the rate charged to agencies for purchases made under the statewide purchase and supply system administered by the Department of General Services.

B. The Director, Department of Planning and Budget, shall withhold and transfer to this Item an amount estimated at $1,145,775 the first year ~~and $1,973,108 the second year~~ from the general fund appropriations of state agencies, boards, and commissions representing savings resulting from the elimination or consolidation of such state agencies, boards, and commissions.

C.1. Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall withhold and transfer to this Item amounts estimated at $93,500 the first year and $185,300 the second year from the general fund appropriations of state agencies and institutions of higher education representing savings realized through the elimination of organizational memberships held by state agencies and institutions of higher education as detailed below.

Agency Name / Organization	General Fund Amount
Department of Motor Vehicles (154)	
Governor's Highway Safety Representatives	$0
Federation of Tax Administrators	$0
Department of Education (201)	
Marketing Education Resource Center	$0
Council of Chief State School Officers State Consortium on Educator Effectiveness	$0
Education Commission of the States (Second Year Only)	$91,800
State Council of Higher Education for Virginia (245)	
Southern Regional Education Board - Educational Technology Cooperative	$8,000
Southern Regional Education Board - Go Alliance	$8,000
Department of Rehabilitative Services (262)	
Council of State Administrators of Vocational Rehabilitation	$0
Virginia Tourism Authority (320)	
Virginia Hospitality and Travel Association	$10,000
Department of Transportation (501)	
Appraisal Institute	$0
Intelligent Transportation Society of Virginia	$0
Virginia Tech Foundation	$0
Department of Behavioral Health and Developmental Services (720)	
National Association of State Alcohol and Drug Abuse Directors	$0
Innovation and Entrepreneurship Investment Authority (934)	

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Rich Tech		$7,500		
Fredericksburg Regional Technology Council		$7,500		
Technology Hampton Roads		$7,500		
Roanoke-Blacksburg Technology Council		$7,500		
Region 2000 Technology Council		$7,500		
Shenandoah Valley Technology Council		$7,500		
Southwestern Virginia Technology Council		$7,500		
Southern Piedmont Technology Council		$7,500		
Charlottesville Business Innovation Council		$7,500		

2. After June 30, 2012, no Executive Branch agency may use appropriations in Part 1 of this act to pay dues to any of the organizations listed in subparagraph 1 subject to consultation with legal counsel regarding any legal requirements involved or to pay dues or fees to new trade or other membership organizations without prior authorization of the Governor's Chief of Staff.

E. The Director, Department of Planning and Budget shall withhold and transfer to this Item an amount estimated at $415,616 the first year ~~and $415,616 the second year~~ from the general fund appropriations of state agencies and institutions of higher education, representing savings resulting from a reduction in information technology overhead costs.

F. The Director, Department of Planning and Budget shall withhold and transfer to this Item an amount estimated at $107,050 the first year from the general fund appropriations of state agencies and institutions of higher education, representing savings from a contract agreement with the Commonwealth's information technology infrastructure provider negotiated by the Virginia Information Technologies Agency for computer service outages in August of 2010.

G. The Director, Department of Planning and Budget, shall withhold and transfer to this item amounts estimated at $13,033,020 the first year and ~~$13,033,020~~ *$7,316,709* the second year from the general fund appropriations of state agencies representing savings from administrative efficiencies. These savings shall be implemented as an across-the-board reduction based upon general fund salaries in Executive Department agencies. Agencies shall be encouraged to maximize savings that can be realized through the electronic distribution of information, through email or internet, in place of printed materials. The Secretary of Finance shall establish the procedures to be used in determining the amounts to be reverted from impacted agencies. *The amounts to be reverted in the second year shall not include higher education institutions and affiliated agencies.*

472. Reversion Clearing Account - Aid to Local Governments (23400).....			($50,000,000)	~~($45,000,000)~~ *$0*
Fund Sources: General.....	($50,000,000)	~~($45,000,000)~~ *$0*		

Authority: Discretionary Inclusion.

A. The purpose of this item is to capture savings in state aid to local government programs in a manner that provides localities flexibility in how such savings are implemented. This reversion ~~is~~ *was* necessary as a result of the continued slowing of the Virginia economy. *It is eliminated in the second year.*

B. Within 30 days after enactment of this act, the Director, Department of Planning and Budget, shall provide the chief operating officer of each city and county in the Commonwealth a list of certain state aid to local government programs along with an estimate of the general fund amount for each program that each county and city could expect to receive from the state during each year of the biennium. The total amount listed for these programs will serve as the basis for calculating the savings apportioned to each city and county for this Item. The savings apportionment will be equal to the percentage of the aggregate general fund amount for all of these state aid programs in each city and county totaling $50,000,000 the first year ~~and $45,000,000 the second year~~.

C. Each city and county in the Commonwealth shall have flexibility in determining how it will implement the savings apportioned to it. Each city or county can choose to (1) take the total savings out of one program included on the list provided by the Department of Planning and

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Budget, (2) reduce multiple state aid programs on a proportional basis or by a specified percentage reduction, or (3) reimburse the Commonwealth in aggregate for their share of the savings, thereby keeping the state aid programs at an unreduced level. Each locality may also use number 3 above in combination with 1 or 2. The governing body of each city or county shall make its selection and certify its choice to the Director, Department of Planning and Budget, by August 30, 2012~~, for the first year reduction and by August 30, 2013, for the second year reduction~~. Within 10 days of receipt, the Director, Department of Planning and Budget, shall review such certification for accuracy to ascertain that the required savings apportioned to the city or county are obtainable using the selection(s) submitted on the certification. Unless the Director, Department of Planning and Budget, finds a certification to include savings that are not obtainable or sustainable, the certification shall be approved and implemented without further delay. In the event that a city or county has not submitted or obtained an approved certification by October 1, 2012, ~~for the first year reduction or October 1, 2013, for the second year reduction,~~ the Director, Department of Planning and Budget, is hereby authorized to withhold an amount equivalent to the savings apportioned to the affected city or county from the aid to local government programs that the Director determines are most discretionary and represent general purpose aid to the local government in question before he begins to withhold any funds from categorical grants serving a particular functional area or public service. The Director, Department of Planning and Budget, shall notify the affected locality of his decision in this regard and such decision shall remain in force unless it is superseded by the subsequent approval of a certification for the affected city or county after October 1, 2012, but before November 15, 2012~~, for the first year reduction and after October 1, 2013, but before November 15, 2013, for the second year reduction~~. No such certifications shall be approved after November 14, 2012~~, for the first year reduction and November 14, 2013, for the second year reduction~~.

D. The savings in state aid to local government programs identified by each city or county on their approved certification (or by the Director, Department of Planning and Budget, in absence of an approved certification) shall be transferred from the other Items where such amounts are appropriated in this act to offset the reversion amount listed in this Item. Payments from local governments electing to use option (3) above in paragraph C shall be deposited to a suspense account which shall be administered pursuant to § 3-1.03 of this act.

Total for Central Appropriations			~~**$124,629,485**~~	~~**$195,216,821**~~
			$123,786,609	***$338,296,561***
General Fund Positions	2.00	~~2.00~~		
		0.00		
Position Level	2.00	~~2.00~~		
		0.00		
Fund Sources: General	~~$35,351,589~~	~~$105,938,925~~		
	$34,508,713	*$249,008,457*		
Higher Education Operating	$918,696	~~$918,696~~		
		$928,904		
Trust and Agency	$88,359,200	$88,359,200		
TOTAL FOR CENTRAL APPROPRIATIONS			~~**$124,629,485**~~	~~**$195,216,821**~~
			$123,786,609	***$338,296,561***
General Fund Positions	2.00	~~2.00~~		
		0.00		
Position Level	2.00	~~2.00~~		
		0.00		
Fund Sources: General	~~$35,351,589~~	~~$105,938,925~~		
	$34,508,713	*$249,008,457*		
Higher Education Operating	$918,696	~~$918,696~~		
		$928,904		
Trust and Agency	$88,359,200	$88,359,200		
TOTAL FOR EXECUTIVE DEPARTMENT			~~**$40,793,167,934**~~	~~**$42,189,869,887**~~
			$41,552,808,347	***$42,086,634,510***

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1	General Fund Positions	~~49,173.64~~	~~49,193.34~~		
2		*48,973.14*	*49,191.71*		
3	Nongeneral Fund Positions	~~62,117.26~~	~~62,309.06~~		
4		*62,381.70*	*62,628.93*		
5	Position Level	~~111,290.90~~	~~111,502.40~~		
6		*111,354.84*	*111,820.64*		
7	Fund Sources: General	~~$16,829,067,943~~	~~$17,011,067,873~~		
8		*$16,624,912,495*	*$17,488,608,671*		
9	Special	~~$1,709,746,038~~	~~$1,689,525,558~~		
10		*$1,702,020,707*	*$1,682,952,387*		
11	Higher Education Operating	~~$7,042,999,070~~	~~$7,124,536,824~~		
12		*$7,279,531,335*	*$7,367,780,609*		
13	Commonwealth Transportation	~~$3,848,969,247~~	~~$3,910,758,012~~		
14		*$3,987,994,386*	*$3,972,311,152*		
15	Enterprise	~~$850,127,587~~	~~$865,637,047~~		
16		*$915,127,587*	*$931,122,047*		
17	Internal Service	$290,000	$290,000		
18	Trust and Agency	~~$2,423,361,470~~	~~$2,180,885,283~~		
19		*$2,684,877,603*	*$2,095,494,329*		
20	Debt Service	~~$280,756,364~~	~~$294,205,558~~		
21		*$292,911,361*	*$313,124,893*		
22	Dedicated Special Revenue	~~$1,186,833,545~~	~~$1,194,716,672~~		
23		*$1,364,612,137*	*$1,271,091,559*		
24	Federal Trust	~~$6,621,016,670~~	~~$7,918,247,060~~		
25		*$6,700,530,736*	*$6,963,858,863*		

ITEM 473.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	INDEPENDENT AGENCIES				
	§ 1-134. STATE CORPORATION COMMISSION (171)				
473.	Regulation of Business Practices (55200)			$56,849,370	$56,849,370
	Corporation Commission Clerk's Services (55203)	$9,191,068	$9,191,068		
	Regulation of Investment Companies, Products and Services (55210)	$6,954,104	$6,954,104		
	Regulation of Financial Institutions (55215)	$14,241,360	$14,241,360		
	Regulation of Insurance Industry (55216)	$26,462,838	$26,462,838		
	Fund Sources: Special	$56,849,370	$56,849,370		
	Authority: Article IX, Constitution of Virginia; Title 8.9A, Part 4; Title 12.1, Chapter 4; Title 13.1; Title 55, Chapter 6, Article 6; Title 56, Chapter 15, Article 5; Title 58.1, Chapter 28; Title 59.1, Chapter 6.1, Code of Virginia; Title 13.1, Chapter 3.1; Title 38.2; Title 58.1, Chapter 25; and Title 65.2, Chapter 8, Code of Virginia.				
	Out of the amounts appropriated to this Item, the commission is authorized to expend an amount not to exceed $10,000 the first year and $10,000 the second year for the payment of annual membership dues to the National Conference of Insurance Legislators.				
474.	Regulation of Public Utilities (56300)			$25,705,292	$25,705,292
	~~Regulation of Telecommunications Companies (56301)~~ *Regulation of Utility Companies (56301)*	$25,705,292	$25,705,292		
	Fund Sources: Special	$22,573,125	$22,573,125		
	Dedicated Special Revenue	$1,782,167	$1,782,167		
	Federal Trust	$1,350,000	$1,350,000		
	Authority: Title 56, Chapter 10, Code of Virginia.				
475.	Distribution of Fees From and to Regulated Entities and Localities (56400)			$6,856,941	$6,856,941
	Distribution of Uninsured Motorist Fee (56401)	$6,340,845	$6,340,845		
	Distribution of Rolling Stock Taxes (56402)	$516,096	$516,096		
	Fund Sources: Trust and Agency	$6,856,941	$6,856,941		
	Authority: § 58.1-2652, Code of Virginia.				
476.	Administrative and Support Services (59900)			$0	$0
	Authority: Article IV, Section 14 and Article IX, Constitution of Virginia; Title 12.1, Code of Virginia.				
	A. Operational costs for this program shall be paid solely from charges to agency programs.				
	B. Out of the amounts for this Item, shall be paid the annual salary of the chairman, $163,617 from July 1, 2012, to June 30, 2014, and for the other two Commissioners of the State Corporation Commission, each at $161,825 from July 1, 2012, to June 30, 2014.				
	C. Notwithstanding the provisions of § 13.1-775 1 of the Code of Virginia, the State Corporation Commission shall continue the following annual registration fees for domestic and foreign corporations to be collected on or after ~~July 1, 2012~~ *July 1, 2013*. The new annual rates shall be one hundred dollars for every foreign and domestic corporation authorized to do business in the Commonwealth whose number of authorized shares is 5,000 shares or less. Any such corporation whose number of authorized shares is more than 5,000 shall pay an annual registration fee of $100 plus $30 for each 5,000 shares or fraction thereof in excess of 5,000 up to a maximum of $1,700. The commission shall deposit these funds into a special fund and transfer three-fourths of the receipts to the general fund semiannually.				

ITEM 476.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
476.10.	*Plan Management (40800)*			*$200,000*	*$1,287,000*
	Federal Health Benefit Exchange Plan Management (40801)	*$200,000*	*$1,287,000*		
	Fund Sources: General	*$200,000*	*$1,200,000*		
	Special	*$0*	*$87,000*		
	There is hereby appropriated to the State Corporation Commission (Commission) an amount not to exceed $200,000 the first year and $1,200,000 the second year from the General Fund to pay for the plan management functions authorized in Senate Bill 922 and House Bill 1769 of the 2013 General Assembly Session. The Commission shall reimburse the general fund for the plan management activities performed by the Commission as part of the Federal - State Health Benefit Exchange. The Commission shall reimburse the general fund only for those funds that have been reimbursed by the Federally Facilitated Exchange for carrying out the plan management activities as part of the Federal - State Health Benefit Exchange.				
	Total for State Corporation Commission			~~**$89,411,603**~~ ***$89,611,603***	~~**$89,411,603**~~ ***$90,698,603***
	General Fund Positions	*4.00*	*13.00*		
	Nongeneral Fund Positions	665.00	665.00		
	Position Level	~~665.00~~ *669.00*	~~665.00~~ *678.00*		
	Fund Sources: *General*	*$200,000*	*$1,200,000*		
	Special	$79,422,495	~~$79,422,495~~ *$79,509,495*		
	Trust and Agency	$6,856,941	$6,856,941		
	Dedicated Special Revenue	$1,782,167	$1,782,167		
	Federal Trust	$1,350,000	$1,350,000		

§ 1-135. STATE LOTTERY DEPARTMENT (172)

477.	State Lottery Operations (81100)			$78,464,142	~~$78,525,919~~ *$85,931,375*
	Regulation and Law Enforcement (81105)	$2,941,069	$2,941,069		
	Gaming Operations (81106)	$69,180,896	~~$69,242,673~~ *$76,648,129*		
	Administrative Services (81107)	$6,342,177	$6,342,177		
	Fund Sources: Enterprise	$78,464,142	~~$78,525,919~~ *$85,931,375*		

Authority: Title 58.1, Chapter 40, Code of Virginia.

Out of the amounts for State Lottery Operations shall be paid:

1. Reimbursement for compensation and reasonable expenses of the members of the State Lottery Board in the performance of their duties, as provided in § 2.2-2813, Code of Virginia.

2. The total costs for the operation and administration of the state lottery, pursuant to § 58.1-4022, Code of Virginia.

3. The costs of informing the public of the purposes of the Lottery Proceeds Fund, established pursuant to Article X, Section 7-A, Constitution of Virginia.

478.	Disbursement of Lottery Prize Payments (81200)			a sum sufficient	
	Payment of Lottery Prizes (81201)	a sum sufficient			
	Fund Sources: Enterprise	a sum sufficient			

Authority: Title 58.1, Chapter 40, Code of Virginia.

ITEM 478.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
There is hereby appropriated from affected funds in the state treasury, for payment of prizes awarded by the state lottery and of commissions to lottery sales agents, in accordance with law, a sum sufficient.				
Total for State Lottery Department.....			**$78,464,142**	**~~$78,525,919~~** ***$85,931,375***
Nongeneral Fund Positions.....	308.00	308.00		
Position Level	308.00	308.00		
Fund Sources: Enterprise	$78,464,142	~~$78,525,919~~ *$85,931,375*		

§ 1-136. VIRGINIA COLLEGE SAVINGS PLAN (174)

479. Investment, Trust, and Insurance Services (72500) a sum sufficient, estimated at.....			$314,628,395	~~$374,665,223~~ *$374,968,743*
Payments for Tuition and Educational Expense Benefits (72505)	$305,000,000	$365,000,000		
Investment, Trust and Related Services for Virginia Prepaid Education Program (72506).....	$3,827,293	~~$3,870,203~~ *$4,021,963*		
Investment, Trust and Related Services for Virginia Education Savings Trust and other Higher Education Savings Programs (72507).....	$5,801,102	~~$5,795,020~~ *$5,946,780*		
Fund Sources: Enterprise	$314,628,395	~~$374,665,223~~ *$374,968,743*		

Authority: Title 23, Chapter 4.9, Code of Virginia.

A. Amounts for Payments for Tuition and Educational Expense Benefits represent the payment of benefits to postsecondary educational institutions on behalf of program participants under the Virginia Prepaid Education Program, estimated at $145,872,000 the first year and $174,568,000 the second year, from nongeneral funds pursuant to § 23-38.76, Code of Virginia.

B. Amounts for Payments for Tuition and Educational Expense Benefits represent the payment of educational expenses benefits to participants, postsecondary educational institutions, and beneficiaries under the Virginia Education Savings Trust and other higher education savings programs, estimated at $159,128,000 the first year and $190,432,000 the second year, from nongeneral funds pursuant to § 23-38.76, Code of Virginia.

C. Amounts for Payments for Tuition and Educational Expense Benefits cover the current obligations of the fund as provided for in Title 23, Chapter 4.9, Code of Virginia.

D. Amounts for Investment, Trust and Related Services cover variable or unpredictable costs of the Virginia Prepaid Education Program, estimated at $3,827,293 the first year and ~~$3,870,203~~ *$4,021,963* the second year, from nongeneral funds pursuant to § 23-38.76, Code of Virginia.

E. Amounts for Investment, Trust and Related Services cover variable and unpredictable costs of the Virginia Education Savings Trust and other higher education savings programs, estimated at $5,801,102 the first year and ~~$5,795,020~~ *$5,946,780* the second year, from nongeneral funds pursuant to § 23-38.76, Code of Virginia.

480. Information Technology Development and Operations (82000)			$1,278,872	$1,272,872
Information Systems Development Services (82004)	$1,278,872	$1,272,872		
Fund Sources: Enterprise	$1,278,872	$1,272,872		

Authority: Title 23, Chapter 4.9, Code of Virginia.

ITEM 480.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

The Virginia College Savings Plan is authorized to establish a self-supporting "operational enterprise" fund to account for the revenues and expenditures of providing services to other college savings plans operated under § 529 of the Internal Revenue Code, as amended, at locations outside of the Commonwealth of Virginia. Consistent with the self-supporting concept of an "enterprise fund," revenues from operations performed for programs outside of Virginia shall exceed all direct and indirect costs of providing these services. The board shall set rates charged to meet this requirement and shall set other policies as may be appropriate. Revenues and expenses of the fund shall be accounted for in such a manner as to be auditable by the Auditor of Public Accounts. Revenues in excess of expenses shall be retained in the fund to support the entire program. Additionally, revenues that remain unexpended on the last day of the previous biennium and the last day of the first year of the current biennium shall be reappropriated and allotted for expenditure in the respective succeeding fiscal year.

481. Administrative and Support Services (79900)			$9,113,335	~~$9,508,093~~ *$9,506,093*
General Management and Direction (79901)	$9,113,335	~~$9,508,093~~ *$9,506,093*		
Fund Sources: Enterprise	$9,113,335	~~$9,508,093~~ *$9,506,093*		

Authority: Title 23, Chapter 4.9, Code of Virginia.

Out of the amounts appropriated for this item, $270,000 the first year and $650,000 the second year from nongeneral funds are designated for a comprehensive compensation plan to link pay to performance.

Total for Virginia College Savings Plan			**$325,020,602**	**~~$385,446,188~~** ***$385,747,708***
Nongeneral Fund Positions	88.00	88.00		
Position Level	88.00	88.00		
Fund Sources: Enterprise	$325,020,602	~~$385,446,188~~ *$385,747,708*		

§ 1-137. VIRGINIA RETIREMENT SYSTEM (158)

482. Personnel Management Services (70400)			$10,508,060	~~$10,508,060~~ *$10,743,291*
Administration of Retirement and Insurance Programs (70415)	$10,508,060	~~$10,508,060~~ *$10,743,291*		
Fund Sources: Trust and Agency	$10,508,060	~~$10,508,060~~ *$10,743,291*		

Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.

A. The Board of Trustees of the Virginia Retirement System is hereby authorized to charge a participation fee to each employer served by the Virginia Retirement System for any services provided pursuant to Title 51.1 of the Code of Virginia. The fee shall be utilized to pay the administrative expenses of all administrative services, including non-retirement programs. Retirement contributions required by the Board shall be reduced to pay such fees in a manner prescribed by the Board of Trustees.

B. State agencies and institutions of higher education shall make payments to the Virginia Retirement System (VRS) for VRS-administered benefits no less often than monthly.

C. The Virginia Retirement System shall make those changes to administrative policies, procedures, and systems as are necessary for implementation of the public employee retirement reforms provided for in Senate Bill 498 and House Bill 1130 of the 2012 session. Such nongeneral funds as are required to implement these changes are hereby appropriated.

ITEM 482.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
483.	Investment, Trust, and Insurance Services (72500).....			$21,619,509	~~$20,905,909~~ *$25,145,448*
	Investment Management Services (72504).....	$21,619,509	~~$20,905,909~~ *$25,145,448*		
	Fund Sources: Trust and Agency.....	$21,619,509	~~$20,905,909~~ *$25,145,448*		
	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
	By September 30 of each year, the VRS Board of Trustees shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on the prior fiscal year's results obtained by the internal investment management program. The report shall include a comparison of investment performance against the board's benchmarks and an estimate of the program's fee savings when compared to similar assets managed externally.				
484.	Administrative and Support Services (79900).....			$27,503,025	~~$26,915,375~~ *$27,587,438*
	General Management and Direction (79901).....	$17,605,433	~~$17,019,783~~ *$17,315,500*		
	Information Technology Services (79902).....	$9,897,592	~~$9,895,592~~ *$10,271,938*		
	Fund Sources: Trust and Agency.....	$27,503,025	~~$26,915,375~~ *$27,587,438*		
	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
	Out of the amounts appropriated to this Item, the director is authorized to expend an amount not to exceed $25,000 the first year and $25,000 the second year for expenses commonly borne by business enterprises. Such expenses shall be recorded separately by the agency.				
485.	In the event any political subdivision of the Commonwealth of Virginia participating in the programs administered by the Virginia Retirement System fails to remit contributions or other fees and costs of the programs as duly prescribed, the Board of Trustees of the Virginia Retirement System shall inform the State Comptroller and the participating political subdivision of the delinquent amount. The State Comptroller shall forthwith transfer such amounts to the appropriate fund from any nonearmarked moneys otherwise distributable to such political subdivision by any department or agency of the state.				
	Total for Virginia Retirement System.....			**$59,630,594**	~~**$58,329,344**~~ ***$63,476,177***
	Nongeneral Fund Positions.....	314.00	314.00		
	Position Level.....	314.00	314.00		
	Fund Sources: Trust and Agency.....	$59,630,594	~~$58,329,344~~ *$63,476,177*		
	§ 1-138. VIRGINIA WORKERS' COMPENSATION COMMISSION (191)				
486.	Employment Assistance Services (46200).....			$30,800,824	$30,806,800
	Workers Compensation Services (46204).....	$30,800,824	$30,806,800		
	Fund Sources: Dedicated Special Revenue.....	$30,800,824	$30,806,800		
	Authority: Title 19.2, Chapters 21.1 and 21.2, Code of Virginia.				
	Out of the amounts appropriated for this Item, beginning July 1, 2010, and ending June 30, 2020, payments of $20,000 per year shall be paid to Kurt E. Beach to offset the continuing costs of his health care.				

ITEM 486.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
487.	Financial Assistance for Supplemental Assistance Services (49100)			$8,019,958	$8,019,958
	Crime Victim Compensation (49104)	$8,019,958	$8,019,958		
	Fund Sources: Dedicated Special Revenue	$6,819,958	$6,819,958		
	Federal Trust	$1,200,000	$1,200,000		
	Authority: Title 65.2, Chapter 2; Title 38.2, Chapter 50, Code of Virginia.				
	A. Out of the amounts for Workers' Compensation Services shall be paid the annual salary of the chairman, $161,452 from July 1, 2012 to June 30, 2014, and for each of the other two Commissioners of the Virginia Workers' Compensation Commission, $158,135 from July 1, 2012 to June 30, 2014.				
	B. In addition, retired Commissioners recalled to active duty will be paid as authorized by § 17.1-327, Code of Virginia.				
	Total for Virginia Workers' Compensation Commission			**$38,820,782**	**$38,826,758**
	Nongeneral Fund Positions	266.00	266.00		
	Position Level	266.00	266.00		
	Fund Sources: Dedicated Special Revenue	$37,620,782	$37,626,758		
	Federal Trust	$1,200,000	$1,200,000		
	§ 1-139. VIRGINIA OFFICE FOR PROTECTION AND ADVOCACY (175)				
488.	Protective Services (45300)			$2,962,491	$2,962,491
	Protection and Advocacy (45307)	$2,962,491	$2,962,491		
	Fund Sources: Special	$307,665	$307,665		
	Federal Trust	$2,654,826	$2,654,826		
	Authority: Title 51.5, Chapter 8.1, Code of Virginia.				
489.	A. Included in the federal trust appropriations are amounts estimated at $78,705 the first year and $78,705 the second year to pay for statewide indirect cost recoveries of this agency. Actual recoveries of statewide indirect costs up to the level of these estimates shall be exempt from payments into the general fund, as provided in § 4-2.03 of this act. Amounts recovered in excess of these estimates shall be deposited into the general fund.				
	B. Notwithstanding the provisions of § 51.5-39.7, Code of Virginia, the implementation date for establishing an ombudsman section in the Virginia Office for Protection and Advocacy is deferred until July 1, 2014.				
	C. Pursuant to §51.5-39.13, Code of Virginia, the Virginia Office for Protection and Advocacy shall be converted to a nonprofit entity no later than December 31, 2013. All unexpended funds shall be unallotted the date the Virginia Office for Protection and Advocacy is no longer a state agency or by January 1, 2014, whichever comes first. If it is subsequently determined that an appropriate invoice warrants payment after December 31, 2013, the Director, Department of Planning and Budget shall allot the needed funds to make the payment.				
	Total for Virginia Office for Protection and Advocacy			**$2,962,491**	**$2,962,491**
	Nongeneral Fund Positions	33.12	33.12		
	Position Level	33.12	33.12		
	Fund Sources: Special	$307,665	$307,665		
	Federal Trust	$2,654,826	$2,654,826		
	TOTAL FOR INDEPENDENT AGENCIES			**~~$594,310,214~~**	**~~$653,502,303~~**
				$594,510,214	***$667,643,112***

ITEM 489.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
1	*General Fund Positions*	*4.00*	*13.00*		
2	Nongeneral Fund Positions	1,674.12	1,674.12		
3	Position Level	~~1,674.12~~	~~1,674.12~~		
4		*1,678.12*	*1,687.12*		
5	Fund Sources: *General*	*$200,000*	*$1,200,000*		
6	Special	$79,730,160	~~$79,730,160~~		
7			*$79,817,160*		
8	Enterprise	$403,484,744	~~$463,972,107~~		
9			*$471,679,083*		
10	Trust and Agency	$66,487,535	~~$65,186,285~~		
11			*$70,333,118*		
12	Dedicated Special Revenue	$39,402,949	$39,408,925		
13	Federal Trust	$5,204,826	$5,204,826		

ITEM 490.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014

STATE GRANTS TO NONSTATE ENTITIES

§ 1-140. STATE GRANTS TO NONSTATE ENTITIES-NONSTATE AGENCIES (986)

490. Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....			$0	$0

Authority: Discretionary Inclusion.

A. Grants provided for in this Item shall be administered by the Department of Historic Resources. As determined by the department, projects of museums and historic sites, as provided for in § 10.1-2211, 10.1-2212, and 10.1-2213 of the Code of Virginia, shall be administered under the provisions of those sections. Others listed in this Item shall be administered under the provisions of § 4-5.05 of this act.

B. Prior to the distribution of any funds, the organization or entity shall make application to the department in a format prescribed by the department. The application shall state whether grant funds provided under this item will be used for purposes of operating support or capital outlay and shall include project and spending plans. Unless otherwise specified in this item, the matching share for grants funded from this Item may be cash or in-kind contributions as requested by the nonstate organization in its application for state grant funds, but must be concurrent with the grant period. The department shall use applicable federal guidelines assessing the value and eligibility of in-kind contributions to be used as matching amounts.

C. The appropriation to those entities in this Item that are marked with an asterisk (*) shall not be subject to the matching requirements of § 4-5.05 of this act.

D. Grants are hereby made to each of the following organizations and entities subject to the conditions set forth in paragraphs A., B., and C. of this Item:

Total for State Grants to Nonstate Entities-Nonstate Agencies			**$0**	**$0**
TOTAL FOR STATE GRANTS TO NONSTATE ENTITIES.....			**$0**	**$0**
TOTAL FOR PART 1: OPERATING EXPENSES.....			~~**$41,914,886,348**~~ ***$42,676,301,006***	~~**$43,370,675,299**~~ ***$43,286,649,657***
General Fund Positions.....	~~53,009.85~~ *52,813.35*	~~53,029.55~~ *53,041.92*		
Nongeneral Fund Positions.....	~~63,923.88~~ *64,188.32*	~~64,115.68~~ *64,435.55*		
Position Level	~~116,933.73~~ *117,001.67*	~~117,145.23~~ *117,477.47*		
Fund Sources: General.....	~~$17,320,364,515~~ *$17,117,683,312*	~~$17,502,259,354~~ *$17,985,769,078*		
Special.....	~~$1,802,419,704~~ *$1,794,694,373*	~~$1,782,199,224~~ *$1,775,713,053*		
Higher Education Operating.....	~~$7,042,999,070~~ *$7,279,531,335*	~~$7,124,536,824~~ *$7,367,780,609*		
Commonwealth Transportation	~~$3,848,969,247~~ *$3,987,994,386*	~~$3,910,758,012~~ *$3,972,311,152*		
Enterprise	~~$1,253,612,331~~ *$1,318,612,331*	~~$1,329,609,154~~ *$1,402,801,130*		
Internal Service.....	$290,000	$290,000		
Trust and Agency	~~$2,489,989,678~~ *$2,751,505,811*	~~$2,246,212,241~~ *$2,165,968,120*		
Debt Service.....	~~$280,756,364~~ *$292,911,361*	~~$294,205,558~~ *$313,124,893*		
Dedicated Special Revenue	~~$1,247,701,646~~	~~$1,255,590,749~~		

ITEM 490.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
1		*$1,425,780,238*	*$1,332,265,636*		
2	Federal Trust.....	~~$6,627,783,793~~	~~$7,925,014,183~~		
3		*$6,707,297,859*	*$6,970,625,986*		

	Item Details($)		Appropriations($)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

PART 2: CAPITAL PROJECT EXPENSES

§ 2-0. GENERAL CONDITIONS

A.1. The General Assembly hereby authorizes the capital projects listed in this act. The amounts hereinafter set forth are appropriated to the state agencies named for the indicated capital projects. Amounts so appropriated and amounts reappropriated pursuant to paragraph G of this section shall be available for expenditure during the current biennium, subject to the conditions controlling the expenditures of capital project funds as provided by law. Reappropriated amounts, unless otherwise stated, are limited to the unexpended appropriation balances at the close of the previous biennium, as shown by the records of the Department of Accounts.

2. The Director, Department of Planning and Budget, may transfer appropriations listed in Part 2 of this act from the second year to the first year in accordance with § 4-1.03 a 5 of this act.

B. The five-digit number following the title of a project is the code identification number assigned for the life of the project.

C. Except as herein otherwise expressly provided, appropriations or reappropriations for structures may be used for the purchase of equipment to be used in the structures for which the funds are provided, subject to guidelines prescribed by the Governor.

D. Notwithstanding any other provisions of law, appropriations for capital projects shall be subject to the following:

1. Appropriations or reappropriations of funds made pursuant to this act for planning of capital projects shall not constitute implied approval of construction funds in a future biennium. Funds, other than the reappropriations referred to above, for the preparation of capital project proposals must come from the affected agency's existing resources.

2. No capital project for which appropriations for planning are contained in this act, nor any project for which appropriations for planning have been previously approved, shall be considered for construction funds until preliminary plans and cost estimates are reviewed by the Department of General Services. The purpose of this review is to avoid unnecessary expenditures for each project, in the interest of assuring the overall cost of the project is reasonable in relation to the purpose intended, regardless of discrete design choices.

E.1. Expenditures from Items in this act identified as "Maintenance Reserve" are to be made only for the maintenance of property, plant, and equipment as defined in §4-4.01c of this act to the extent that funds included in the appropriation to the agency for this purpose in Part 1 of this act are insufficient.

2. Agencies and institutions of higher education can expend up to $1,000,000 for a single repair or project through the maintenance reserve appropriation without a separate appropriation. Such expenditures shall be subject to rules and regulations prescribed by the Governor. To the extent an agency or institution of higher education has identified a potential project that exceeds this threshold or state agency has identified a potential project that exceeds the threshold prescribed in the rules or regulations, the Director, Department of Planning and Budget, can provide exemptions to the threshold as long as the project still meets the definition of a maintenance reserve project as defined by the Department of Planning and Budget.

3. Only facilities supported wholly or in part by the general fund shall utilize general fund maintenance reserve appropriations. Facilities supported entirely by nongeneral funds shall accomplish maintenance through the use of nongeneral funds.

F. Conditions Applicable to Bond Projects

1. The General Assembly hereby authorizes the capital projects listed in §§ 2-24 and 2-25 for the indicated agencies and institutions of higher education and hereby appropriates and reappropriates therefore sums from the sources and in the amount indicated. The issuance of bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized interest for any project listed in §§ 2-24 and

	Item Details($)		Appropriations($)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

2-25 is hereby authorized.

2. The issuance of bonds for any project listed in § 2-24 is to be separately authorized pursuant to Article X, Section 9 (c), Constitution of Virginia.

3. The issuance of bonds for any project listed in Item C-40 or C-41 shall be authorized pursuant to § 23-19, Code of Virginia.

4. In the event that the cost of any capital project listed in §§ 2-23, 2-24 and 2-25 shall exceed the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in appropriation authority of not more than ten percent of the amount designated in §§ 2-23, 2-24 and 2-25 for such project, from any available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all interest earnings derived from the investment of bond proceeds in addition to the amount designated in §§ 2-23, 2-24 and 2-25 for such capital project.

5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax purposes.

6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of funds.

7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in Item C-40 of § 2-24 of this act with the issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of such project under the authorization of § 2-25 of this act.

8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund, and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on the books of the State Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.

G. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:

1. Construction is in progress.

2. Equipment purchases have been authorized by the Governor but not received.

3. Plans and specifications have been authorized by the Governor but not completed.

4. Obligations were outstanding at the end of the previous biennium.

H. The Department of Planning and Budget is hereby authorized to administratively appropriate any nongeneral fund component of any capital project authorized in Chapters 859/827 (2002), Chapters 884/854 (2002), or Chapters 887/855 (2002).

I. Alternative Financing

1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no less than 30 days prior to entering into such alternative financing agreement. This report shall provide:

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a. a description of the purpose to be achieved by the proposal;

b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or client populations pledged or encumbered by the alternative financing;

c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;

d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or institution; and

e. a recommendation and planned course of action based on this analysis.

J. Conditions Applicable to Alternative Financing

The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked:

1. James Madison University

a. Subject to the provisions of this act, the General Assembly authorizes James Madison University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.

b. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes James Madison University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

2. Longwood University

a. Subject to the provisions of this act, the General Assembly authorizes Longwood University to enter into a written agreement or agreements with the Longwood University Real Estate Foundation (LUREF) for the development, design, construction and financing of student housing projects, a convocation center, parking, and operational and recreational facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Longwood is further authorized to enter into a written agreement with the LUREF for the support of such student housing, convocation center, parking, and operational and recreational facilities by including the facilities in the University’s facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University’s obligations under any documents or other instruments constituting or securing

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bonds or other indebtedness of the University or the Commonwealth of Virginia.

3. Christopher Newport University

a. Subject to the provisions of this act, the General Assembly authorizes Christopher Newport University to enter into, continue, extend or amend written agreements with the Christopher Newport University Educational Foundation (CNUEF) or the Christopher Newport University Real Estate Foundation (CNUREF) in connection with the refinancing of certain housing and office space projects.

b. Christopher Newport University is further authorized to enter into, continue, extend or amend written agreements with CNUEF or CNUREF to support such facilities including agreements to (i) lease all or a portion of such facilities from CNUEF or CNUREF, (ii) include such facilities in the University's building inventory, (iii) manage the operation and maintenance of the facilities, including collection of any rental fees from University students in connection with the use of such facilities, and (iv) otherwise support the activities at such facilities consistent with law, provided that the University shall not be required to take any action that would constituting a breach of the University's obligation under any documents or instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

4. Radford University

a. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.

b. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item. Radford University is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities.

c. The General Assembly further authorizes Radford University to enter into a written agreement with the public or private entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

5. University of Mary Washington

a. Subject to the provisions of this act, the General Assembly authorizes the University of Mary Washington to enter into a written agreement or agreements with the University of Mary Washington Foundation (UMWF) to support student housing projects and/or operational-related facilities through alternative financing agreements including public-private partnerships.

b. The University of Mary Washington is further authorized to enter into written agreements with UMWF to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's students housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) seek to obtain police power over the student housing as provided by law; and (v) otherwise support the students housing facilities consistent with law, provided that the University’s obligation under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the

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Commonwealth of Virginia.

c. The General Assembly further authorizes the University of Mary Washington to enter into a written agreement with a public or private entity to design, construct, and finance a facility or facilities to provide additional student housing and/or operational-related facilities. The facility or facilities may or may not be located on property owned by the Commonwealth. The University of Mary Washington is also authorized to enter into a written agreement with the public or private entity to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for planning, construction and other costs of any of the projects. Revenue bonds issued by or for UMWF will provide construction and/or permanent financing.

6. Norfolk State University

a. Subject to the provisions of this act, the General Assembly authorizes Norfolk State University to enter into a written agreement or agreements with a Foundation of the University for the development of one or more student housing projects on or adjacent to campus, subject to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.

b. Norfolk State University is further authorized to enter into written agreements with a Foundation of the University to support such student housing facilities; the support may include agreements to (i) include the student housing facilities in the University's student housing inventory; (ii) manage the operation and maintenance of the facilities, including collection of rental fees as if those students occupied University-owned housing; (iii) assign students to the facilities in preference to other University-owned facilities; (iv) restrict construction of competing student housing projects; (v) seek to obtain police power over the student housing as provided by law; and (vi) otherwise support the student housing facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the University or the Commonwealth of Virginia.

7. Northern Virginia Community College - Alexandria Campus

The General Assembly authorizes Northern Virginia Community College, Alexandria Campus to enter into a written agreement either with its affiliated foundation or a private contractor to construct a facility to provide on-campus housing on College land to be leased to said foundation or private contractor for such purposes. Northern Virginia Community College, Alexandria Campus, is also authorized to enter into a written agreement with said foundation or private contractor for the support of such student housing facilities and management of the operation and maintenance of the same.

8. Virginia State University

a. Subject to the provisions of this act, the General Assembly authorizes Virginia State University (University) to enter into a written agreement or agreements with the Virginia State University Foundation (VSUF), Virginia State University Real Estate Foundation (VSUREF), and other entities owned or controlled by the university for the development, design, construction, financing, and management of a mixed-use economic development corridor comprising student housing, parking, and dining facilities through alternative financing agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.

b. Virginia State University is further authorized to enter into a written agreement with the VSUREF, VSUF, and other entities owned or controlled by the university for the support of such a mixed-use economic development corridor comprising student housing, parking, and dining facilities by including these projects in the university's facility inventory and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other university facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the university shall not be required to take any action that would constitute a breach of the university's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.

~~8.~~ *9.* The following individuals, and members of their immediate family, may not engage in an

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alternative financing arrangement with any agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:

a. A member of the agency or institution's governing body;

b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement; or

c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have, a direct influence on the approval of the alternative financing arrangement.

K. The budget bill submitted by the Governor shall include a synopsis of previous appropriations for capital projects from the General Assembly and authorizations by the Governor for such projects.

L. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic perspective.

M. Any capital project that has received a supplemental appropriation due to cost overruns must be completed within the revised budget provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional overruns from nongeneral funds.

N. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when conducting capital project reviews, design and construction decisions, and project scope changes.

O. The Governor shall provide the Chairmen of the Senate Finance and House Appropriations Committees an opportunity to review the six year capital improvement plan prior to the beginning of each new biennial budget cycle.

P. No structure, improvement or renovation shall occur on the state property located at the Carillon in Byrd Park in the City of Richmond without the approval of the General Assembly.

Q. All Agencies of the Commonwealth and Institutions of Higher Education shall provide information and/or use systems and processes in the method and format as directed by the Director, Department of General Services, on behalf of the Six-Year Capital Outlay Plan Advisory Committee, to provide necessary information for state-wide reporting. This requirement shall apply to all projects, including those funded from general and nongeneral fund sources.

R. Notwithstanding any other provision of law, the following shall govern the real estate purchase and exchange agreement for Western State Hospital between the Commonwealth of Virginia and the City of Staunton. The City of Staunton shall remit the $15 million for the property sale as follows:

1) the first payment of $5 million on October 1, 2012;

2) the second payment of $5 million on January 1, 2013; and,

3) the final payment of $5 million on April 1, 2013.

Further, this item eliminates the requirement that the City of Staunton maintain a $15 million line of credit to ensure its payment.

LEGISLATIVE DEPARTMENT

ITEM C-1.30.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	§ 2-1. DR. MARTIN LUTHER KING, JR. MEMORIAL COMMISSION (845)				
C-1.30.	Planning: Emancipation and Freedom Monument (17961)			$500,000	$0
	Fund Sources: General	$500,000	$0		
	A. The amount appropriated by this item shall be used for planning and other costs including, but not limited to, fund raising associated with construction of a permanent monument celebrating the emancipation of slaves and freedom in commemoration of the 150th anniversary of the signing of the Emancipation Proclamation on January 1, 1863.				
	B. The Department of General Services shall provide support to the Commission in implementing this project, as provided for in paragraph A.				
	C. The Commission and the Department of General Services shall report quarterly to the General Assembly on the progress made on site selection, project design, projected costs, fund raising, and project finances.				
	Total for Dr. Martin Luther King, Jr. Memorial Commission			**$500,000**	**$0**
	Fund Sources: General	$500,000	$0		
	TOTAL FOR LEGISLATIVE DEPARTMENT			**$500,000**	**$0**
	Fund Sources: General	$500,000	$0		
	OFFICE OF AGRICULTURE AND FORESTRY				
	§ 2-2. DEPARTMENT OF FORESTRY (411)				
C-1.60.	*The Department of Forestry is hereby authorized to acquire one or more parcels of land for the creation of one or more State Forests from nongeneral funds appropriated to the Virginia State Forest Mitigation and Acquisition Fund established pursuant to Item 102 of this act. In evaluating lands available from willing sellers, the Department shall give priority to i) large contiguous tracts, preferably with a minimum of 1,000 acres in size; ii) tracts with the majority of the land area forested or managed as a working forest; iii) tracts containing diversity in timber types and ages; iv) tracts providing maximum water quality protection and wildlife habitat; and, v) tracts in areas of the state that currently do not contain a State Forest. The Department shall also give priority consideration to any available properties that are in-holdings within or tracts adjacent to an existing State Forest.*				
	Total for Department of Forestry			**$0**	**$0**
	TOTAL FOR OFFICE OF AGRICULTURE AND FORESTRY			**$0**	**$0**
	OFFICE OF COMMERCE AND TRADE				
	§ 2-3. VIRGINIA EMPLOYMENT COMMISSION (182)				
C-1.70.	Blanket Project: Facility Modifications				
	The authorized purpose of capital project number 182-15834 is hereby modified to include expenses related to local and central office closings, moving expenses, renovations, consolidations, reconfigurations, or other related activities directly or indirectly resulting from One-Stop consolidations and partnering and from changes in federal administrative funding.				
	Total for Virginia Employment Commission			**$0**	**$0**
	TOTAL FOR OFFICE OF COMMERCE AND TRADE			**$0**	**$0**

ITEM C-2.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	OFFICE OF EDUCATION				
	§ 2-4. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)				
C-2.	Improvements: Renovate Dormitories (17933).....			$5,000,000	~~$0~~ *$9,650,000*
	Fund Sources: Bond Proceeds.....	$5,000,000	~~$0~~ *$9,650,000*		
C-3.	Improvements: Improve Auxilliary Facilities (17934).....			$12,000,000	$0
	Fund Sources: Bond Proceeds.....	$12,000,000	$0		
C-3.10.	New Construction: Construct New Dormitory (17808)....			$1,000,000	$0
	Fund Sources: Bond Proceeds.....	$1,000,000	$0		
C-3.20.	*Improvements: Marshall-Wythe School of Law (18046)...*			*$14,000,000*	*$0*
	Fund Sources: Higher Education Operating.....	*$2,000,000*	*$0*		
	Bond Proceeds.....	*$12,000,000*	*$0*		
C-3.30.	*Acquisition: Property Acquisition and Required Repairs (18047) .....*			*$23,000,000*	*$0*
	Fund Sources: Bond Proceeds.....	*$23,000,000*	*$0*		
	Total for The College of William and Mary in Virginia..			~~**$18,000,000**~~ ***$55,000,000***	~~**$0**~~ ***$9,650,000***
	Fund Sources: *Higher Education Operating.....*	*$2,000,000*	*$0*		
	Bond Proceeds.....	~~$18,000,000~~ *$53,000,000*	~~$0~~ *$9,650,000*		
	§ 2-5. RICHARD BLAND COLLEGE (241)				
C-4.	New Construction: Construct Student Housing, Phase II (17952)			$750,000	$0
	Fund Sources: Higher Education Operating.....	$750,000	$0		
	This appropriation provides funding to conduct detailed planning for the construction of a new on-campus residential facility. Richard Bland College is authorized to use up to $750,000 from nongeneral funds for which it shall be reimbursed when the project is funded to move into the construction phase.				
	Total for Richard Bland College.....			**$750,000**	**$0**
	Fund Sources: Higher Education Operating.....	$750,000	$0		
	§ 2-6. VIRGINIA INSTITUTE OF MARINE SCIENCE (268)				
C-4.50.	Acquisition: Research Vessel (17950)			$8,050,000	$0
	Fund Sources: Bond Proceeds.....	$8,050,000	$0		
	This capital project are hereby authorized and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to §23-30.24 et seq., Code of Virginia. Bonds issued to finance this project may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue.				

ITEM C-4.50.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Total for Virginia Institute of Marine Science			**$8,050,000**	**$0**
	Fund Sources: Bond Proceeds	$8,050,000	$0		
	§ 2-7. GEORGE MASON UNIVERSITY (247)				
C-5.	New Construction: Construct Economics Building (17928)			$30,735,000	$0
	Fund Sources: Bond Proceeds	$30,735,000	$0		
	Funding for this project shall remain unallotted until George Mason University can demonstrate that sufficient gift funding has been received to support planning and construction effort. The president of the university shall certify in writing to the Director, Department of Planning and Budget, that funds are available to support this project.				
C-6.	New Construction: Construct Fairfax Student Housing IXA (17929)			$41,071,000	$0
	Fund Sources: Bond Proceeds	$41,071,000	$0		
C-7.	George Mason University is hereby granted approval to enter into a capital lease to provide academic and research space on the Arlington campus. The university may renew or extend existing leases due to expire during the current biennium by utilizing space available to support graduate and professional degree programs in the Truland Building. Such renewals or extensions may not exceed twenty years, and may provide for the university to take possession of the facility at the expiration of such lease. The university may relocate such activities if an existing lease is unavailable or impracticable for renewal or extension.				
C-7.10.	Improvements: Renovation and Expansion of George Mason Baseball Stadium (17962)			$4,027,000	$0
	Fund Sources: Higher Education Operating	$4,027,000	$0		
C-8.	Omitted.				
C-8.10.	*George Mason University is hereby granted approval to enter a capital lease to provide additional research space on the Fairfax campus. The university may consolidate existing leases due to expire during the current biennium by utilizing space available to support research programs in the Commerce I and II Buildings. Any new lease may not exceed twenty-five years, and may provide for the university to take possession of the facility at the expiration of such lease.*				
C-8.15.	*Expand the Central Utility Plant, Fairfax Campus (18043)*			*$0*	*$6,849,000*
	Fund Sources: Bond Proceeds	*$0*	*$6,849,000*		
	Total for George Mason University			**$75,833,000**	**~~$0~~** ***$6,849,000***
	Fund Sources: Higher Education Operating	$4,027,000	$0		
	Bond Proceeds	$71,806,000	~~$0~~ *$6,849,000*		
	§ 2-8. JAMES MADISON UNIVERSITY (216)				
C-9.	New Construction: Construct Campus Parking Deck (17941)			$29,621,000	$0
	Fund Sources: Bond Proceeds	$29,621,000	$0		

ITEM C-9.			Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
1	C-10.	Acquisition: Blanket Property Acquisition (17821)			$5,000,000	$0
2		Fund Sources: Higher Education Operating.....	$5,000,000	$0		
3 4	C-11.	New Construction: Construct Student Health Center / RMH East Wing (17824)			$851,000	$0
5		Fund Sources: Higher Education Operating.....	$851,000	$0		
6 7		The funding provided in this item is to purchase equipment required to operate the new Student Health Center.				
8	C-12.	New Construction: Student Housing Phase I (17949)			$50,000,000	$0
9		Fund Sources: Bond Proceeds	$50,000,000	$0		
10 11	C-13.	New Construction: University Recreational Center (UREC) Addition (17953)			$56,983,000	$0
12		Fund Sources: Bond Proceeds	$56,983,000	$0		
13	C-13.10.	New Construction: Convocation Center (17963).....			$88,000,000	$0
14		Fund Sources: Bond Proceeds	$88,000,000	$0		
15	*C-13.20.*	*New Construction: Field Hockey Stadium (18048)*.....			*$0*	*$4,250,000*
16		*Fund Sources: Higher Education Operating*.....	*$0*	*$4,250,000*		
17 18		Total for James Madison University.....			**$230,455,000**	**~~$0~~** ***$4,250,000***
19 20		Fund Sources: Higher Education Operating.....	$5,851,000	~~$0~~ *$4,250,000*		
21		Bond Proceeds	$224,604,000	$0		
22		***§ 2-8.1. LONGWOOD UNIVERSITY (214)***				
23	*C-13.40.*	*Improvements: Renovate Stubbs Hall (17321)*			*$0*	*$10,000,000*
24		*Fund Sources: Higher Education Operating*.....	*$0*	*$10,000,000*		
25		*Total for Longwood University*			***$0***	***$10,000,000***
26		*Fund Sources: Higher Education Operating*.....	*$0*	*$10,000,000*		
27		**§ 2-9. UNIVERSITY OF MARY WASHINGTON (215)**				
28 29	C-13.50.	Acquisition: Refinance Student Housing and Parking Deck (17964).....			$90,000,000	$0
30		Fund Sources: Bond Proceeds	$90,000,000	$0		
31		Total for University of Mary Washington.....			**$90,000,000**	**$0**
32		Fund Sources: Bond Proceeds	$90,000,000	$0		
33		**§ 2-10. OLD DOMINION UNIVERSITY (221)**				
34	C-14.	Acquisition: Acquire Additional Land, Phase I (17935)...			$5,765,000	$0
35		Fund Sources: Higher Education Operating.....	$5,765,000	$0		

ITEM C-14.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
C-15.	Improvements: Renovate Student Housing, Phase II (17945)			$23,113,000	$0
	Fund Sources: Bond Proceeds	$23,113,000	$0		
C-16.	New Construction: Construct Campus Dining Improvements (17946)			$24,766,000	$0
	Fund Sources: Bond Proceeds	$24,766,000	$0		
C-17.	New Construction: Expand and Renovate Webb University Center (17947)			$19,945,000	$0
	Fund Sources: Bond Proceeds	$19,945,000	$0		
C-18.	New Construction: Construct a Basketball Practice Facility (17951)			$6,851,000	$0
	Fund Sources: Higher Education Operating	$6,851,000	$0		
	Funding for this project shall remain unallotted until Old Dominion University can demonstrate that sufficient gift funding has been received to support planning and construction efforts. The president of the university shall certify in writing to the Director, Department of Planning and Budget, that funds are available to support this project.				
	Total for Old Dominion University			**$80,440,000**	**$0**
	Fund Sources: Higher Education Operating	$12,616,000	$0		
	Bond Proceeds	$67,824,000	$0		
	§ 2-11. RADFORD UNIVERSITY (217)				
C-19.	Maintenance Reserve (12731)			$1,500,000	$0
	Fund Sources: Higher Education Operating	$1,500,000	$0		
C-19.10.	Improvements: Renovate Washington Hall (17948)			$5,410,000	$0
	Fund Sources: Bond Proceeds	$5,410,000	$0		
C-19.20.	*The authorized scope of capital project 17565 in Chapter 879, Acts of Assembly, Item C-56 using 9(c) debt for $36,000,000, is hereby changed from "Construct New Residence Halls" to "Renovate Residence Halls". This allows the university to utilize this debt authorization to renovate existing residence halls rather than constructing new ones.*				
	Total for Radford University			**$6,910,000**	**$0**
	Fund Sources: Higher Education Operating	$1,500,000	$0		
	Bond Proceeds	$5,410,000	$0		
	§ 2-12. UNIVERSITY OF VIRGINIA (207)				
C-20.	Improvements: Construct Millmont Collaborative Conservation and Objects Study Center (17815)			$1,100,000	$0
	Fund Sources: Higher Education Operating	$1,100,000	$0		
	This Item contains supplemental funding for the construction of the Millmont Collaborative Conservation and Objects Study Center, originally authorized in 2011 (Chapter 890, 2011 Acts of Assembly). The total cost of the project including the supplement is $8,100,000.				
C-21.	Improvements: Replace East Chiller Plant (17930)			$29,000,000	$0

ITEM C-21.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Higher Education Operating	$360,000	$0		
	Bond Proceeds	$28,640,000	$0		
C-22.	New Construction: Construct Facilities Management Landscape Shop (17936)			$1,960,000	$0
	Fund Sources: Higher Education Operating	$1,960,000	$0		
C-23.	New Construction: Blandy Farm/State Arboretum Research Laboratory (17937)			$1,450,000	$0
	Fund Sources: Higher Education Operating	$1,450,000	$0		
C-24.	New Construction: Construct SEAS/FM Shop Building (17944)			$4,200,000	$0
	Fund Sources: Higher Education Operating	$4,200,000	$0		
	Total for University of Virginia			**$37,710,000**	**$0**
	Fund Sources: Higher Education Operating	$9,070,000	$0		
	Bond Proceeds	$28,640,000	$0		
	§ 2-13. VIRGINIA COMMONWEALTH UNIVERSITY (236)				
C-25.	New Construction: MCV Campus Parking Deck (17938)			$30,000,000	$0
	Fund Sources: Bond Proceeds	$30,000,000	$0		
	Total for Virginia Commonwealth University			**$30,000,000**	**$0**
	Fund Sources: Bond Proceeds	$30,000,000	$0		
	§ 2-14. VIRGINIA COMMUNITY COLLEGE SYSTEM (260)				
C-26.	New Construction: Construct Parking Deck, Midlothian Campus, John Tyler Community College (17942)			$6,829,000	$0
	Fund Sources: Bond Proceeds	$6,829,000	$0		
C-27.	New Construction: Construct Parking Garage, Annandale Campus, Northern Virginia (17923)			$16,912,000	$0
	Fund Sources: Bond Proceeds	$16,912,000	$0		
C-28.	New Construction: Construct Parking Garage, Woodbridge Campus, Northern Virginia (17924)			$23,467,000	$0
	Fund Sources: Bond Proceeds	$23,467,000	$0		
C-29.	New Construction: Construct Parking Garage, Chesapeake Campus, Tidewater (17925)			$25,893,000	$0
	Fund Sources: Bond Proceeds	$25,893,000	$0		

ITEM C-29.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
C-30.	New Construction: Construct Parking Deck, Chester Campus, John Tyler (17926)			$6,829,000	$0
	Fund Sources: Bond Proceeds	$6,829,000	$0		
C-31.	New Construction: Construct Parking Garage, Loudoun Campus, Northern Virginia (17927)			$16,912,000	$0
	Fund Sources: Bond Proceeds	$16,912,000	$0		
C-31.10.	Omitted.				
	Total for Virginia Community College System			**$96,842,000**	**$0**
	Fund Sources: Bond Proceeds	$96,842,000	$0		
	§ 2-14.1. VIRGINIA MILITARY INSTITUTE (211)				
C-31.50.	*Improvements: Improve Post Facilities (17902)*			*$4,000,000*	*$0*
	Fund Sources: Bond Proceeds	*$4,000,000*	*$0*		
C-31.60.	*The Virginia Military Institute is hereby authorized to accept the George C. Marshall Research Library Building as a gift from the George C. Marshall Foundation in fiscal year 2013. The gift contains a parcel of 0.5 acres with improvements including a 26,750 square foot facility.*				
	Total for Virginia Military Institute			***$4,000,000***	***$0***
	Fund Sources: Bond Proceeds	*$4,000,000*	*$0*		
	§ 2-15. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)				
C-32.	New Construction: Construct Veterinary Medicine Instruction Addition (17931)			$14,000,000	$0
	Fund Sources: Higher Education Operating	$3,000,000	$0		
	Bond Proceeds	$11,000,000	$0		
	Total for Virginia Polytechnic Institute and State University			**$14,000,000**	**$0**
	Fund Sources: Higher Education Operating	$3,000,000	$0		
	Bond Proceeds	$11,000,000	$0		
	§ 2-16. VIRGINIA STATE UNIVERSITY (212)				
C-32.50.	New Construction: New Student Union (17965)			$35,547,000	$0
	Fund Sources: Bond Proceeds	$35,547,000	$0		
	Total for Virginia State University			**$35,547,000**	**$0**
	Fund Sources: Bond Proceeds	$35,547,000	$0		
	§ 2-17. VIRGINIA MUSEUM OF FINE ARTS (238)				
C-33.	Improvements: Renovate and Expand Faberge Gallery (17939)			$2,222,000	$0
	Fund Sources: Special	$2,222,000	$0		

ITEM C-33.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Total for Virginia Museum of Fine Arts			**$2,222,000**	**$0**
	Fund Sources: Special	$2,222,000	$0		
	TOTAL FOR OFFICE OF EDUCATION			~~**$726,759,000**~~ ***$767,759,000***	~~**$0**~~ ***$30,749,000***
	Fund Sources: Special	$2,222,000	$0		
	Higher Education Operating	~~$36,814,000~~ *$38,814,000*	~~$0~~ *$14,250,000*		
	Bond Proceeds	~~$687,723,000~~ *$726,723,000*	~~$0~~ *$16,499,000*		

OFFICE OF NATURAL RESOURCES

§ 2-18. DEPARTMENT OF HISTORIC RESOURCES (423)

C-33.10. Notwithstanding any other provision of law, the following provisions shall be implemented:

1. The Director, Department of Planning and Budget, shall transfer $2,500,000 of the amount appropriated in Chapter 879, 2008 Acts of Assembly, for project 17597 (Preservation of Open Space and Historic Resources Through Conservation) for the Civil War Site Preservation Fund and expended in accordance with the purposes and requirements of § 10.1-2202.4 except that the funds shall be awarded only for the fee simple acquisition of battlefield lands for the benefit of the Commonwealth and its citizens.

2. In its expenditure of the funds, the Department of Historic Resources may give priority to the establishment of a public battlefield interpretive park to be located in a jurisdiction served by the Northern Virginia Regional Park Authority and operated by such Authority. The Department of Historic Resources may waive the match requirement of § 10.1-2202.4C in conjunction with the funding of such park.

	Total for Department of Historic Resources			**$0**	**$0**

§ 2-19. DEPARTMENT OF GAME AND INLAND FISHERIES (403)

C-33.20.	~~Repair and Replacement of High Hazard Dams (17970)~~ .			~~$5,500,000~~	~~$5,500,000~~
	Improvements: Repair and Replacement of High Hazard Dams (17970)			*$0*	*$9,700,000*
	Fund Sources: Bond Proceeds	~~$5,500,000~~ *$0*	~~$5,500,000~~ *$9,700,000*		

1. ~~The Department of Game and Inland Fisheries shall utilize these bond proceeds for repair and replacement of classified high hazard dams.~~ *This capital project is hereby authorized and may be financed in whole or in part through bonds of the Virginia Public Building Authority pursuant to § 2.2-2263, Code of Virginia.* The department shall establish each high hazard dam repair or replacement as a subproject within this project and shall establish a cost code within the Commonwealth Accounting and Reporting System for the recording of expenditures on each subproject.

2. Debt service shall be paid solely from agency nongeneral funds.

C-33.30.	*Maintenance Reserve (13316)*			*$1,000,000*	*$2,000,000*
	Fund Sources: Dedicated Special Revenue	*$0*	*$1,000,000*		
	Federal Trust	*$1,000,000*	*$1,000,000*		
C-33.40.	*Improvements to Wildlife Management Area Facilities (16368)*			*$0*	*$2,525,000*
	Fund Sources: Dedicated Special Revenue	*$0*	*$631,250*		
	Federal Trust	*$0*	*$1,893,750*		

ITEM C-33.40.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Total for Department of Game and Inland Fisheries			~~$5,500,000~~ *$1,000,000*	~~$5,500,000~~ *$14,225,000*
Fund Sources: *Dedicated Special Revenue*	*$0*	*$1,631,250*		
Federal Trust	*$1,000,000*	*$2,893,750*		
Bond Proceeds	~~$5,500,000~~ *$0*	~~$5,500,000~~ *$9,700,000*		
TOTAL FOR OFFICE OF NATURAL RESOURCES			~~$5,500,000~~ *$1,000,000*	~~$5,500,000~~ *$14,225,000*
Fund Sources: *Dedicated Special Revenue*	*$0*	*$1,631,250*		
Federal Trust	*$1,000,000*	*$2,893,750*		
Bond Proceeds	~~$5,500,000~~ *$0*	~~$5,500,000~~ *$9,700,000*		

OFFICE OF PUBLIC SAFETY

§ 2-20. DEPARTMENT OF CORRECTIONS (799)

C-33.50. Planning: Medical Facilities Evaluation (17966).....			$50,000	$0
Fund Sources: General	$50,000	$0		

The Department of Corrections (DOC), in consultation with the Secretary of Public Safety, shall contract for an evaluation of the long-term need of the department for new or additional facilities to provide health care services to inmates, including geriatric medical services. The evaluation shall include an analysis of the comparative costs and benefits of DOC building and operating such facilities itself versus the following alternatives: 1) continuing to rely primarily on outside medical care providers for inpatient care and specialized outpatient care, thereby reducing the need for additional facilities; 2) building the facilities itself, but contracting with a private vendor to operate them; 3) building new facilities and entering into an agreement with Virginia Commonwealth University Health Systems for their operation; and 4) any other alternative that is deemed feasible. The department shall submit its findings and recommendations to the Secretary of Public Safety by November 1, 2012.

C-33.60. ~~The Department of Corrections shall return the property consisting of the Mecklenburg Correctional Center to Mecklenburg County, which originally donated the land to the Commonwealth for the development of the correctional center. The department shall utilize inmate labor, to the maximum extent feasible, in site clearing and preparation for demolition.~~

A. The Department of Corrections shall return the property consisting of the Mecklenburg Correctional Center to Mecklenburg County with the exception of the property consisting of the Firing Range and Bachelor Officers Quarters (estimated at 30 acres). The department shall have the Firing Range and BOQ surveyed and separated from the original property. Mecklenburg County and the Department of Corrections shall enter into an agreement to allow the Mecklenburg County Sheriff's Office to use the firing range and BOQ for training.

B. The Department of Corrections shall utilize inmate labor, to the maximum extent feasible, in site clearing and demolition. Mecklenburg County shall be responsible for the selection of buildings for demolition. The Department of Corrections shall be responsible for all costs associated with the selected building demolition.

C-33.70. A. There is hereby established a capital project for the Department of Corrections entitled, "Improvements: Replace Windows and Install Mechanical Equipment, VCCW (17972)". Furthermore, it is hereby authorized that unutilized Virginia Public Building Authority bond authorization and appropriation be transferred to this project from the following capital projects in the amounts listed:

Project No.	Amount
16732	$3,179,000
17776	$1,200,000

ITEM C-33.70.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
17620 $169,300				
17612 $100,000				
16991 $37,000				
16431 $34,800				
16106 $17,500				
B. The Director, Department of Planning and Budget, is authorized to transfer general fund appropriation from the following projects in the amounts shown to this new project: 16110—$250,000 and 16106—$13,500.				
Total for Department of Corrections.....			**$50,000**	**$0**
Fund Sources: General.....	$50,000	$0		
TOTAL FOR OFFICE OF PUBLIC SAFETY			**$50,000**	**$0**
Fund Sources: General.....	$50,000	$0		
OFFICE OF VETERANS AFFAIRS AND HOMELAND SECURITY				
§ 2-21. DEPARTMENT OF VETERANS SERVICES (912)				
C-34. Maintenance Reserve (17073)			$0	~~$461,539~~ *$541,539*
Fund Sources: Special.....	$0	$161,539		
Federal Trust.....	$0	~~$300,000~~ *$380,000*		
C-34.10. New Construction: Hampton Roads Veterans Care Center (17957)			$0	$0
The Governor is authorized to request federal funds to construct a new veterans care center with up to 240 beds in the Hampton Roads area of Virginia. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for the new center, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of $28,500,000 to the Department of Veterans Services for the state share of the construction cost, *so that the project may proceed without further action by the Commonwealth, in accordance with 38 CFR 59.50 and 38 CFR 59.70(b). The treasury loan shall be repaid by such sources of funding as determined by the Governor and General Assembly. The Director, Department of Planning and Budget, is authorized to sign and certify any federal documents or forms to acknowledge that the state share of funding for the Hampton Roads Veterans Care Center is available without further action by the Commonwealth.*				
C-34.15. The Governor is authorized to request federal funds to construct a new veterans care center with up to 240 beds in the northern area of Virginia. After the United States Department of Veterans Affairs has determined that federal funds will be allocated for the new center, the Director, Department of Planning and Budget, shall approve a short-term, interest-free treasury loan in the amount of $28,500,000 to the Department of Veterans Services for the state share of the construction cost, so that the project may proceed without further action by the Commonwealth, in accordance with 38 CFR 59.50 and 38 CFR 59.70(b). The treasury loan shall be repaid by such sources of funding as determined by the Governor and General Assembly. The Director, Department of Planning and Budget, is authorized to sign and certify any federal documents or forms to acknowledge that the state share of funding for the Northern Virginia Veterans Care Center is available without further action by the Commonwealth.				
Total for Department of Veterans Services			**$0**	**~~$461,539~~** ***$541,539***

ITEM C-34.15.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Special	$0	$161,539		
	Federal Trust	$0	~~$300,000~~ *$380,000*		
	TOTAL FOR OFFICE OF VETERANS AFFAIRS AND HOMELAND SECURITY			**$0**	**~~$461,539~~** ***$541,539***
	Fund Sources: Special	$0	$161,539		
	Federal Trust	$0	~~$300,000~~ *$380,000*		
	OFFICE OF TRANSPORTATION				
	§ 2-22. DEPARTMENT OF TRANSPORTATION (501)				
C-35.	Maintenance Reserve (15732)			$11,600,000	$0
	Fund Sources: Commonwealth Transportation	$11,600,000	$0		
C-35.10.	*Improvements: Acquire, Design, Construct and Renovate Facilities at District Offices (18038)*			*$0*	*$1,722,000*
	Fund Sources: Commonwealth Transportation	*$0*	*$1,722,000*		
C-35.15.	*Improvements: Acquire, Design, Construct and Renovate Facilities at Residency Offices (18039)*			*$0*	*$7,198,000*
	Fund Sources: Commonwealth Transportation	*$0*	*$7,198,000*		
C-35.20.	*Improvements: Acquire, Design, Construct and Renovate Facilities at the Central Office (18040)*			*$0*	*$1,830,000*
	Fund Sources: Commonwealth Transportation	*$0*	*$1,830,000*		
C-35.25.	*Improvements: Acquire, Design, Construct and Renovate Facilities at Area Headquarters (18041)*			*$0*	*$9,250,000*
	Fund Sources: Commonwealth Transportation	*$0*	*$9,250,000*		
C-35.30.	*The Virginia Department of Transportation is authorized to enter into negotiations and execute a property transfer at the Keene Area Headquarters with the adjacent property owner to exchange parcels of land for a new septic system. The Commissioner of Highways shall certify that this exchange is advantageous to the Commonwealth.*				
	Total for Department of Transportation			**$11,600,000**	**~~$0~~** ***$20,000,000***
	Fund Sources: Commonwealth Transportation	$11,600,000	~~$0~~ *$20,000,000*		
	§ 2-23. VIRGINIA PORT AUTHORITY (407)				
C-36.	New Construction: Expand Port Terminals (17956)			$105,500,000	$0
	Fund Sources: Bond Proceeds	$105,500,000	$0		
C-36.10.	Maintenance Reserve (13804)			$1,500,000	$1,500,000
	Fund Sources: Commonwealth Transportation	$1,500,000	$1,500,000		
	Total for Virginia Port Authority			**$107,000,000**	**$1,500,000**

ITEM C-36.10.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
	Fund Sources: Commonwealth Transportation	$1,500,000	$1,500,000		
	Bond Proceeds	$105,500,000	$0		
	TOTAL FOR OFFICE OF TRANSPORTATION			**$118,600,000**	**~~$1,500,000~~** ***$21,500,000***
	Fund Sources: Commonwealth Transportation	$13,100,000	~~$1,500,000~~ *$21,500,000*		
	Bond Proceeds	$105,500,000	$0		
	CENTRAL APPROPRIATIONS				
	§ 2-24. CENTRAL CAPITAL OUTLAY (949)				
C-37.	Central Maintenance Reserve (15776)			$53,436,092	~~$51,436,092~~ *$61,276,092*
	Fund Sources: Bond Proceeds	$53,436,092	~~$51,436,092~~ *$61,276,092*		

A. A total of $53,436,092 the first year and ~~$51,436,092~~ *$61,276,092* the second year is hereby authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263 Code of Virginia, and/or the Virginia College Building Authority pursuant to § 23-30.24 et seq., Code of Virginia, for capital costs of maintenance reserve projects.

B. The proceeds of such bonds are hereby appropriated for the capital costs of the following maintenance reserve projects:

Agency Name	Project Code	FY 2013	FY 2014
Department of General Services	14260	$5,255,068	~~$3,255,068~~ *$11,555,068*
Department of Veterans Services	17073	170,360	170,360
Department of Agriculture and Consumer Services	12253	315,841	315,841
Department of Forestry	13986	52,886	52,886
Department of Mines, Minerals and Energy	13096	50,000	50,000
Virginia School for the Deaf and the Blind	14082	95,573	95,573
Christopher Newport University	12719	254,107	254,107
The College of William and Mary in Virginia	12713	1,412,817	1,412,817
Richard Bland College	12716	52,489	52,489
Virginia Institute of Marine Science	12331	193,060	193,060
George Mason University	12712	2,779,273	2,779,273
James Madison University	12718	2,132,460	2,132,460
Longwood University	12722	930,273	930,273
Norfolk State University	12724	2,751,748	2,751,748
Old Dominion University	12710	1,166,856	1,166,856
Radford University	12731	957,422	957,422
University of Mary Washington	12723	562,604	562,604
University of Virginia	12704	5,026,531	5,026,531
University of Virginia's College at Wise	12706	105,349	105,349
Virginia Commonwealth University	12708	2,592,132	2,592,132
Virginia Community College System	12611	4,035,833	4,035,833
Virginia Military Institute	12732	790,123	790,123

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Virginia Polytechnic Institute and State University	12707	5,649,158		5,649,158	
Virginia State University	12733	2,544,815		2,544,815	
Frontier Culture Museum of Virginia	15045	50,000		~~50,000~~ *250,000*	
Gunston Hall	12382	50,000		50,000	
Jamestown-Yorktown Foundation	13605	355,000		355,000	
The Library of Virginia	17423	100,000		100,000	
The Science Museum of Virginia	13634	404,353		~~404,353~~ *1,104,353*	
Virginia Museum of Fine Arts	13633	540,474		540,474	
Southwest Virginia Higher Education Center	16499	50,000		50,000	
Institute for Advanced Learning and Research	*18044*	*0*		*50,000*	
Roanoke Higher Education Center	17916	90,000		90,000	
Department of Behavioral Health and Developmental Services	10880	3,459,718		3,459,718	
Woodrow Wilson Rehabilitation Center	10885	359,636		359,636	
Department for the Blind and Vision Impaired	13942	210,555		210,555	
Department of Conservation and Recreation	16646	195,849		~~195,849~~ *2,285,849*	
Virginia Museum of Natural History	14439	50,000		50,000	
Department of Corrections	10887	4,717,216		4,717,216	
Department of Emergency Management	15989	50,000		50,000	
Department of Forensic Science	16320	52,630		52,630	
Department of Juvenile Justice	15081	616,894		616,894	
Department of Military Affairs	10893	392,950		392,950	
Department of State Police	10886	64,039		64,039	
Central Capital Outlay for Contingency Funding	15776	1,750,000		~~1,750,000~~ *250,000*	
Total		$53,436,092		~~$51,436,092~~ *$61,276,092*	

C. Expenditures for amounts appropriated in this Item are subject to conditions defined in §2-0 E of this act.

D. Agencies and institutions of higher education may use maintenance reserve funds in the first year to plan subprojects to be funded from allocations in the second year. Any agency or institution of higher education which has not expended or contractually obligated itself in a legally binding manner to expend 85 percent or more of its biennial general fund and tax-supported debt appropriation for maintenance reserve by June 30, 2014, will have its share of maintenance reserve funding reduced in the next biennium.

E. Agencies and institutions of higher education may use maintenance reserve funds to finance the following capital costs: to repair or replace damaged or inoperable equipment, components of plant, and utility systems; to correct deficiencies in property and plant required to conform with building and safety codes or those associated with hazardous condition corrections,

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including asbestos abatement; to correct deficiencies in fire protection, energy conservation and handicapped access; and to address such other physical plant deficiencies as the Director, Department of Planning and Budget may approve. Agencies and institutions of higher education may also use maintenance reserve funds to make other necessary improvements that do not meet the criteria for maintenance reserve funding with the prior approval of the Director, Department of Planning and Budget.

F. Agencies may transfer amounts from maintenance reserve funds to the operating budget subject to the provisions of 4-4.01c of this act.

G.1. The Department of General Services is authorized to use these funds from its maintenance reserve allocation for necessary repairs and improvements in and around Capitol Square for items such as repair and conservation of the historic fence, repair and improvements to the grounds, upkeep and ongoing repairs to the exterior of the Capitol and Bell Tower, and conservation and maintenance of monuments and statues. The use of and allocation of these funds shall be as deemed appropriate by the Director, Department of General Services.

2. Out of the amount allocated for the Department of General Services, $2,000,000 the first year *and $2,500,000 the second year* is designated for building and utility repair at Fort Monroe. After determining those buildings and utilities to be repaired, and the priority in which repairs will be undertaken within the available allocation in this Item, the Fort Monroe Authority shall present an annual plan to the Director, Department of Planning and Budget, for approval. No funds can be expended from this appropriation until the plan is approved.

3. Out of the amount allocated for the Department of General Services, $4,250,000 the second year is designated for remediation of mold and condensation problems of the facilities of the Division of Consolidated Labs.

4. Out of the amount allocated, the Department of General Services, with the cooperation of Norfolk State University and the City of Norfolk, may use $1,500,000 the second year to address pedestrian crossing safety issues at the Brambleton Avenue HRT light-rail station.

H. The Director, Department of Planning and Budget is authorized to transfer up to $1,750,000 the first year and ~~$1,750,00~~ *$250,000* the second year from this Item to agencies and institutions of higher education to address unplanned emergency maintenance needs that require immediate attention to address a threat to life or property. To qualify for funding, such projects must meet the criteria in paragraph E above and no alternative funding is available including existing agency or institution maintenance reserve funding.

I. 1. Out of this appropriation, $600,000 the first year from the Department of Juvenile Justice project code 15081, shall be transferred to the Department of Juvenile Justice project code 17727, Pamunkey Erosion.

2. In accordance with § 2.2-1520, the Director, Department of Planning and Budget, shall reimburse the Central Capital Planning Fund for the total amounts authorized for project code 17727 under § 1 of the third enactment of Chapter 1 and 2, 2008 Special Session I.

J.1. Any balances remaining from the maintenance reserve allocation identified in this item for the Jamestown-Yorktown Foundation shall not revert to the general fund on June 30, 2012, but shall be brought forward and made available to the Jamestown-Yorktown Foundation for the purposes of this item in fiscal year 2013 and fiscal year 2014.

2. The Jamestown-Yorktown Foundation may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of art and artifacts.

K.1. Any balances remaining from the maintenance reserve allocation identified in this item for the Virginia Museum of Fine Arts shall not revert to the general fund on June 30, 2012, but shall be brought forward and made available to the Virginia Museum of Fine Arts for the purposes of this item in fiscal year 2013 and fiscal year 2014.

2. The Virginia Museum of Fine Arts may use an amount not to exceed 20 percent of its annual maintenance reserve allocation from this item for the conservation of art works owned by the Museum.

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L. The Department of Corrections may use a portion of its annual maintenance reserve allocation to make modifications to correctional facilities needed to enable the agency to meet the requirements of the federal Prison Rape Elimination Act.

C-38. Central Reserve for Capital Equipment Funding (17954)			~~$31,500,000~~ *$37,412,000*	$0
Fund Sources: Bond Proceeds	~~$31,500,000~~ *$37,412,000*	$0		

A.1. The capital projects in paragraph B of this Item are hereby authorized and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to §23-30.24 et seq., Code of Virginia or the Virginia Public Building Authority pursuant to §2.2-2263, Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principle amounts will not exceed the amounts listed in paragraph B below plus amounts to fund related issuance costs, and other financing expenses, in accordance with Section 2.2-2263 of the Code of Virginia.

2. From the list of projects included in paragraph B of this Item, the Director of the Department of Planning and Budget shall provide the Chairmen of the Virginia College Building Authority and the Virginia Public Building Authority with the specific projects, as well as the amounts for these projects, to be financed by each authority within the dollar limit established by this authorization.

3. Debt service on the projects contained in this Item shall be provided from appropriations to the Treasury Board.

4. The appropriations for said capital projects in this Item are subject to the conditions in § 2-0 F of this act.

B. There is hereby appropriated ~~$31,500,000~~ *$37,412,000* the first year from bond proceeds of the Virginia College Building Authority or the Virginia Public Building Authority to provide funds for equipment for the following projects for which construction was previously provided, or to maintain existing operational capability.

Agency Name / Project Title
Science Museum of Virginia (146)
Construct Danville Science Center Equipment
Virginia State University (212)
Renovate Hunter McDaniel Hall (17416)
James Madison University (216)
Renovate West Wing, Rockingham Hospital (17674)
Renovate/Expand Duke Hall (17675)
Old Dominion University (221)
Construct Consolidated Arts Complex (17679)
Upgrade Free Electron Laser (Cryogenic Unit and Buncher Cavity)
George Mason University (247)
Renovate Science & Technology Buildings I and II (17698)
Construct Lab Building, Prince William (17848)
Virginia Community College (260)
Construct Higher Education Center, Loudoun Campus, Northern Virginia (17703)
New College Institute (938)
Construct New Manufacturing Facility Equipment (18045)
Department of Behavioral Health and Developmental Services (720)
Replace Western State Hospital (17276)

C-38.10. Capital Outlay Project Pool (17967)			~~$103,154,056~~ *$119,654,056*	$0

ITEM C-38.10.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Fund Sources: General	$19,500,000	$0		
Dedicated Special Revenue	$10,285,200	$0		
Bond Proceeds	~~$73,368,856~~ *$89,868,856*	$0		

A. 1. The capital projects in paragraph B. of this item are hereby authorized and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23-30.24 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2263, Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principle amounts will not exceed ~~$73,368,856~~ *$89,868,856* plus amounts to fund related issuance costs, and other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia.

2. From the list of projects included in paragraph B of this item, the Director of the Department of Planning and Budget shall provide the Chairmen of the Virginia College Building Authority and the Virginia Public Building Authority with the specific projects, as well as the amounts for these projects, to be financed by each authority within the dollar limit established by this authorization.

3. Debt service on the projects contained in this item shall be provided from appropriations to the Treasury Board.

4. The appropriations for said capital projects are contained in this item and are subject to the conditions in § 2-0 F of this act.

B. The General Assembly hereby appropriates $19,500,000 from the general fund and $10,285,200 from nongeneral fund sources in the first year for the projects listed in this section.

Agency	Project Title
Department of Conservation and Recreation	Repairs and Upgrades to State Park Owned Dams
Woodrow Wilson Rehabilitation Center	Roof Replacement Birdsall-Hoover Medical Administration Building 805
Woodrow Wilson Rehabilitation Center	Asbestos Abatement, Phase 4 of 4
Woodrow Wilson Rehabilitation Center	Implement ADA Compliance Measures - Campus Wide
Department for the Blind and Vision Impaired	Replace Roof on Library Resource Center
Department of Corrections	Replace Mechanical Systems Baskerville
Department of Corrections	Replace Plumbing Systems Baskerville
Department of Corrections	Roof Replacement Keen Mountain
Department of Corrections	Roof Replacement Lawrenceville
Department of Corrections	HVAC Replacement Lawrenceville
Department of General Services	Renovate Consolidated Labs
Department of General Services	Capital Projects Space Improvement for Dept. of Conservation and Recreation
Department of General Services	Monroe Building Exterior Repairs and Jefferson Building Window Replacement
Department of Veterans Services	Virginia War Memorial / DVS Offices and Parking
Jamestown-Yorktown Foundation	Yorktown Outside Areas, Signage and Amenities
Jamestown-Yorktown Foundation	Road Wall and Sound Buffer
Roanoke Higher Education Authority	Waterproof Building
Virginia Museum of Fine Arts	Replace Roof 1985 Addition
Virginia School for the Deaf and Blind	Install Sprinklers in Byrd Hall
Virginia School for the Deaf and Blind	Improve Campus Security, ADA and Other Regulatory Compliance

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Virginia Workers' Compensation Commission	Acquire New Headquarters Building
College of William and Mary	Construct Cooling Plant and Replace Utilities, Phase IV
College of William and Mary	Renovate the Brafferton and Brafferton Kitchen
College of William and Mary	Improve Accessibility Infrastructure
College of William and Mary	Improve Lake Matoaka Dam Spillway
College of William and Mary	Improve Campus Stormwater Infrastructure
Longwood University	New Biomass Boiler
Longwood University	Replace Willett Hall HVAC
George Mason University	Hylton Center
Old Dominion University	Replace Mechanical Systems in the Oceanography and Physics Building
Virginia Tech	Address Fire Alarm Systems and Access
University of Mary Washington	Improve Stormwater Management
James Madison University	Replace Boiler & Infrastructure - Phase 2
James Madison University	Newman Lake Dam Repair
James Madison University	*Supplement West Wing Rockingham Hospital (17674)*
Richard Bland College	Umbrella Maintenance Project
University of Virginia's College at Wise	Dam Safety Modifications

C. The Department of General Services, with the cooperation and support of the Workers' Compensation Commission, is hereby directed to manage acquisition or to construct a new headquarters facility for the commission out of such funds as are appropriated for such purposes. If construction is the most suitable alternative, the department shall undertake design and construction of the facility as well as acquisition of any land required for such construction. Upon completion of the new facility, the department shall sell the existing headquarters facility located at 1000 DMV Drive in Richmond, Virginia after first considering needs of the Commonwealth and other state departments, agencies and institutions.

C-38.20. Omitted.

C-39. Omitted.

C-39.05. Planning: Detail Planning for Capital Projects (17968).... ~~$41,743,729~~ *$41,493,729* $0

Fund Sources: ~~General~~	~~$250,000~~	~~$0~~
Higher Education Operating	$26,067,818	$0
Dedicated Special Revenue	$15,425,911	$0

A. The following projects shall be funded for detailed planning entirely from amounts in the Central Capital Planning Fund established under § 2.2-1520 of the Code of Virginia and any general funds provided.

Agency Code	Agency	Project Title
146	Science Museum of Virginia	Construct Event Space and Upgrade Museum Exhibits
194	Department of General Services	Renovation of the 9th Street Office Building and Parking Deck
199	Department of Conservation and Recreation	Complete Phase I Development, Powhatan State Park
203	Woodrow Wilson Rehabilitation Center	Renovate Dining Hall and Activities Building, Phase II
203	Woodrow Wilson Rehabilitation Center	Renovate Anderson Vocational Training Building, Phase I
425	Jamestown-Yorktown Foundation	Yorktown Outside Areas, Signage and Amenities
778	Department of Forensic Science	Expand Western Virginia Forensic Laboratory and Office of the Chief Medical Examiner Facility
~~948~~	~~Southwest Virginia Higher Education Center~~	~~Construct Academic Building~~

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B. The following projects shall be funded for detailed planning 50 percent from amounts in the Central Capital Planning Fund established under § 2.2-1520 of the Code of Virginia, and 50 percent from higher education operating nongeneral fund sources.

Agency Code	Agency	Project Title
212	Virginia State University	Erosion and Sediment Control Stormwater Master Plan / Retention Pond
212	Virginia State University	Renovate Lockett Hall
213	Norfolk State University	Replace Brown Hall
214	Longwood University	Construct Student Success Center
215	University of Mary Washington	Renovate Mercer and Woodward Halls
217	Radford University	Construct New Academic Building, Phase I & II
241	Richard Bland College	Renovate Ernst Hall
242	Christopher Newport University	Construct Student Success Center
260	Virginia Community College System	Construct Phase III Academic Building, Midlothian Campus, John Tyler
260	Virginia Community College System	Renovate Bayside Building, Virginia Beach Campus, Tidewater
260	Virginia Community College System	Construct New Classroom and Administration Building, Blue Ridge
260	Virginia Community College System	Renovate Building B, Parham Road Campus, J. Sargeant Reynolds
260	Virginia Community College System	Renovate Reynolds Academic Building, Loudoun Campus, Northern Virginia
260	Virginia Community College System	Renovate Main Hall, Middletown Campus, Lord Fairfax
260	Virginia Community College System	Renovate Anderson Hall, Virginia Western
268	Virginia Institute of Marine Science	Construct Consolidated Scientific Research Facility

C. The following projects shall be funded for detailed planning entirely from higher education operating nongeneral fund sources.

Agency Code	Agency	Project Title
204	College of William and Mary	Renovate Tyler Hall
207	University of Virginia	Renovate the Rotunda
208	Virginia Tech	Construct Classroom Building
211	Virginia Military Institute	Construct Corps Physical Training Facilities, Phase I and Phase II
216	James Madison University	Construct Health and Engineering Academic Facility (East Wing Hospital)
221	Old Dominion University	Construct New School of Education
236	Virginia Commonwealth University	Construct and Renovate Information Commons and Libraries
247	George Mason University	Construct Academic VII / Research III, Phase I
247	George Mason University	Construct Life Sciences Building, Prince William

D. In accordance with Title 2.2, Chapter 15.1, each institution shall submit their completed detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its review and recommendation.

E. 1. Each public college and university is authorized to use additional higher education operating nongeneral funds to move to working drawings for the projects listed in paragraph B and paragraph C.

2. Each agency may utilize other nongeneral funds to move to working drawings for the projects authorized in paragraph A.

F. Each agency or institution shall be reimbursed for all nongeneral funds used when the project is funded to move into the construction phase.

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G. In accordance with § 2.2-1520, the Director, Department of Planning and Budget, shall reimburse the Central Capital Planning Fund for the amounts provided for detailed planning when the project is funded to move into the construction phase.

H. 1. ~~When all projects authorized in paragraphs A, B and C have moved into the construction phase, the~~ *The* Director, Department of Planning and Budget shall move the following projects to detailed planning. *Agencies and institutions* ~~Institutions~~ of higher education may utilize institutional nongeneral funds, for which they will be reimbursed upon approval of construction funding, to advance these projects.

Agency Code	**Agency**	**Project Title**
194	Department of General Services	Morson Row Renovation
208	Virginia Tech	Renovate / Renew Academic Buildings
215	University of Mary Washington	Construct Jepson Science Center Addition
217	Radford University	Renovate Whitt Hall
218	Virginia School for the Deaf at Blind at Staunton	Renovate Main Hall
221	Old Dominion University	Construct a Joint Policing Facility
236	Virginia Commonwealth University	Renovate Sanger Hall, Phase II
236	Virginia Commonwealth University	Renovate Raleigh Building
238	Virginia Museum of Fine Arts	Renovate Robinson House
239	Frontier Culture Museum	Construct Early American Industry Exhibit
242	Christopher Newport University	Construct Library, Phase II
260	Virginia Community College System	Construct Phase VII Academic Building, Annandale Campus, Northern Virginia
260	Virginia Community College System	Renovate Phase I Academic and Administration Building, Eastern Shore
260	Virginia Community College System	Renovate Engineering and Industrial Technology Building, Danville
260	Virginia Community College System	Construct Bioscience Building, Blue Ridge
260	Virginia Community College System	Construct Student Service and Learning Resources Center, Christanna Campus, Southside VA
720	Department of Behavioral Health and Developmental Services	Replace Facility Roofs and Building Envelopes

2. The following projects are authorized to proceed to preplanning:

Agency Code	***Agency***	***Project Title***
194	*Department of General Services*	*Renovate Supreme Court Interior*
194	*Department of General Services*	*Capitol Complex Infrastructure and Security*
207	*University of Virginia*	*Renovate Gilmer Hall and Chemistry Building*
214	*Longwood University*	*Admissions Office*
214	*Longwood University*	*New Academic Building*
216	*James Madison University*	*Renovate Madison Hall*
229	*Virginia Cooperative Extension and Agricultural Experiment Station*	*Improve Kentland Facilities*
242	*Christopher Newport University*	*Construct and Renovate Fine Arts and Rehearsal Space*
260	*Virginia Community College System*	*Renovate Godwin Building, Northern Virginia CC, Annandale Campus*

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268	*Virginia Institute of Marine Science*	*Construct Facilities Management Building*				

3. The Director, Department of Planning and Budget shall provide $13,000,000 from the Central Capital Planning Fund established under § 2.2-1520 of the Code of Virginia and $16,000,000 from higher education nongeneral fund revenue sources for the projects contained in paragraphs H. 1. and H. 2. Agencies and institutions of higher education may utilize additional nongeneral funds to advance these projects for which they will be reimbursed upon approval of construction funding for their project. The Director, Department of Planning and Budget shall appropriate additional nongeneral fund upon request from agencies and institutions.

~~2.~~ *4.* Projects for all comprehensive and two-year institutions except for James Madison University and Virginia Military Institute shall be funded 50 percent from the central planning fund and 50 percent from higher education nongeneral fund sources. All projects for other public colleges and universities shall be funded entirely from higher education nongeneral fund sources. All other projects shall be funded entirely from central planning funds. However, all nongeneral funds used by either state agencies or public colleges and universities to conduct authorized project planning shall be reimbursed upon approval of construction funding, to advance the project.

C-39.10. A. The Virginia Port Authority is hereby granted approval to enter into a new capital lease to allow the Virginia Port Authority to purchase gantry cranes to handle increased container volumes at a terminal operated by the Authority. The equipment will be purchased through the Port Authority's master lease equipment program with debt service financed by terminal revenues.

B. Consistent with Item C-44.20, Chapter 781, 2009 Virginia Acts of Assembly, the University of Mary Washington is authorized to enter into a written agreement with the University of Mary Washington Foundation to lease or operate foundation-owned facilities located on foundation-owned property that serve or enhance the university's student housing project plans and which include parcels adjacent to or contiguous with such student housing projects, or parcels in the immediate proximity of such projects, and which support the university's mission.

C. The Department of General Services, on behalf of the Department of Motor Vehicles, is hereby authorized to enter a capital lease for construction of a customer service center to replace the existing facility in Culpeper, Virginia.

D . The Department of General Services, on behalf of the Department of Motor Vehicles, is hereby authorized to enter into capital leases for customer service centers to replace or renew leases for existing facilities, to include, but not limited to in Suffolk and at Fair Oaks Mall in Northern Virginia.

E. The Department of General Services, on behalf of the Department of Social Services, is hereby authorized to amend the existing capital lease or enter into a new capital lease to expand the Child Support Enforcement Office in Petersburg.

F. The Department of General Services, on behalf of the Department of Health, is hereby authorized to enter into a capital lease with Henrico County for construction of a new facility to house the eastern Henrico health department.

G. The Department of General Services, on behalf of the Department of Health, is hereby authorized to enter into capital leases for new facilities to replace existing local health facilities in Nelson and Wythe Counties.

C-39.20. NGF Bond Supplements (17969)..... $100,000,000 $0

Fund Sources: Bond Proceeds..... $100,000,000 $0

That, subject to the provisions of this item, the Virginia College Building Authority (VCBA) is authorized to issue additional nongeneral fund revenue bonds in an aggregate principal amount not to exceed $100 million, plus amounts needed to fund issuance costs and other financing expenses, to finance any needed nongeneral fund portion of the cost of capital projects listed in § 3 or § 4 of the second enactment of Chapter 1 and 2, 2008 Special Session I, provided that

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all debt service and related costs of the bonds are paid by the applicable educational institution from its nongeneral fund revenues. Such revenue bonds shall be secured by the applicable educational institution from one or more of the revenue sources cited in subdivisions (d) (1) through (d) (4) of § 23-19 of the Code of Virginia, except for the general funds of the institution. The Director of the Department of Planning and Budget is authorized to determine the amount of bonds to be issued, if any, to meet the intended scope of the projects, and the Virginia College Building Authority shall not issue any bonds under this item without being directed to do so by the Director of the Department of Planning and Budget. The Director of the Department of Planning and Budget shall report to the State Treasurer and the Chairmen of the House Appropriations Committee and the Senate Finance Committee any time he directs that bonds be issued under this item.

C-39.30. Omitted.

C-39.40. Comprehensive Capital Outlay Program (18049).....			*$0*	*$1,154,500,000*
Fund Sources: Higher Education Operating.....	*$0*	*$56,000,000*		
Bond Proceeds.....	*$0*	*$1,098,500,000*		

A. 1. The capital projects in paragraph B of this item are hereby authorized and may be financed in whole or in part through bonds of the Virginia College Building Authority pursuant to § 23-30.24 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to § 2.2-2263, Code of Virginia. Bonds of the Virginia College Building Authority issued to finance these projects may be sold and issued under the 21st Century College Program at the same time with other obligations of the Authority as separate issues or as a combined issue. The aggregate principle amounts will not exceed $877,500,000 plus amounts to fund related issuance costs, and other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia.

2. a) Notwithstanding any other provision of law, the Director, Department of Planning and Budget, shall provide for the construction, renovation, or improvement of the projects listed in paragraph B from proceeds previously authorized in Part 2, §§ 1 through 4 of Chapter 1, 2008 Acts of Assembly, Special Session 1 and from proceeds previously authorized in Items C-85, Chapter 874, 2010 Acts of Assembly.

b) The purpose outlined in Item C-86, paragraph A, Chapter 2, Special Session I, 2012 Acts of Assembly is rescinded. The $35,200,000 bond authority contained in that item shall be applied to the projects contained in paragraph B of this item.

3. From the list of projects included in paragraph B of this item, the Directors of the Department of Planning and Budget and the Department of General Services shall provide the Chairmen of the Virginia College Building Authority and the Virginia Public Building Authority with the specific projects to be financed by each authority within the dollar limit established by this authorization.

4. Debt service on the projects contained in this item shall be provided from appropriations to the Treasury Board.

5. The appropriations for said capital projects are contained in this item and are subject to the conditions in § 2-0 F of this act.

6. Except as provided herein, it is the intent of the General Assembly that not more than a total of $250 million in debt or other payment obligations is issued in any fiscal year for the capital projects set forth in this item, provided, however, if less than a total of $250 million in debt or other payment obligations is incurred in any fiscal year for such capital projects, the unused amount may be added to any other subsequent fiscal year. Only under this circumstance may more than a total of $250 million in debt or other payment obligations be issued in a fiscal year for such capital projects. The provisions of this paragraph do not apply to previously authorized debt referenced in paragraph 2 of this item or the projects authorized in paragraphs C, D and E of this item.

7. The issuance of debt authorized in this item shall proceed so that the projected average annual debt service over the ten-year horizon shall be below five percent of blended revenues, as defined by the December 18, 2012 report of the Debt Capacity Advisory Committee. All

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issuance requirements shall be guided by the project cash flows submitted as part of paragraph A. 8.

8. a) Agencies and institutions included in this item shall submit cash flow requirements for each project to the Director, Department of Planning and Budget and the Director, Department of General Services, the Chairmen of the House Appropriations and Senate Finance Committees and the Six-Year Capital Outlay Advisory Committee. The cash flows shall indicate quarterly cash needs to complete planning, working drawings and construction funding to the project completion. The Six-Year Capital Outlay Advisory Committee shall review the cash flow requirements and forward the project cash flows to the Department of the Treasury. The Department of Treasury shall use the cash flows as guidance for the issuance needs for the capital projects in this item by the Virginia College Building Authority and the Virginia Public Building Authority.

b) The Six-Year Capital Outlay Advisory Committee shall, at a minimum, meet at the end of each quarter to evaluate project progress.

9. In accordance with § 2.2-1520, the Director, Department of Planning and Budget shall reimburse the Central Capital Planning Fund, agencies and institutions for any amounts provided for and expenses incurred for project planning for the projects in paragraph B of this item.

10. All projects are authorized to proceed to working drawings and then to construction phase within the parameters outlined in § 2.2-1519, Code of Virginia.

11. Beginning July 1, 2013, the Director, Department of Planning and Budget and the Director, Department of General Services shall provide a quarterly progress report to the Chairmen of the House Appropriations and Senate Finance Committees on the projects in this item.

12. The Auditor of Public Accounts shall report on the adherence to the cash flow requirements for each project and any deviation in necessary project appropriation and allotment which creates a delay in the progress of the projects. The report shall be submitted annually to the Governor, Speaker of the House of Delegates, President Pro-Tempore of the State Senate and the Chairmen of the House Appropriations and Senate Finance Committees.

B. The General Assembly hereby appropriates $56,000,000 from nongeneral fund sources in the second year for the projects listed in this section.

Agency	***Project Title***
Science Museum of Virginia	*Construct Event Space and Upgrade Museum Exhibits*
Virginia State Police	*Area Offices 14, 16 & 26*
Department of General Services	*Renovation of the 9th Street Office Building and Parking Deck*
Department of Conservation and Recreation	*Complete Phase I Development, Powhatan State Park and Road Improvement*
Department of Conservation and Recreation	*Widewater State Park, Phase I A*
Department of Conservation and Recreation	*New Cabins Various State Parks*
Library of Virginia	*State Library Improvements for Storage, Security and IT*
Woodrow Wilson Rehabilitation Center	*Renovate Dining Hall and Activities Building, Phase II*
Woodrow Wilson Rehabilitation Center	*Renovate Anderson Vocational Training Building, Phase I*
College of William and Mary	*Renovate Tyler Hall*
University of Virginia	*Renovate the Rotunda*
Virginia Tech	*Construct Classroom Building*
Virginia Military Institute	*Construct Corps Physical Training Facilities, Phase I and Phase II*
Virginia State University	*Erosion and Sediment Control Stormwater Master Plan / Retention Pond*
Virginia State University	*Renovate Lockett Hall*

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	Virginia State University	*Water Storage Tank and Campus Water Distribution Piping*			
	Norfolk State University	*Replace Brown Hall*			
	Longwood University	*Construct Student Success Center*			
	University of Mary Washington	*Renovate Mercer and Woodard Halls*			
	James Madison University	*Construct Health and Engineering Academic Facility (East Wing Hospital)*			
	Radford University	*Construct New Academic Building, Phase I & II*			
	Old Dominion University	*Construct New School of Education*			
	Virginia Commonwealth University	*Construct and Renovate Information Commons and Libraries*			
	Virginia Commonwealth University	*Replacement Facility for the Virginia Treatment Center for Children*			
	Virginia Museum of Fine Arts	*Renovate Robinson House*			
	Richard Bland College	*Renovate Ernst Hall*			
	Christopher Newport University	*Construct Student Success Center*			
	George Mason University	*Construct Academic VII / Research III, Phase I*			
	George Mason University	*Construct Life Sciences Building, Prince William (Construct Bull Run Hall IIIB Addition)*			
	George Mason University	*Central Utility Plant*			
	Virginia Community College System	*Construct Phase III Academic Building, Midlothian Campus, John Tyler*			
	Virginia Community College System	*Renovate Bayside Building, Virginia Beach Campus, Tidewater*			
	Virginia Community College System	*Construct New Classroom and Administration Building, Blue Ridge*			
	Virginia Community College System	*Renovate Building B, Parham Road Campus, J. Sargeant Reynolds*			
	Virginia Community College System	*Expand Workforce Development Center, Danville*			
	Virginia Community College System	*Renovate Reynolds Academic Building, Loudoun Campus, Northern Virginia*			
	Virginia Community College System	*Renovate Main Hall, Middletown Campus, Lord Fairfax*			
	Virginia Community College System	*Renovate Anderson Hall, Virginia Western*			
	Virginia Community College System	*Renovate Sowder Hall, Fauquier Campus, Lord Fairfax*			
	Virginia Institute of Marine Science	*Construct Consolidated Scientific Research Facility*			
	Jamestown-Yorktown Foundation	*Yorktown Outside Areas, Signage and Amenities*			
	DBHDS	*Western State Hospital Supplement*			
	Department of Forensic Science	*Expand Western Virginia Forensic Laboratory and Office of the Chief Medical Examiner Facility*			
	Department of Corrections	*Richmond P & P*			
	Department of Corrections	*Powhatan Correctional Center Water Line*			
	Department of Veterans Services	*Hampton Roads Veterans Care Center*			
	Department of Veterans Services	*Northern Virginia Veterans Care Center*			

C. 1. The water quality and supply projects in paragraph D of this item are hereby authorized and may be financed in whole or in part through bonds of the Virginia Public Building Authority issued pursuant to § 2.2-2263, Code of Virginia. The aggregate principal amounts will not exceed $221,000,000 plus amounts to fund related issuance costs, and other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia.

2. The appropriations for said capital projects are contained in this item and are subject to the conditions in § 2-0 F of this act.

3. Except as provided for in paragraph C.2. of this item, the provisions of §§ 2.0 and 4-4.01 of this act and the provisions of §2.2-1132, Code of Virginia, shall not apply to projects supported in programs set out in paragraph D of this item.

4. The Department of Environmental Quality and the Department of Conservation and Recreation shall submit cash flow requirements for each program in paragraph D of this item to the Director, Department of Planning and Budget and the State Treasurer. The cash flows shall indicate quarterly cash needs to the programs' completion.

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5. Beginning July 1, 2013, the Director, Department of Planning and Budget and the State Treasurer shall provide a quarterly progress report to the Chairmen of the House Appropriations and Senate Finance Committees on the projects in this item.

D. 1. Stormwater Local Assistance Fund. From the appropriation and bond authorization provided in this item, up to $35,000,000 of the bond proceeds shall be provided to the Department of Conservation and Recreation for the Stormwater Local Assistance Fund, established in accordance with the provisions of Item 360 of this Act. In accordance with the purpose of the Fund set out in Item 360, the bond proceeds shall be used to provide grants solely for capital projects meeting all pre-requirements for implementation, including but not limited to: i) new stormwater best management practices; ii) stormwater best management practice retrofits; iii) stream restoration; iv) low impact development projects; v) buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in accordance with eligibility determinations made by the Virginia Soil and Water Conservation Board under the authority of the Department of Conservation and Recreation.

2. Combined Sewer Overflow Matching Fund. From the appropriation and bond authorization provided in this item, up to $75,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality for the Combined Sewer Overflow Matching Fund, established pursuant to § 62.1-241.12, Code of Virginia. These bond proceeds shall be used by the Virginia Resources Authority and the State Water Control Board to make grants to the cities of Lynchburg and Richmond to pay a portion of the capital costs of their combined sewer overflow control projects. Disbursements from these proceeds shall be authorized by the State Water Control Board, under the authority of the Department of Environmental Quality, and administered by the Virginia Resources Authority through the Combined Sewer Overflow Matching Fund. Of the net proceeds, up to $30,000,000 shall be provided to the City of Lynchburg and up to $45,000,000 shall be provided to the City of Richmond. No such net proceeds shall be used to pay debt service on obligations of the cities of Lynchburg or Richmond or any other localities or regional or local authorities.

3. Nutrient Removal Grants. From the appropriation and bond authorization provided in this item, up to $101,000,000 of the bond proceeds shall be provided to the Department of Environmental Quality to reimburse entities as provided in § 10.1-2117 et seq., Code of Virginia, considered as eligible Significant and Non-Significant Dischargers in the Chesapeake Bay watershed for capital costs incurred for the design and installation of nutrient removal technology. Such reimbursements shall be in accordance with eligibility determinations made by the Department of Environmental Quality pursuant to the provisions of this enactment and Chapter 21.1 of Title 10.1, Code of Virginia, including but not limited to the qualifications of projects for Virginia Water Quality Improvement Grants as set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines developed by the Secretary of Natural Resources in accordance with § 10.1-2129, Code of Virginia.

4. Hopewell Regional Wastewater Treatment Authority. From the appropriation and bond authorization provided in this item, up to $5,000,000 shall be provided to the Department of Environmental Quality to provide a supplemental Nutrient Removal Grant, as established in § 10.1-2117 et seq., Code of Virginia, to reimburse capital costs incurred by the Hopewell Regional Wastewater Treatment Authority for the design and installation of nutrient removal technology. Such reimbursement shall be in addition to any conventional grant awarded for the nutrient removal project to the extent determined by the Department of Environmental Quality pursuant to the provisions of Chapter 21.1 of Title 10.1, Code of Virginia, including but not limited to the qualifications of projects for Virginia Water Quality Improvement Grants as set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines developed by the Secretary of Natural Resources in accordance with § 10.1-2129.

5. Appomattox River Water Authority. From the appropriation and bond authorization provided in this item, up to $5,000,000 shall be provided for the Department of Environmental Quality to provide a grant for the Appomattox River Water Authority, to increase the supply of drinking water for the counties of Dinwiddie, Prince George, and Chesterfield, the cities of Colonial Heights and Petersburg, and the U.S. Army Garrison at Fort Lee, and to improve stream flow within the Appomattox River. The amount provided shall be matched by local contributions from any one or more of the affected local governments totaling $5,000,000.

E.

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Agency	***Project Title***			
Department of Conservation and Recreation	*Stormwater Local Assistance Fund*			
Department of Environmental Quality	*Combined Sewer Overflow Matching Fund*			
Department of Environmental Quality	*Nutrient Removal Grants*			
Total for Central Capital Outlay			~~$329,833,877~~	~~$51,436,092~~
			$351,995,877	*$1,215,776,092*
Fund Sources: General	~~$19,750,000~~	$0		
	$19,500,000			
Higher Education Operating	$26,067,818	~~$0~~		
		$56,000,000		
Dedicated Special Revenue	$25,711,111	$0		
Bond Proceeds	~~$258,304,948~~	~~$51,436,092~~		
	$280,716,948	*$1,159,776,092*		

§ 2-25. 9(C) REVENUE BONDS (950)

C-40. A.1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9 (c), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F of this act.

3. The total amount listed in this Item includes ~~$125,594,000~~ *$135,244,000* in bond proceeds.

Agency Name/ Project Title	Item #	Project Code	Section 9(c) Bonds
College of William and Mary			
Renovate ~~Dormitory~~ *Dormitories*	C-2	17933	~~$5,000,000~~
			$14,650,000
Construct New Dormitory	C-3.10	17808	$1,000,000
George Mason University			
Construct Student Housing IX-A	C-6	17929	$41,071,000
James Madison University			
Construct Student Housing, Phase I	C-12	17949	$50,000,000
Old Dominion University			
Renovate Student Housing, Phase II	C-15	17945	$23,113,000
Radford University			
Renovate Washington Hall	C-19.10	17948	$5,410,000
Total for Nongeneral Fund Obligation Bonds 9(c)			~~**$125,594,000**~~
			$135,244,000

Total for 9(C) Revenue Bonds	**$0**	**$0**

§ 2-26. 9(D) REVENUE BONDS (951)

C-41. 1. This Item authorizes the capital projects listed below to be financed pursuant to Article X, Section 9(d), Constitution of Virginia.

2. The appropriations for said capital projects are contained in the appropriation Items listed below and are subject to the conditions in § 2-0 F of this act.

3. The total amount listed in this Item includes ~~$565,079,000~~ *$599,928,000* in bond proceeds.

Agency Name/ Project Title	Item #	Project Code	Section 9(d) Bonds
College of William and Mary			
Improve Auxiliary Facilities	C-3	17934	$12,000,000
Improve Marshall-Wythe School of Law	*C-3.20*	*18046*	*$12,000,000*

ITEM C-41.		Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Property Acquisition and Required Repairs	*C-3.30*	*18047*		*$23,000,000*	
George Mason University					
Construct Economics Building	C-5	17928		$30,735,000	
Expand Central Utility Plant, Fairfax Campus	*C-8.15*	*18043*		*$6,849,000*	
James Madison University					
Construct Campus Parking	C-9	17941		$29,621,000	
Construct Recreational Center Addition	C-13	17953		$56,983,000	
Construct Convocation Center	C-13.10	17963		$88,000,000	
University of Mary Washington					
Refinance Student Housing and Parking Deck	C-13.50	17964		$90,000,000	
Old Dominion University					
Construct Campus Dining Improvements	C-16	17946		$24,766,000	
Expand Webb University Center	C-17	17947		$19,945,000	
University of Virginia					
Replace East Chiller Plant	C-21	17930		$28,640,000	
Virginia Commonwealth University					
Construct MCV Campus Parking Deck	C-25	17938		$30,000,000	
Virginia Military Institute					
Improve Post Facilities	*C-31.50*	*17902*		*$4,000,000*	
Virginia Polytechnic Institute and State University					
Construct Veterinary Medicine Instruction Addition	C-32	17931		$11,000,000	
Virginia State University					
Construct New Student Union	C-32.50	17965		$35,547,000	
Virginia Community College System					
Construct Parking, Midlothian Campus, John Tyler	C-26	17942		$6,829,000	
Construct Parking Garage, Annandale Campus, Northern Virginia	C-27	17923		$16,912,000	
Construct Parking Deck, Woodbridge Campus, Northern Virginia	C-28	17924		$23,467,000	
Construct Parking Garage, Chesapeake Campus, Tidewater	C-29	17925		$25,893,000	
Construct Parking Garage, Chester Campus, John Tyler	C-30	17926		$6,829,000	
Construct Parking Garage, Loudoun Campus, Northern Virginia	C-31	17927		$16,912,000	
~~**Department of Game and Inland Fisheries**~~					
~~Repair and Replacement of High Hazard Dams~~	~~C-33.20~~	~~17970~~		~~$11,000,000~~	
Total for Nongeneral Fund Obligation Bonds 9(d)				~~**$565,079,000**~~	
				$599,928,000	

C-42. Omitted.

Total for 9(D) Revenue Bonds.....			**$0**	**$0**
TOTAL FOR CENTRAL APPROPRIATIONS.....			~~**$329,833,877**~~	~~**$51,436,092**~~
			$351,995,877	***$1,215,776,092***
Fund Sources: General.....	~~$19,750,000~~	$0		
	$19,500,000			
Higher Education Operating.....	$26,067,818	~~$0~~		
		$56,000,000		

ITEM C-42.	Item Details($) First Year FY2013	Item Details($) Second Year FY2014	Appropriations($) First Year FY2013	Appropriations($) Second Year FY2014
Dedicated Special Revenue	$25,711,111	$0		
Bond Proceeds	~~$258,304,948~~	~~$51,436,092~~		
	$280,716,948	*$1,159,776,092*		
TOTAL FOR PART 2: CAPITAL PROJECT EXPENSES			~~**$1,181,242,877**~~	~~**$58,897,631**~~
			$1,239,904,877	***$1,282,791,631***
Fund Sources: General	~~$20,300,000~~	$0		
	$20,050,000			
Special	$2,222,000	$161,539		
Higher Education Operating	~~$62,881,818~~	~~$0~~		
	$64,881,818	*$70,250,000*		
Commonwealth Transportation	$13,100,000	~~$1,500,000~~		
		$21,500,000		
Dedicated Special Revenue	$25,711,111	~~$0~~		
		$1,631,250		
Federal Trust	~~$0~~	~~$300,000~~		
	$1,000,000	*$3,273,750*		
Bond Proceeds	~~$1,057,027,948~~	~~$56,936,092~~		
	$1,112,939,948	*$1,185,975,092*		

	Item Details($)		Appropriations($)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

PART 3: MISCELLANEOUS

§ 3-1.01 INTERFUND TRANSFERS

A.1. In order to reimburse the general fund of the state treasury for expenses herein authorized to be paid therefrom on account of the activities listed below, the State Comptroller shall transfer the sums stated below to the general fund from the nongeneral funds specified, except as noted, on January 1 of each year of the current biennium. Transfers from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of the quarter. The payment for the fourth quarter of each fiscal year shall be made in the month of June.

	FY 2013	**FY 2014**
1. Alcoholic Beverage Control Enterprise Fund (§ 4.1-116, Code of Virginia)		
a) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from Alcoholic Beverage Control gross profits)	$65,375,769	$65,375,769
b) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	$9,141,363	$9,141,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)		
For collection by Department of Taxation	~~$17,308~~	~~$17,308~~
	$26,652	*$26,652*
3. Peanut Fund (§ 3.1-662, Code of Virginia)		
For collection by Department of Taxation:	~~$954~~	~~$954~~
	$2,496	*$2,496*
4. For collection by Department of Taxation		
a) Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)	~~$60,364~~	~~$60,364~~
	$68,568	*$68,568*
b) Soft Drink Excise Tax	*$2,770*	*$2,770*
c) Virginia Litter Tax	*$13,507*	*$13,507*
5. Proceeds of the Tax on Motor Vehicle Fuels		
For inspection of gasoline, diesel fuel and motor oils	$97,586	$97,586
6. Virginia Retirement System (Trust and Agency)		
For postage by the Department of the Treasury	$45,000	$45,000
7. Department of Alcoholic Beverage Control (Enterprise)		
For services by the:		
a) Auditor of Public Accounts	$75,521	$75,521
b) Department of Accounts	$64,607	$64,607
c) Department of the Treasury	$47,628	$47,628
8. Commission on The Virginia Alcohol Safety Action Program (Special)		
For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies.	*$600,000*	
TOTAL	~~**$74,926,100**~~	~~**$74,926,100**~~
	$75,561,467	***$74,961,467***

2.a. Transfers of net profits from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of each quarter. The transfer of fourth quarter profits shall be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund. Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at ~~$56,257,718~~ *$66,595,630* the first year and ~~$56,257,718~~ *$69,266,066* the second year.

b. Pursuant to § 4.1-116 B, Code of Virginia, the Department of Alcoholic Beverage Control shall notify the State Comptroller of the amount to be deducted quarterly from the net profits for transfer to the reserve fund established by the cited section.

B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.02 is subsequently determined to be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby

directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

2. There is hereby appropriated from the applicable funds such amounts as are required to be refunded to the federal government for mutually agreeable resolution of internal service fund over-recoveries as identified by the U. S. Department of Health and Human Services' review of the annual Statewide Indirect Cost Allocation Plans.

C. In order to fund such projects for improvement of the Chesapeake Bay and its tributaries as provided in § 58.1-2289 D, Code of Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. The Department of Motor Vehicles shall be responsible for effecting the provisions of this paragraph. The amounts listed below shall be transferred on June 30 of each fiscal year.

154	Department of Motor Vehicles	$7,416,469	$7,416,469

D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the general fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to increased local sales and use tax compliance efforts ~~and retention of local mapping services,~~ and State Land Evaluation Advisory Committee (SLEAC) services by the Department of Taxation estimated at ~~$5,704,627~~ *$5,936,004* the first year and ~~$5,680,260~~ *$5,894,944* the second year.

E. The State Comptroller shall transfer to the general fund from the Transportation Trust Fund a proportionate share of the costs attributable to increased sales and use tax compliance efforts by the Department of Taxation estimated at ~~$2,787,842~~ *$2,915,502* the first year and ~~$2,787,842~~ *$2,894,972* the second year.

F. On or before June 30 of each year, the State Comptroller shall transfer $6,691,692 the first year and ~~$6,691,692~~ *$6,125,197* the second year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Name	**Fund Group**	**FY 2013**	**FY 2014**
Supreme Court of Virginia (111)	0900	$212,288	~~$212,288~~ *$0*
Board of Bar Examiners (233)	0200	$3,003	$3,003
Department of Minority Business Enterprise (232)	*0400*	*$0*	*$30,660*
Virginia Veterans Care Center (128)	0200	$39,905	$39,905
Department of Agriculture and Consumer Services (301)	*0900*	*$0*	*$73,138*
Department of Forestry (411)	*0200*	*$0*	*$26,254*
Department of Labor and Industry (181)	0200	$345	~~$345~~ *$4,942*
Board of Accountancy (226)	0900	$9,286	~~$9,286~~ *$8,301*
Virginia Tobacco Indemnification and Community Revitalization Commission (851)	0900	$150,280	~~$150,280~~ *$193,222*
Virginia Museum of Fine Arts (238)	0200	$8,561	$8,561
Jamestown-Yorktown Foundation (425)	0200	$36,827	~~$36,827~~ *$18,827*
Southwest Virginia Higher Education Center (948)	0200	$25,522	$25,522
Woodrow Wilson Rehabilitation Center (203)	0200	$81,312	$81,312
Department of Rehabilitative Services (262)	0900	$16,187	$16,187
Department for the Deaf and Hard-of-Hearing (751)	0200	$11,899	$11,899
Virginia Foundation for Healthy Youth (852)	0900	$21,695	$21,695
Department of Conservation and Recreation (199)	*0200*	*$0*	*$109,351*

Department of Conservation and Recreation (199)	0900	$154,527	~~$154,527~~ *$0*
Marine Resources Commission (402)	0200	$192,926	~~$192,926~~ *$27,827*
Department of Game and Inland Fisheries (403)	0900	$576,206	~~$576,206~~ *$309,512*
Department of Environmental Quality (440)	0900	$16,184	~~$16,184~~ *$0*
Virginia Museum of Natural History (942)	0200	$1,745	$1,745
Department of Criminal Justice Services (140)	0200	$45,065	~~$45,065~~ *$54,452*
Department of State Police (156)	0200	$39,757	$39,757
Department of Fire Programs (960)	*0200*	*$0*	*$27,245*
Sitter-Barfoot Veterans Care Center (922)	0200	$20,484	$20,484
Department of Motor Vehicles (154)	0400	$1,034,919	$1,034,919
Virginia Port Authority (407)	0200	$70,090	~~$70,090~~ *$117,711*
Virginia Port Authority (407)	0400	$87,923	~~$87,923~~ *$75,412*
Department of Transportation (501)	0400	$3,028,317	$3,028,317
Department of Rail and Public Transportation (505)	0400	$418,072	$418,072
Motor Vehicle Dealer Board (506)	0200	$14,311	$14,311
Board of Towing and Recovery Operations (507)	0200	$7,943	~~$7,943~~ *$0*
Department of Aviation (841)	0400	$75,212	~~$75,212~~ *$86,127*
Virginia College Savings Plan (174)	0500	$290,901	~~$290,901~~ *$196,527*
TOTALS		**$6,691,692**	~~**$6,691,692**~~ ***$6,125,197***

G.1. The Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4002.1, Code of Virginia, an amount estimated at ~~$457,300,000~~ *$487,300,000* the first year and $462,000,000 the second year, from the State Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the Comptroller shall transfer the balance of the State Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will be made on a monthly basis. Prior to June 20 of each year, the State Lottery Director shall estimate the amount of profits in the State Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be transferred to the Lottery Proceeds Fund prior to June 22.

2. No later than 10 days after receipt of the annual audit report required by § 58.1-4023, Code of Virginia, the Comptroller shall transfer to the Lottery Proceeds Fund the remaining audited balances of the State Lottery Fund for the prior fiscal year. If such annual audit discloses that the actual revenue is less than the estimate on which the June transfer was based, the State Comptroller shall adjust the next monthly transfer from the State Lottery Fund to account for the difference between the actual revenue and the estimate transferred to the Lottery Proceeds Fund. The State Comptroller shall take all actions necessary to effect the transfers required by this paragraph, notwithstanding the provisions of § 58.1-4022, Code of Virginia. In preparing the Comprehensive Annual Financial Report, the State Comptroller shall report the Lottery Proceeds Fund as specified in § 58.1-4002.1, Code of Virginia.

H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and which receives investment income. The assessed fees, which are estimated to generate $2,800,000 the first year and $3,000,000 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into the general fund of the state treasury.

2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the public institutions of higher education, which are estimated to generate $150,000 the first year and $150,000 the second year, shall be paid into the general fund of the state treasury.

b. The State Comptroller shall transfer to the general fund on June 30, 2013 and on June 30, 2014, respectively, the amount in excess of ~~$20,000~~ *$5,000* in the Virginia College Building Authority Private College Financing Program Fees (Fund 0220) at the Department of the Treasury.

3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall be paid into the general fund of the state treasury.

4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia, an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected are estimated to generate $75,000 the first year and $75,000 the second year, and shall be paid into the general fund of the state treasury.

I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.

J. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia.

K.1. Not later than 30 days after the close of each quarter during the biennium, the Comptroller shall transfer, notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed ~~$3,000,000~~ *$3,700,000* the first year and ~~$3,000,000~~ *$3,700,000* the second year.

2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his discretion, direct the Comptroller to transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the official revenue forecast for such collections.

L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed $14,065,627 the first year and $14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to the Trust Fund on July 15 of each year.

2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.

M.1. Not later than thirty days after the close of each quarter during the biennium, the Comptroller shall transfer to the Game Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this transfer shall not exceed $10,635,320 the first year and $10,635,320 the second year ~~and shall be adjusted by the amounts in subparagraph M.2. for debt service payments~~.

~~2. Out of the amounts provided in subparagraph M.1. above, $405,000 the second year shall be retained in the general fund for debt service payments attributable to the Virginia Public Building Authority bonds issued for the high hazard dam modification and repair projects on dams owned by the Department of Game and Inland Fisheries as specified in this act.~~

N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community Revitalization Fund to the general fund an amount estimated at $244,268 the first year and $244,268 the second year. This amount represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.1-336.2, Code of Virginia.

2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund an amount estimated at $48,854 the first year and $48,854 the second year. This amount represents the Tobacco Settlement Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.1-336.2, Code of Virginia.

O. On or before June 30 each year, the State Comptroller shall transfer to the general fund $4,000,000 the first year and ~~$4,000,000~~ *$5,092,429* the second year from the Court Debt Collection Program Fund at the Department of Taxation.

P. On or before June 30 each year, the State Comptroller shall transfer to the general fund $7,400,000 the first year and $7,400,000 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that would otherwise have been transferred to the State Corporation Commission.

Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at $6,500,000 the first year and an amount estimated at $6,500,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the Department of Criminal Justice Services.

R. On or before June 30 each year, the State Comptroller shall transfer from agency and institution nongeneral fund accounts to the general fund an amount estimated at $861,400 the first year and $861,400 the second year, resulting from savings pursuant to a Virginia Information Technologies Agency rate decrease for telecommunications services effective November, 2003. The Director, Department of Planning and Budget, shall provide the Comptroller with the amount to be transferred from each agency and institution of higher education.

S. The Department of Alcoholic Beverage Control shall sell the building in which the Alexandria Regional office is currently located. Notwithstanding the provisions of §2.2-1156, Code of Virginia, all the proceeds from the sale of such property, estimated to be ~~$10,250,000~~ *$11,700,000,* shall be deposited into the general fund no later than June 30, 2014.

T. On or before June 30 each year, the State Comptroller shall transfer to the general fund $1,550,385 the first year and $1,550,385 the second year from operating efficiencies to be implemented by the Department of Alcoholic Beverage Control.

U. The State Comptroller shall transfer quarterly, one-half of the revenue received pursuant to § 18.2-270.01, of the Code of Virginia, and consistent with the provisions of § 3-6.03 of this act, to the general fund in an amount not to exceed $9,055,000 the first year, and $9,055,000 the second year from the Trauma Center Fund contained in the Department of Health's Financial Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203).

V. On or before June 30 each year, the State Comptroller shall transfer $600,000 the first year and $600,000 the second year to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.

W. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state treasury the cash balance from any nongeneral fund account that has a cash balance of less than $100. This provision shall not apply to institutions of higher education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to restore certain balances that have been transferred.

X. On or before June 30, 2013, the State Comptroller shall transfer from agency and institution nongeneral fund accounts to the general fund amounts estimated at $164,885, resulting from savings associated with the reduction of agency charges for the statewide purchase and supply system operated by the Department of General Services. The Director, Department of Planning and Budget, shall provide the Comptroller with the amount to be transferred from each agency and institution of higher education. Constitutionally protected funds and amounts from federal sources are excluded from this action.

Y.*1.* The Brunswick Correctional Center operated by the Department of Corrections shall be sold ~~and the proceeds of such sale deposited into the general fund, notwithstanding the provisions of § 2.2.-1156, Code of Virginia~~. The estimated amount of the proceeds to be received is $20,000,000. The Commonwealth may enter into negotiations with (1) the Virginia Tobacco Indemnification and Community Revitalization Commission, (2) regional local governments, and (3) regional industrial development authorities for the purchase of this property as an economic development site.

2. Notwithstanding the provisions of § 2.2.-1156, Code of Virginia or any other provisions of law, up to $10,000,000 from the proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund and any amount above $10,000,000 shall be paid into the Federal Action Contingency Trust (FACT) Fund contained in Item 469 J. of this act. Any proceeds deposited into the Federal Action Contingency Trust (FACT) Fund pursuant to this paragraph are hereby appropriated.

Z. The former Virginia School for the Deaf, Blind, and Multi-disabled campus operated by the Department of Education shall be sold and the proceeds of such sale deposited into the general fund notwithstanding the provisions of §2.2-1156, Code of Virginia. The estimated amount of the payments to be received is $2,500,000 the first year.

AA. On or before June 30 each year the State Comptroller shall transfer *an estimated* $2,450,000 from the fund created pursuant to § 17.1-275.12 of the Code of Virginia, to Items 341, 393, and 417 of this act, for the purposes enumerated in Section 17.1-275.12.

BB. On or before June 30 each year, the State Comptroller shall transfer $10,518,587 the first year and $10,518,587 the second year to the general fund from the $2.00 increase in the annual vehicle registration fee from the special emergency medical services fund contained in the Department of Health's Emergency Medical Services Program (40200).

CC. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State

Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund ~~0721~~ *0926*), the Department of Taxation's indirect costs of administering this tax estimated at $114,775 the first year and ~~$114,775~~ *$111,034* the second year.

DD. On or before June 30 each year, the State Comptroller shall transfer $111,900 the first year and $111,900 the second year from the State Surplus Property Sales fund in the Department of General Services. Of this amount, $14,547 the first year and $14,547 the second year is reserved for federal reversion upon request.

EE. On or before June 30~~, 2013~~ *each year*, the State Comptroller shall transfer $3,200,000 *the first year and $3,200,000 the second year* to the general fund from unobligated nongeneral fund balances in the State Corporation Commission.

FF. On or before June 30 each year, the State Comptroller shall transfer to the general fund $253,477 the first year and $168,985 the second year, from Fund 0200 in the Department of Agriculture and Consumer Services.

GG.1. On or before June 30, 2013, the State Comptroller shall transfer $70,000 to the general fund from the Voluntary Contribution Administration Fund (Fund 0251) in the Department of Taxation.

2. On or before June 30, 2013, the State Comptroller shall transfer $9,287 to the general fund from the Surplus Supplies and Equipment Fund (Fund 0287) in the Department of Taxation.

HH. On or before June 30, 2013, the State Comptroller shall transfer to the general fund $8,915 from the Surplus Supplies and Equipment Fund (Fund 0287) in the Department of Forensic Science.

II.1. Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at $162,900, from the sale by the Department of Forestry of the property located at 16010 James River Drive, Prince George, Virginia, shall be deposited into the general fund no later than June 30, ~~2013~~ *2014*.

2. Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at $89,281, from the sale by the Department of Forestry of the property located at 450 Timberline Drive, Galax, Virginia, shall be deposited into the general fund no later than June 30, ~~2013~~ *2014*.

3. Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at $173,000, from the sale by the Department of Forestry of the property located at 2229 East Nine Mile Road, Sandston, Virginia, shall be deposited into the general fund no later than June 30, ~~2013~~ *2014*.

JJ. Any amount designated by the Comptroller from the June 30, 2012, or June 30, 2013, general fund balance for transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby appropriated.

KK. On or before June 30 each year the State Comptroller shall transfer all amounts, estimated at $939,682 the first year and $939,682 the second year, to the general fund from the fees generated by the Firearms Transaction Program Fund, the Concealed Weapons Program, and the Conservator of the Peace Program pursuant to §§ 18.2-308, 18.2-308.2:2 and 19.2-13, Code of Virginia.

LL. The Department of General Services is authorized to sell to Virginia Electric and Power Company, a Virginia corporation d/b/a Dominion Virginia Power, for such consideration as the Governor may approve, a parcel of land containing 2.84 acres, more or less, together with access thereto and any easements as may be necessary for construction and operation of an electric power substation. The property is located in the northwest quadrant of the lands in possession of the Department of General Services at 2400 West Leigh Street in Richmond, Virginia and occupied by the Office of Fleet Management Services. Notwithstanding the provisions of § 2.2-1156, the proceeds of the sale, after deduction of expenses of the sale and deductions for such cost as may be approved by the Governor for improvements to the remaining property needed to accommodate the sale to Dominion Virginia Power, shall be deposited to the general fund.

MM. The Comptroller shall transfer balances from the Foundation for Virginia's Natural Resources Trust Fund to the Virginia Land Conservation Fund to promote environmental education, pollution prevention, and citizen monitoring by fostering and supporting collaborative efforts among businesses, citizens, communities, local governments, and state agencies.

NN.1. As required by §4-1.05 b of Chapter 3, 2012 Special Session I, $22,408.78 in various inactive nongeneral fund accounts were reverted by the State Comptroller to the general fund in the first year.

2. On or before June 30, 2013, the State Comptroller shall restore $0.44 to the Central Capital Planning Fund (Fund 0965) in the University of Mary Washington, pursuant to Section 4-1.05 b. of this act.

3. On or before June 30, 2013, the State Comptroller shall restore $7,500 to the Public-Private Education Act Fund (Fund 0275) in George Mason University, pursuant to Section 4-1.05 b. of this act.

4. On or before June 30, 2013, the State Comptroller shall restore $76.27 to the Central Capital Planning Fund (Fund 0965) in George Mason University, pursuant to Section 4-1.05 b. of this act.

5. On or before June 30, 2013, the State Comptroller shall restore $1,443.65 to the Special Fund (Fund 0200) in the Department of Game and Inland Fisheries, pursuant to Section 4-1.05 b. of this act.

OO.1. On or before June 30 of each year, the State Comptroller shall transfer amounts estimated at $2,837,651 the first year and $2,265,000 the second year from the agencies and fund sources listed below to the general fund of the state treasury.

Agency / Purpose	***Fund***	***FY 2013***	***FY 2014***
Office of the Attorney General (141)			
Regulatory And Consumer Advocacy Revolving Trust Fund excess cash balance	*0239*	*$6,800,000*	*$1,400,000*
Department of General Services (194)			
Trust And Agency Fund excess cash balance	*0700*	*$223,616*	*$0*
Department of Agriculture and Consumer Services (301)			
Virginia Pesticide Control Act Fund savings	*0901*	*$0*	*$400,000*
James Madison University (216)			
Central Capital Planning Fund excess cash balance	*0965*	*$0.28*	*$0*
Virginia Museum of Fine Arts (238)			
Enterprise Fund savings	*0500*	*$0*	*$5,000*
Department of Taxation (161)			
Special Fund savings	*0200*	*$0*	*$200,000*
Parking Fund savings	*0292*	*$0*	*$60,000*
Department of Health (601)			
Special Fund excess cash balance	*0200*	*$1,105,014*	*$0*
Appropriated Indirect Cost Recoveries Fund excess cash balance	*0280*	*$338,096*	*$0*
Department of Medical Assistance Services (602)			
State/Local Hospitalization Program Fund excess cash balance	*0204*	*$167,535*	*$0*
Department for Aging and Rehabilitative Services (262)			
Surplus Supplies and Equipment Sales Fund excess cash balance	*0288*	*$3,687*	*$0*
Department of Social Services (765)			
Disaster Recovery Fund excess cash balance	*0246*	*$2,465.88*	*$0*
Licensing Application Fees Fund excess cash balance	*0273*	*$200,000*	*$0*
Surplus Supplies and Equipment Sales Fund excess cash balance	*0287*	*$55.43*	*$0*
Department for the Blind and Vision Impaired (702)			
Surplus Supplies and Equipment Sales Fund excess cash balance	*0288*	*$977.20*	*$0*
Department of Correctional Education (750)			
Appropriated Indirect Cost Recoveries Fund excess cash balance	*0280*	*$178.60*	*$0*
Surplus Supplies and Equipment Sales Fund excess cash balance	*0287*	*$4,975.44*	*$0*
Department of Criminal Justice Services (140)			
Special Fund savings	*0200*	*$0*	*$50,000*
Asset Forfeiture and Seizure Fund savings	*0221*	*$0*	*$150,000*
Department of Emergency Management (127)			
Fire Protection Fund excess cash balance	*0218*	*$17*	*$0*
Department of State Police (156)			
Firearms Transaction Program Fund excess cash balance	*0201*	*$444,884*	*$0*
Concealed Weapons Program Fund excess cash balance	*0220*	*$346,149*	*$0*
Central Appropriations (995)			
Diamond Shamrock Oil Overcharge Fund excess cash balance	*0740*	*$0.07*	*$0*
Totals		***$2,837,651***	***$2,265,000***

2. Prior to such transfer, the Department of Planning and Budget is authorized to adjust the above-cited amounts between fund/fund detail amounts, so as to increase or decrease the amounts for a designated fund/fund detail code, provided, however, that such adjustments shall not increase the total transfers amount for an agency in excess of the sums cited above. The Department of Planning and Budget shall notify the State Comptroller of such adjustments.

PP. On or before June 30 of each year, the State Comptroller shall transfer $5,000,000 the first year and $2,500,000 the second year to the general fund from accumulated balances in the Governor's Development Opportunity Fund (Fund 0910, Agency 192).

QQ. On or before June 30, 2013, the State Comptroller shall transfer $3,937,000 from the Virginia Tobacco Settlement Fund to the general fund from the arbitration settlement with tobacco companies as part of the Master Settlement Agreement.

RR. On or before June 30, 2013, the State Comptroller shall transfer $175,000 the first year from unobligated nongeneral fund balances in the Community Health Services Fund (Fund 0205) to the general fund.

§ 3-1.02 INTERAGENCY TRANSFERS

The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, $362,854 the first year and $362,854 the second year to the Department of General Services for motor fuels testing.

§ 3-1.03 SHORT-TERM ADVANCE TO THE GENERAL FUND FROM NONGENERAL FUNDS

A. To meet the occasional short-term cash needs of the general fund during the course of the year when cumulative year-to-date disbursements exceed temporarily cumulative year-to-date revenue collections, the State Comptroller is authorized to draw cash temporarily from nongeneral fund cash balances deemed to be available, although special dedicated funds related to commodity boards are exempt from this provision. Such cash drawdowns shall be limited to the amounts immediately required by the general fund to meet disbursements made in pursuance of an authorized appropriation. However, the amount of the cash drawdown from any particular nongeneral fund shall be limited to the excess of the cash balance of such fund over the amount otherwise necessary to meet the short-term disbursement requirements of that nongeneral fund. The State Comptroller will ensure that those funds will be replenished in the normal course of business.

B. In the event that nongeneral funds are not sufficient to compensate for the operating cash needs of the general fund, the State Treasurer is authorized to borrow, temporarily, required funds from cash balances within the Transportation Trust Fund, where such trust fund balances, based upon assessments provided by the Commonwealth Transportation Commissioner, are not otherwise needed to meet the short-term disbursement needs of the Transportation Trust Fund, including any debt service and debt coverage needs, over the life of the borrowing. In addition, the State Treasurer shall ensure that such borrowings are consistent with the terms and conditions of all bond documents, if any, that are relevant to the Transportation Trust Fund.

C. The Secretary of Finance, the State Treasurer and the Commonwealth Transportation Commissioner shall jointly agree on the amounts of such interfund borrowings. Such borrowed amounts shall be repaid to the Transportation Trust Fund at the earliest practical time when they are no longer needed to meet short-term cash needs of the general fund, provided, however, that such borrowed amounts shall be repaid within the biennium in which they are borrowed. Interest shall accrue daily at the rate per annum equal to the then current one-year United States Treasury Obligation Note rate.

D. Any temporary loan shall be evidenced by a loan certificate duly executed by the State Treasurer and the Commonwealth Transportation Commissioner specifying the maturity date of such loan and the annual rate of interest. Prepayment of temporary loans shall be without penalty and with interest calculated to such prepayment date. The State Treasurer is authorized to make, at least monthly, interest payments to the Transportation Trust Fund.

§ 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT

§ 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

The State Comptroller shall make available to the Virginia Racing Commission, on July 1 of each year, the amount of $125,000 from the general fund as a temporary cash flow advance, to be repaid by December 30 of each year.

§ 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand against the appropriations made to any agency. The amounts so charged shall be recorded to the credit of the appropriate working capital fund accounts. In the event any portion of the charge so made shall be disputed, the amount in dispute may be restored to the agency appropriation by direction of the Governor.

§ 3-2.03 LINES OF CREDIT

a. The State Comptroller shall provide lines of credit to the following agencies, not to exceed the amounts shown:

Administration of Health Insurance	~~$50,000,000~~
	$150,000,000
Department of Accounts, for the Payroll Service Bureau	$400,000
Department of Accounts, Transfer Payments	$5,250,000
Department of Accounts, for Enterprise Applications	$90,000,000
Department of Alcoholic Beverage Control	$60,000,000
Department of Corrections, for Virginia Correctional Enterprises	$1,000,000
Department of Emergency Management	$150,000
Department of Environmental Quality	$5,000,000
Department of Human Resource Management, for the Workers' Compensation Self Insurance Trust Fund	$10,000,000
Department of Behavioral Health and Developmental Services	$20,000,000
Department of Motor Vehicles	$5,000,000
Department of the Treasury, for the Unclaimed Property Trust Fund	$5,000,000
Department of the Treasury, for the State Insurance Reserve Trust Fund	$25,000,000
Department of the Treasury, for the Teacher Liability Insurance Program	$1,000,000
State Lottery Department	$40,000,000
Virginia Information Technologies Agency	$40,000,000
Virginia Tobacco Settlement Foundation	$3,000,000
Department of Historic Resources	$600,000
Department of Correctional Education	$300,000
Department of Fire Programs	$30,000,000
Compensation Board	$8,000,000

b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit, including, but not limited to, applicable interest and the method for the drawdown of funds. The provisions of § 4-3.02 b of this act shall not apply to these lines of credit.

c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with implementation of office space consolidation, relocation and/or office space co-location strategies, where such line of credit shall be repaid by the agency or institution based on the cost savings and efficiencies realized by the agency or institution resulting from the consolidation and/or relocation. In such cases the terms of office space consolidation or co-location strategies shall be approved by the Secretary of Administration, in consultation with the Secretary of Finance, as demonstrating cost benefit to the Commonwealth. In no case shall the advances to an agency or institution exceed $1,000,000 nor the repayment begin more than one year following the implementation or extend beyond a repayment period of seven years.

d. The State Comptroller is hereby authorized to provide lines of credit of up to $2,500,000 to the Department of Motor Vehicles and up to $2,500,000 to the Department of State Police to be repaid from revenues provided under the federal government's establishment of Uniform Carrier Registration.

e. The State Lottery Department is hereby authorized to use its line of credit to meet cash flow needs for operations at any time during the year and to provide cash to the State Lottery Fund to meet the required transfer of estimated lottery profits to the Lottery Proceeds Fund in the month of June, as specified in provisions of § 3-1.01G. of this act. The State Lottery Department shall repay the line of credit as actual cash flows become available. The Secretary of Finance is authorized to increase the line of credit to the State Lottery Department if necessary to meet operating needs.

f. The State Comptroller is hereby authorized to provide a line of credit of up to $200,000 to the Department of Health to cover the actual costs of expanding the availability of vital records through the Department Motor Vehicles to be repaid from administrative processing fees provided under Code of Virginia, § 32.1-273 until such time as the line of credit is repaid.

§ 3-3.00 GENERAL FUND DEPOSITS

§ 3-3.01 PAYMENT BY THE VIRGINIA PUBLIC SCHOOL AUTHORITY

The Virginia Public School Authority shall transfer to the general fund an amount estimated at $201,000 on or before June 30, 2013 and an amount estimated at $201,000 on or before June 30, 2014, to reimburse the Commonwealth for staff and other administrative services provided to the Authority by the Department of the Treasury.

§ 3-3.02 PAYMENT BY THE STATE TREASURER

The State Treasurer shall transfer an amount estimated at $14,000 on or before June 30, 2014, to the general fund from excess 9(c) sinking fund balances.

§ 3-3.03 INTEREST EARNINGS

A. Notwithstanding any other provision of law, the State Comptroller shall not allocate interest earnings to the following agencies and funds in either the first year or the second year of the biennium. The estimated amount of interest earnings that shall remain in the general fund as a result of this provision is $11,389,754 the first year and ~~$11,389,754~~ *$7,593,169* the second year of the biennium.

Agency	**Agency Code**	**Fund Name**	**Fund/Fund Detail**
Supreme Court	111	Pro Hac Vice Fund	0254
Supreme Court	111	Court Technology Fund	0905
Department of Military Affairs	123	Armory Control Board Fund	0901
Department of Military Affairs	123	Virginia Military Family Relief Fund	0916
Department of Human Resource Management	129	Worker's Compensation Funding Account	0700
Department of Human Resource Management	129	Worker's Compensation Trust Fund	0742
Virginia Information Technologies Agency	136	GIS Fund	0905
Virginia Information Technologies Agency	136	Wireless E-911 Fund	0928
Virginia Information Technologies Agency	136	Virginia Technology Infrastructure Fund	0931
Department of Criminal Justice Services	140	School Resource Officer Incentive Grants Fund	0903
Department of Criminal Justice Services	140	Virginia Domestic Violence Victim Fund	0912
Department of Criminal Justice Services	140	Virginia Crime Victim - Witness Fund	0930
Department of Criminal Justice Services	140	Intensified Drug Enforcement Jurisdictions Fund	0935
Department of Criminal Justice Services	140	Regional Criminal Justice Academy Training Fund	0940
Department of Criminal Justice Services	140	Court Fees Suspense Fund	0975
Attorney General and Department of Law	141	Youth Internet Safety Fund	0237
Attorney General and Department of Law	141	Regulatory And Consumer Advocacy Revolving Trust	0239
Virginia Commission for the Arts	148	Virginia Arts Foundation Fund	0910
Administration of Health Insurance	149	Health Insurance Fund - Local	0520
Administration of Health Insurance	149	Health Insurance Fund - State	0620
Administration of Health Insurance	149	Health Insurance Fund - State Restricted	0621
Administration of Health Insurance	149	Pre-Medicare Eligible Retiree Health Benefits Trust Fund	0720
Department of Accounts	151	Commonwealth Health Research Fund	0936
Department of Treasury	152	Property Insurance Trust Fund	0740
Department of Treasury	152	Miscellaneous Insurance Trust Fund	0741
Department of Treasury	152	Liability Trust Fund	0743
Department of Treasury	152	Automobile Trust Fund	0744
Department of Treasury	152	Local Entities Bond Program	0745
Department of Treasury	152	Public Officials Insurance	0746
Department of Treasury	152	Law Enforcement Insurance	0747
Department of Treasury	152	George Washington Regional Commission	0748
Department of Treasury	152	Commuter Rail Trust Fund	0749
Department of Treasury	152	Workforce Training Access Fund	0901
Department of Motor Vehicles	154	State Asset Forfeiture Fund	0430
Department of State Police	156	State Asset Forfeiture Fund	0233
Department of State Police	156	Drug Investigation Trust Account - Federal	0236
Department of State Police	156	Insurance Fraud	0250

1	Department of State Police	156	Drug Investigation Trust Account-State	0253
2	Department of State Police	156	State Asset Forfeiture Suspense Fund	0733
3	Department of State Police	156	Wireless E-911 Fund	0928
4	Compensation Board	157	Wireless E-911 Fund	0928
5	Department of Taxation	161	Communications Sales And Use Tax Trust Fund	
6				0926
7	Department of Taxation	161	Governor's Motion Picture Opportunity Fund	0902
8	Department of Accounts Transfer Payments	162	Edvantage Reserve Fund	0708
9	Department of Accounts Transfer Payments	162	Line Of Duty Death And Health Benefits Trust Fund	0742
10	Department of Housing and Community Development	165	Derelict Structure Fund	0916
11	Department of Housing and Community Development	165	Economic Development Loan Fund	0921
12	Department of Housing and Community Development	165	Virginia Manufactured Housing Transaction Recovery Fund	0925
13	Department of Housing and Community Development	165	Virginia Water Quality Improvement Fund	0934
14	State Corporation Commission	171	Fire Programs Fund	0218
15	State Corporation Commission	171	Underground Utility Damage Prevention Fund	0902
16	State Corporation Commission	171	Virginia State Police-Insurance Fraud Fund	0905
17	Charitable Gaming Commission	173	State Asset Forfeiture Fund	0233
18	Virginia College Savings Plan	174	Special Revenue	0500
19	Virginia Employment Commission	182	Workforce Development Training Fund	0910
20	Secretary of Finance	190	Workforce Training Access Fund	0901
21	Secretary of Commerce and Trade	192	Governor’s Motion Picture Opportunity Fund	0902
22	Secretary of Commerce & Trade	192	Governor's Opportunity Fund	0910
23	Department of General Services	194	Main Street Station Property	0922
24	Department of Education - Direct Aid to Public Education	197	School Nurse Incentive Grants Fund	0905
25	Department of Education - Direct Aid to Public Education	197	Va Public School Educational Technology Trust Fund	0928
26	Department of Education - Direct Aid to Public Education	197	Va Public School Construction Grants Fund	0930
27	Department of Education - Direct Aid to Public Education	197	Public Ed SOQ/Local Re Property Tax Relief Fund	0931
28	Department of Conservation and Recreation	199	Natural Area Preservation Fund	0215
29	Department of Conservation and Recreation	199	Chesapeake Bay Restoration Fund	0252
30	Department of Conservation and Recreation	199	Virginia Stormwater Management Fund	0902
31	Department of Conservation and Recreation	199	Flood Prevention And Protection Assistance Fund	0910
32	Department of Conservation and Recreation	199	Va Land Conservation Fund - Restricted	0917
33	Department of Conservation and Recreation	199	Virginia Land Conservation Fund - Unrestricted	0918
34	Department of Conservation and Recreation	199	Soil/Water Conservation District Dam Maintenance Fund	0925
35	Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund	0934
36	Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund Reserve	0935
37	Department of Conservation and Recreation	199	Virginia Natural Resources Commitment Fund	0936
38	Department of Conservation and Recreation	199	VOF - Open-Space Lands Preservation Trust Fund	0958

1	Department of Education - Central Office Operations	201	Virginia Teaching Scholarship Loan Fund	0908
2	Department of Education - Central Office Operations	201	Families In Education Incentive Grants Fund	0912
3	Department of Education - Central Office Operations	201	Community-Based Intervention-Susp/Expelled Student	0915
4	Department of Education - Central Office Operations	201	Artists In The Classroom Grants Fund	0916
5	Department of Education - Central Office Operations	201	School-To-Work Transition Grants Fund	0932
6	Department of Education - Central Office Operations	201	National Teacher Certification Incentive Reward Pg	0940
7	Department of Professional and Occupational Regulation	222	Common Interest Community Management Information Fund	0259
8	Board of Accountancy	226	Board Of Accountancy Trust Fund	0202
9	Board of Accountancy	226	Dedicated Special Revenue	0900
10	Department of Minority Business Enterprise	232	Capital Access Fund For Disadvantaged Businesses	0901
11	State Board of Bar Examiners	233	Special Revenue	0200
12	State Council of Higher Education for Virginia	245	VA Undergrad/Vocational Incentive Scholarship Fund	0905
13	State Council of Higher Education for Virginia	245	Brown V Board Of Education Scholarship Pgm Fund	0912
14	Department of Rehabilitative Services	262	Statewide Independent Living Fund	0903
15	Department of Rehabilitative Services	262	Commonwealth Neurotrauma Initiative Trust Fund	0915
16	Department of Agriculture and Consumer Services	301	Contested Pesticide Penalties	0708
17	Department of Agriculture and Consumer Services	301	Tobacco Loss Assistance Program Fund	0710
18	Department of Agriculture and Consumer Services	301	Virginia Farm Loan Revolving Account	0716
19	Department of Agriculture and Consumer Services	301	Certification Of Agricultural Products Trust Fund	0729
20	Virginia Agricultural Council	307	Dedicated Special Revenue	0900
21	Chippokes Plantation Farm Foundation	319	Dedicated Special Revenue	0900
22	Department of Business Assistance	325	Capital Access Fund For Disadvantaged Businesses	0901
23	Department of Business Assistance	325	Information Technology Employment Performance Grnt	0905
24	Department of Business Assistance	325	Workforce Retraining Fund	0909
25	Department of Business Assistance	325	Economic Development Loan Fund	0921
26	Department of Business Assistance	325	Small Business Environmental Compliance Assistance Fund	0930
27	Department of Business Assistance	325	VSBFA-Virginia Export Loan Guarantee Fund	0956
28	Department of Business Assistance	325	Virginia Small Business Growth Fund	0957
29	Marine Resources Commission	402	Forfeited Asset Sharing Program Fund	0265
30	Marine Resources Commission	402	Marine Habitat And Waterways Improvement Fund	0916
31	Department of Game and Inland Fisheries	403	Boating Safety And Regulation	0902
32	Department of Game and Inland Fisheries	403	Non Game Cash Fund	0904
33	Department of Game and Inland Fisheries	403	Feed The Hungry Fund	0913
34	Department of Game and Inland Fisheries	403	Virginia Fish Passage Grant And Revolving Loan Fund	0922
35	Virginia Racing Commission	405	Special Revenue	0200
36	Virginia Racing Commission	405	Virginia Breeders Fund	0220
37	Department of Mines, Minerals and Energy	409	Exxon Oil Overcharge Fund	0738
38	Department of Mines, Minerals and Energy	409	Moto Pool Surety Bonds	0751
39	Department of Mines, Minerals and Energy	409	Coal Surface Mining Contl & Reclamation Act Cvl	0754
40	Department of Mines, Minerals and Energy	409	Gas And Oil Plugging And Restoration Fund	0755
41	Department of Mines, Minerals and Energy	409	Orphaned Well Fund	0952

1	Department of Forestry	411	Forfeited Asset Sharing Program Fund	0265
2	Department of Forestry	411	State Forests System Fund	0901
3	Department of Forestry	411	Virginia's Natural Resources Trust Fund	0909
4	Department of Forestry	411	Virginia Forest Water Quality Fund	0926
5	Department of Historic Resources	423	Trust And Agency	0700
6	Department of Historic Resources	423	Historic Resources Fund	0910
7	Department of Historic Resources	423	Preservation Easement Fund	0927
8	Department of Environmental Quality	440	Operating Permits Program	0510
9	Department of Environmental Quality	440	Underground Petroleum Storage Tank Fund	0748
10	Department of Environmental Quality	440	Dupont Shenandoah River Mercury Monitoring	0755
11	Department of Environmental Quality	440	Waste Tire Trust Fund	0906
12	Department of Environmental Quality	440	Virginia Environmental Emergency Response Fund	0907
13	Department of Environmental Quality	440	Air Pollution Permit Program	0909
14	Department of Environmental Quality	440	Virginia Waste Management Board Permit Program Fund	0911
15	Department of Environmental Quality	440	State Water Control Board Permit Program Fund	0914
16	Department of Environmental Quality	440	Marine Habitat And Waterways Improvement Fund	0916
17	Department of Environmental Quality	440	Vehicle Emissions Inspection Program Fund	0919
18	Department of Environmental Quality	440	VA Motor Vehicle Emission Reduction Program Fund	0924
19	Department of Environmental Quality	440	Litter Control And Recycling Fund	0925
20	Department of Environmental Quality	440	Small Business Environmental Compliance Assistance Fund	0930
21	Department of Environmental Quality	440	Virginia Water Quality Improvement Fund	0934
22	Department of Environmental Quality	440	Virginia Water Quality Improvement Fund Reserve	0935
23	Motor Vehicle Dealer Board	506	Motor Vehicle Dealer Board Fund	0212
24	Department of Health	601	Waterworks Technical Assistance Fund	0248
25	Department of Health	601	Virginia Pregnant Women Support Fund	0276
26	Department of Health	601	Donations - Local Health Departments	0901
27	Department of Health	601	Trauma Center Fund	0902
28	Department of Health	601	Virginia Transplant Council Education Fund	0905
29	Department of Health	601	Virginia Rescue Squads Assistance Fund	0910
30	Department of Health	601	Water Supply Assistance Grant Fund	0922
31	Department of Health	601	Radioactive Materials Facility Licensure/Inspec Fd	0931
32	Department of Health	601	Medical And Physicans Assistant Scholarship And Loan Repayment Fund	0932
33	Department of Health	601	Nursing Scholarship And Loan Repayment Fund	0934
34	Department of Health	601	Nurse Practitioner Scholarship And Loan Repayment Fund	0936
35	Department of Health	601	Dental Scholarship & Loan Repayment Fd	0938
36	Department of Medical Assistance Services	602	Uninsured Medical Catastrophe Fund	0910
37	Department of Behavioral Health and Developmental Services	720	Mental Health/Retard Substance Abuse Srvs Trust Fd	0908
38	Department of Social Services	765	Putative Father Registry Fund	0914
39	Department of Social Services	765	Home Energy Assistance Fund	0925
40	Department of Corrections	767	Drug Offender Access Fund	0953
41	Department of Corrections	795	Corrections Special Reserve Fund	0230
42	Department of Corrections	799	Ded Impact Funds	0230
43	Department of Corrections	799	Drug Offender Access Fund	0953

			Technology Initiative
Tobacco Indemnification & Revitalization	851	Tobacco-Dependent Localities	0926
Tobacco Indemnification & Revitalization	851	Tobacco Indemnification/Community Revitalization	0942
Virginia Tobacco Settlement Fund	852	Virginia Tobacco Settlement Fund	0943
Virginia Commission on Energy and Environment	868	Virginia Commission On Energy & Environment Fund	0223
Dept of Veterans Services	912	Veterans Services Fund	0941
Sitter-Barfoot Veterans Care Center	922	Veterans Services Fund	0941
Innovative Technology Authority	934	Advanced Communications Assistance Fund	0265
Department of Fire Programs	960	Fire Programs Fund	0218
DPB - Central Appropriations - Admin	995	Texaco Oil Overcharge Fund	0734
DPB - Central Appropriations - Admin	995	Stripper Well Oil Overcharge Fund	0739
DPB - Central Appropriations - Admin	995	Diamond Shamrock Oil Overcharge Fund	0740
Central Appropriations	995	Commonwealth Technology Research Fund	0951
Department of Accounts-Statewide Activity	997	Drug Offender Access Fund	0953
Department of Alcoholic Beverage Control	999	Enterprise	0500
Department of Alcoholic Beverage Control	999	State Asset Forfeiture Fund	0533

B. If actual general fund transfers in any year exceed the amount shown for "transfers" in the resources available for appropriation from the general fund in the first enactment of this act, the interest earnings retained by the general fund as a result of this provision shall be capped at $11,389,754 the first year and ~~$11,389,754~~ *$7,593,169* the second year. Any interest earnings above this amount will be distributed proportionately back to the nongeneral funds shown in this item.

C. It is the intent of the General Assembly that the retention of interest earnings by the general fund shall be phased out over a three-year period beginning in FY 2014.

§ 3-4.00 AUXILIARY ENTERPRISES AND SPONSORED PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION

§ 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

A. The educational and general programs in institutions of higher education shall recover the full indirect cost of auxiliary enterprise programs as determined by the State Council of Higher Education. The State Comptroller shall credit those institutions meeting this requirement with the interest earned by the investment of the funds of their auxiliary enterprise programs.

B. No interest shall be credited for that portion of the fund's cash balance that represents any outstanding loans due from the State Treasurer. The provisions of this section shall not apply to the capital projects authorized under Items C-36.21 and C-36.40 of Chapter 924, 1997 Acts of Assembly.

§ 3-5.00 ADJUSTMENTS AND MODIFICATIONS TO TAX COLLECTIONS

§ 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT

Notwithstanding any other provision of law, the amount deposited to the Priority Transportation Trust Fund pursuant to §58.1-2531 shall not be reduced by more than $266,667 by any refund of the Tax Credit for Retaliatory Costs to Other States available under §58.1-2510.

§3-5.02 PAYMENT OF AUTO RENTAL TAX TO THE GENERAL FUND

Notwithstanding the provisions of §58.1-1741, Code of Virginia, or any other provision of law, all revenues resulting from the fee imposed under subdivision A3 of §58.1-1736, Code of Virginia, shall be deposited into the general fund after the direct costs of administering the fee are recovered by the Department of Taxation.

§ 3-5.03 IMPLEMENTATION OF CHAPTER 3, ACTS OF ASSEMBLY OF 2004, SPECIAL SESSION I

Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality

prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be distributed to localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of this Act. The estimated amount of such transfers are ~~$226,116,252~~ *$222,816,252* the first year and ~~$235,006,252~~ *$230,406,252* the second year.

§ 3-5.04 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT

A. The $50,000 taxable year limitation on individual tax credits under the Neighborhood Assistance Act pursuant to § 58.1-439.24 of the Code of Virginia shall not apply in any taxable year beginning in the relevant fiscal year of the Commonwealth if, after an equitable allocation of tax credits under the Act of such relevant fiscal year, the total amount of tax credits granted for all programs approved under the Act for such fiscal year was less than $15.0 million.

B. For purposes of this section, the term "individual" means the same as that term is defined in § 58.1-302, but excluding any individual included in the definition of a "business firm" as such term is defined in § 58.1-439.18.

§ 3-5.05 RETAIL SALES & USE TAX EXEMPTION FOR INTERNET SERVICE PROVIDERS

Notwithstanding any other provision of law, for purchases made on or after July 1, 2006, any exemption from the retail sales and use tax applicable to production, distribution, and other equipment used to provide Internet-access services by providers of Internet service, as defined in § 58.1-602, Code of Virginia, shall occur as a refund request to the Tax Commissioner. The Tax Commissioner shall develop procedures for such refunds.

§ 3-5.06 DISPOSITION OF EXCESS FEES COLLECTED BY CLERKS OF THE CIRCUIT COURTS

Notwithstanding §§ 15.2-540, 15.2-639, 15.2-848, 17.1-285, and any other provision of law general or special, effective July 1, 2009, the Commonwealth shall be entitled to two-thirds of the excess fees collected by the clerks of the circuit courts as required to be reported under § 17.1-283. In making the calculations of excess fees required by this paragraph the Compensation Board shall exclude courts in the thirty-first judicial circuit, but pay them in accordance with § 17.1-285.

§ 3-5.07 ACCELERATED SALES TAX

A. Notwithstanding any other provision of law, in addition to the amounts required under the provisions of §§58.1-615 and 58.1-616, any dealer as defined by §58.1-612 or direct payment permit holder pursuant to §58.1-624 with taxable sales and purchases of $1,000,000 or greater for the 12-month period beginning July 1, and ending June 30 of the immediately preceding calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June. Such tax payments shall be made on or before the 30th day of June, if payments are made by electronic fund transfer, as defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before the 25th day of June. Every dealer or direct payment holder shall be entitled to a credit for the payment under this section on the return for June of the current year due July 20.

B. The Tax Commissioner may develop guidelines implementing the provisions of this section. Such guidelines shall be exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

C. For purposes of this section, taxable sales or purchases shall be computed without regard to the number of certificates of registration held by the dealer. The provisions of this section shall not apply to persons who are required to file only a Form ST-7, Consumer's Use Tax Return.

D. In lieu of the penalties provided in § 58.1-635, except with respect to fraudulent returns, failure to make a timely payment or full payment of the sales and use tax liability as provided in subsection A shall subject the dealer or direct payment permit holder to a penalty of six percent of the amount of tax underpayment that should have been properly paid to the Tax Commissioner. Interest shall accrue as provided in § 58.1-15. The payment required by this section shall become delinquent on the first day following the due date set forth in this section if not paid.

E. Payments made pursuant to this section shall be made in accordance with procedures established by the Tax Commissioner and shall be considered general fund revenue, except with respect to those revenues required to be distributed under the provisions of §§ 58.1-605 and 58.1-606 of the Code of Virginia.

F. That the State Comptroller shall make no distribution of the taxes collected pursuant to this section in accordance with §§ 58.1-605, 58.1-606, 58.1-638, and 58.1-638.1 of the Code of Virginia until the Tax Commissioner makes a written certification to the Comptroller certifying the sales and use tax revenues generated pursuant to this section. The Tax Commissioner shall certify the sales and use tax revenues generated as soon as practicable after the sales and use tax revenues have been paid into the state treasury in any month for the preceding month. If the Governor determines on July 31 of each year, that funds are available to transfer such collections in accordance with §§ 58.1-638 and 58.1-638.1, Code of Virginia, he shall direct the State Comptroller to make such allocation. The Governor will report his determination to the Chairman of the House Appropriations and Senate Finance Committees on August 15 of each year.

G. *1.* Beginning with the tax payment that would be remitted on or before June 25, 2012, if the payment is made by other than electronic transfer, and by June 30, 2012, if payments are made by electronic fund transfer, the provisions of § 3-5.08 of Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of $26,000,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar year.

2. Beginning with the tax payment that would be remitted on or before June 25, 2014, if the payment is made by other than electronic transfer, and by June 30, 2014, if payments are made by electronic fund transfer, the provisions of § 3-5.08 of Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of $48,500,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar year.

3. It is the intent of the General Assembly that the payment requirement contained herein be phased out beginning in fiscal year 2013 and the payment amount should continue to be reduced until fully eliminated not later than June 2021.

§ 3-5.08 DISCOUNTS AND ALLOWANCES

A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation allowed under § 58.1-622, Code of Virginia, shall be suspended for any dealer required to remit the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and the compensation available to all other dealers shall be limited to the following percentages of the first three percent of the tax levied under §§ 58.1-603 and 58.1-604, Code of Virginia:

Monthly Taxable Sales	Percentage
$0 to $62,500	1.6%
$62,501 to $208,000	1.2%
$208,001 and above	0.8%

B. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the compensation available under §§ 58.1-642, 58.1-656, 58.1-1021.03, and 58.1-1730, Code of Virginia, shall be suspended.

C. Beginning with the return for June 2011, due July 2011, the compensation under § 58.1-1021.03 shall be reinstated.

§ 3-5.09 SALES TAX COMMITMENT TO HIGHWAY MAINTENANCE AND OPERATING FUND

A. Beginning July 1, 2013, of the sales and use tax revenue remaining after the distributions required by § 58.1-638, Code of Virginia, the sales and use tax revenue generated by a 0.05 percent sales and use tax rate shall be paid, in the manner provided in this item, to the Highway Maintenance and Operating Fund.

B. In computing the amount of sales and use tax revenue paid under subsection A, the amount of such revenue attributable to sales and use tax on food for human consumption, as defined in § 58.1-611.1, Code of Virginia, shall be excluded.

C. The Highway Maintenance and Operating Fund's share of the net revenue distributable under this section shall be computed as an estimate of the net revenue to be received into the state treasury each month, and such estimated payment shall be adjusted for the actual net revenue received in the preceding month. All payments shall be made to the Fund on the last day of each month.

§ 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES

§ 3-6.01 RECORDATION TAX FEE

There is hereby assessed a twenty dollar fee on (i) every deed for which the state recordation tax is collected pursuant to §§ 58.1-801 A and 58.1-803, Code of Virginia; and (ii) every certificate of satisfaction admitted under § 55-66.6, Code of Virginia. The revenue generated from fifty percent of such fee shall be deposited to the general fund. The revenue generated from the other fifty percent of such fee shall be deposited to the Virginia Natural Resources Commitment Fund, a subfund of the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds deposited to this subfund shall be disbursed for the agricultural best management practices cost share program, pursuant to § 10.1 - 2128.1, Code of Virginia.

§ 3-6.02 ANNUAL VEHICLE REGISTRATION FEE ($4.25 FOR LIFE)

Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the time of registration of each pickup or panel truck and each motor vehicle shall be $6.25.

§3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

Notwithstanding §46.2-411 of the Code of Virginia, the drivers license reinstatement fee payable to the Trauma Center Fund shall be $100.

§ 3-6.04 QUALIFIED EQUITY AND SUBORDINATED DEBT INVESTMENT TAX CREDIT

Notwithstanding any other provision of law, for taxable years beginning on or after January 1, 2006, the amount of the Qualified Equity and Subordinated Debt Investments Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to $3,000,000 for calendar years 2006 and thereafter, except that for taxable years beginning on or after January 1, 2010, and before December 31, 2010, the credit shall be capped at $5,000,000. For taxable years beginning on and after January 1, 2011, and before December 31, 2011, the amount of the Qualified Equity and Subordinated Debt Investments Tax Credit available under §58.1-339.4, Code of Virginia, shall be limited to $3,000,000. For taxable years beginning on and after January 1, 2012, *and before December 31, 2012*, the amount of the Qualified Equity and Subordinated Debt Investments Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to $4,000,000. *For taxable years beginning on or after January 1, 2013, and before December 31, 2013 the amount of the Qualified Equity and Subordinated Debt Investment Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to $4,500.000. For taxable years beginning on or after January 1, 2014, and before December 31, 2014 the amount of the Qualified Equity and Subordinated Debt Investment Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to $5,000.000.*

§ 3-6.05 DEPOSIT OF FINES AND FEES

A. The Auditor of Public Accounts shall annually calculate the amount of total fines and fees collected by the District Courts. The Auditor of Public Accounts will determine those localities in which total local fines and fee collections exceed 50 percent of the total collections. Using the Auditor of Public Accounts' calculation for fiscal year 2011, the State Comptroller shall deduct half of the amount in excess of 50 percent from any current payment of local fines and fees before remitting to the localities their remaining collections. When the State Comptroller has recovered in total, the half of the amount exceeding 50 percent, he shall pay all local collections monthly directly to the locality's treasury. *The State Comptroller shall promptly and without delay transmit any and all non-withheld local fees and fines to the locality's treasury not later than sixty (60) days after these fines and fees were deposited and recorded in the state treasury by the District Courts. Furthermore, the State Comptroller and the Executive Secretary of the Supreme Court shall work with the District Courts and the localities to develop a process to provide the localities a complete accounting of when these fees were collected.* The State Comptroller shall deposit the withheld funds in the Literary Fund, as they become available.

B. The Auditor of Public Accounts shall provide the State Comptroller the annual calculation by May 1 of each year for future withholdings. The State Comptroller will act as a fiscal agent, holding the amounts of local fine and fee collections in an agency fund.

C.1. The Office of the State Inspector General shall contract for an independent evaluation of the type of court fines and fees currently collected by Virginia state and local governments and the effect of the implementation of the provisions of paragraphs A and B of this section on such collections. This evaluation shall also determine among other things: 1) the magnitude of the court fines and fees collected by each source; 2) the distribution or uses of such fines and fees by each type; 3) factors influencing the determination of the application of specific court fines and fees and the ability within the current system to substitute or switch one such court fine or fee for another; 4) the impact of the flexibility in application of such court fines or fees, as determined previously in number 3, on deposits to the Literacy Fund over time; and 5) recommendations for improving the present system to better account for the individual types of court fines and fees collected and to align such collections with the assigned or statutory responsibilities of Virginia state and local governments, taking into account the constitutional requirements governing the deposit of court fines into the Literary Fund for public school purposes.

2. All agencies within the Legislative, Judicial, and Executive Departments, as well as local government offices, shall assist the Office of the State Inspector General and its contractor in providing information and data necessary to complete this evaluation. The Office of the Inspector General shall provide an interim report on the findings of this evaluation to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2012. There is hereby transferred from the general fund an amount not to exceed $200,000 in the first year to a special fund to be established in the Office of the State Inspector General to conduct this independent evaluation.

PART 4: GENERAL PROVISIONS

§ 4-0.00 OPERATING POLICIES

§ 4-0.01 OPERATING POLICIES

a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.

b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.

c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.

d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.

§ 4-1.00 APPROPRIATIONS

§ 4-1.01 PREREQUISITES FOR PAYMENT

a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.

b. Moneys shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that moneys are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending moneys in accordance with provisions of the act appropriating them, he shall so advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and House Appropriations Committees.

c. Exclusive of revenues paid into the general fund of the state treasury, all revenues earned or collected by an agency, and contained in an appropriation item to the agency shall be expended first during the fiscal year, prior to the expenditure of any general fund appropriation within that appropriation item, unless prohibited by statute or by the terms and conditions of any gift, grant or donation.

§ 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

a. For purposes of this subsection, withholding of spending authority is defined as any action pursuant to a budget reduction plan approved by the Governor to address a declared shortfall in budgeted revenue that impedes or limits the ability to spend appropriated moneys, regardless of the mechanism used to effect such withholding.

b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of appropriations, when expenditure factors, such as enrollments or population in institutions, are smaller than the estimates upon which the appropriation was based. Moneys generated from the withholding action shall not be reallocated for any other purpose, provided the withholding of allotments of appropriations under this provision shall not occur until at least 15 days after the Governor has transmitted a statement of changed factors and intent to withhold moneys to the Chairmen of the House Appropriations and Senate Finance Committees.

2. Moneys shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations have been specifically presented in writing to the General Assembly at its next regularly scheduled session.

c. Increased Nongeneral Fund Revenue:

1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an equivalent amount. However, this limitation shall not apply to (a) restricted excess tuition and fees for educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which

are made to any state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or intellectually disabled payable from the Behavioral Health and Developmental Services Revenue Fund; and (e) general fund appropriations for highway construction and mass transit. Moneys unallotted under this provision shall not be reallocated for any other purpose.

2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program, following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations, which are required to match grant funds. Moneys unallotted under this provision shall not be reallocated for any other purpose.

d. Reduced General Fund Resources:

1. The term "general fund resources" as applied in this subsection includes revenues collected and paid into the general fund of the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium, and all unexpended balances brought forward from the previous biennium.

2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the estimated general fund resources available.

3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of general fund revenues shall be communicated to the Chairmen of the Senate Finance, House Appropriations and House Finance Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes for the just-completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the official budget estimate for the just-completed fiscal year, the Governor shall prepare a written re-estimate of general fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the Chairmen of the Senate Finance, House Finance and House Appropriations Committees, not later than September 1 following the close of the fiscal year.

5.a) The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of appropriations.

b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be forwarded to the Chairmen of the House Appropriations and Senate Finance Committees concurrently with that budget reduction plan.

6. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:

a) More than 15 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and House Appropriations Committees. State agencies providing funds directly to grantees named in this act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.05 b.4. of this act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the remaining appropriation is less than or equal to $500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate dead.

d) The employer contributions, and employer-paid member contributions, to the Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for payment of salaries and wages); however, the percentage of reduction shall be uniformly applied to all employees within the Executive Department.

h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.

7. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of 15 percent, as prescribed in subdivision 6a of this subsection.

8. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations; however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

9. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium, or within 20 days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:

a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;

b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of Virginia, debt service funds, or federal funds; and

c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.

10. The Director, Department of Planning and Budget, shall report spending authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.

11. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the House of Delegates and the President pro tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the General Assembly.

§ 4-1.03 APPROPRIATION TRANSFERS

GENERAL

a. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority from one state or other agency to another, to effect the following:

1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies in accordance with specific language in the central appropriation establishing reversion clearing accounts;

2) distribution of pass-through grants or other funds held by an agency as fiscal agent;

3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the House Appropriations and Senate Finance Committees;

4) proper accounting between fund sources 0100 and 0300 in higher education institutions;

5) transfers specifically authorized elsewhere in this act or as specified in the Code of Virginia;

6) to supplement capital projects in order to realize efficiencies or provide for cost overruns unrelated to changes in size or scope; or

7) to administer a program for another agency or to effect budgeted program purposes approved by the General Assembly, pursuant to a signed agreement between the respective agencies.

b. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority within an agency to effect proper accounting between fund sources and to effect program purposes approved by the General Assembly, unless specifically provided otherwise in this act or as specified in the Code of Virginia. However, appropriation authority for local aid programs and aid to individuals, with the exception of student financial aid, shall not be transferred elsewhere without advance notice to the Chairmen of the House Appropriations and Senate Finance Committees. Further, any transfers between capital projects shall be made only to realize efficiencies or provide for cost overruns unrelated to changes in size or scope.

c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer operating appropriations authority among sub-agencies within the Judicial System, the Department of Corrections, and the Department of Behavioral Health and Developmental Services to effect changes in operating expense requirements which may occur during the biennium.

2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Behavioral Health and Developmental Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.

3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for reimbursement of services provided to eligible children.

4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by the General Assembly to be effective during the current biennium.

5. The Director, Department of Planning and Budget, may transfer appropriations from the second year to the first year, with said transfer to be reported in writing to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the transfer, when the expenditure of such funds is required to:

a) address a threat to life, safety, health or property, or

b) provide for unbudgeted cost increases for statutorily required services or federally mandated services, in order to continue those services at the present level, or

c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title 2.2, Chapter 4, Code of Virginia and for payments to the beneficiaries of certain members of the National Guard and United States military reserves killed in action in any armed conflict on or after October 7, 2001, as authorized in § 44-93.1 B., Code of Virginia, or

e) continue a program at the present level of service or at an increased level of service when required to address unanticipated

increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or

f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided that any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.

6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.

7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.

8. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of Virginia (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of Chapter 35 of Title 15.2, Code of Virginia (§ 15.2-3500 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302 shall govern distributions from state agencies to the county in which the town is situated or to the consolidated city, and the Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

§ 4-1.04 APPROPRIATION INCREASES

a. UNAPPROPRIATED NONGENERAL FUNDS:

1. Sale of Surplus Materials:

The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

2. Insurance Recovery:

The Director, Department of Planning and Budget, shall increase the appropriation authority for any state agency by the amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

3. Gifts, Grants and Other Nongeneral Funds:

a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations during a fiscal year. Such appropriations shall be increased only when the expenditure of moneys is authorized elsewhere in this act or is required to:

1) address a threat to life, safety, health or property or

2) provide for unbudgeted increases in costs for services required by statute or services mandated by the federal government, in order to continue those services at the present level or implement compensation adjustments approved by the General Assembly, or

3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred during a situation deemed threatening to life, safety, health, or property, or

4) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which will benefit the state's economy, or

5) participate in a federal or sponsored program, or

6) realize cost savings in excess of the additional funds provided, or

7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or

8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 m of this act, or

9) address caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General, and 4-5.03 b Services and Clients-New Services, of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. *Revenues deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director shall notify the Chairmen of the Senate Finance and House Appropriations Committees no less than 30 days prior to the appropriation of any such balance for the purpose of commencing state support for any activity or program.*

5. Reporting:

The Director, Department of Planning and Budget, shall report on increases in unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS

The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent of any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent of the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund appropriations for the Department of Corrections.

§ 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

a. GENERAL FUND OPERATING EXPENSE:

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable, in the determination of the Governor, to address any of the six conditions listed in § 4-1.03 c.5 of this act or to provide financial incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general fund appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or institutions of higher education, all other such unexpended general fund appropriations unexpended on the last day of the previous biennium or the last day of the first year of the current biennium shall revert to the general fund.

General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent Agencies shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund appropriations shall also be reappropriated for institutions of higher education, subject to § 2.2-5005, Code of Virginia.

2. a. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate Finance and House Appropriations Committees on the reappropriated amounts for each state agency in the Executive Department. He shall provide a preliminary report of reappropriation actions on or before November 1 and a final report on or before December 20 to the Chairmen of the House Appropriations and Senate Finance Committees.

b. The Director, Department of Planning and Budget, may transfer reappropriated amounts within an agency to cover nonrecurring costs.

3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction over the agency or institution, acting jointly.

4. The general fund resources available for appropriation in the first enactment of this act include the reversion of certain unexpended balances in operating appropriations as of June 30 of the prior fiscal year, which were otherwise required to be

reappropriated by language in the Appropriation Act.

5. Upon request, the Director, Department of Planning and Budget, shall provide a report to the Chairmen of the House Appropriations and Senate Finance Committees showing the amount reverted for each agency and the total amount of such reversions.

b. NONGENERAL FUND OPERATING EXPENSE:

Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for a period of 24 months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general fund. If it is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred, the Director, Department of Planning and Budget shall include repayment in the next budget bill submitted to the General Assembly. This provision does not apply to funds held in trust by the Commonwealth.

c. CAPITAL PROJECTS:

1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert to the fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding appropriation or reappropriation for a capital project when the Director determines that such portion is not needed for completion of the project. The State Comptroller may similarly return to the appropriate fund source any part of the unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which the Director determines is not needed to complete the project.

2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall revert to and become part of the fund balance of the general fund during the current biennium as of the date the Director, Department of Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with the intent of the appropriation or reappropriation and there are no known unpaid obligations related to the project. The State Comptroller shall return the unexpended nongeneral fund cash balance, if there be any, for such completed project to the source from which said nongeneral funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or reappropriation of said nongeneral funds.

3. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for which an unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he may likewise restore any portion of such amount under the same conditions.

§ 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

a. LIMITED CONTINUATION OF APPROPRIATIONS.

Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last day of the previous biennium shall be continued in force for such period, not exceeding 10 days from such date, as may be necessary in order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close of business on such date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received as of the last day of the previous biennium, against such unexpended balances.

b. LIMITATIONS ON CASH DISBURSEMENTS.

Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth for each subsequent fiscal year on or about 10 days before the start of such fiscal year. The books will be open only to enter budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an emergency arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30, the State Comptroller may, with notification to the Auditor of Public Accounts, authorize the disbursement of funds drawn against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars ($3,000,000) from the general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in accordance with bond documents, trust indentures, and/or escrow agreements.

§ 4-1.07 ALLOTMENTS

Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority, 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia, and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and Budget, under this section.

§ 4-2.00 REVENUES

§ 4-2.01 NONGENERAL FUND REVENUES

a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

1. No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds, except that donations or gifts to the Virginia War Memorial Foundation that are small in size and number and valued at less than $5,000, such as library items or small display items, may be approved by the Executive Director of the Virginia War Memorial in consultation with the Secretary of Veterans Affairs and Homeland Security. All other gifts and donations to the Virginia War Memorial Foundation must receive written approval from the Secretary of Veterans Affairs and Homeland Security.

2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a separately incorporated foundation or corporation.

3. The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution through a lease purchase agreement and subsequently donated to the state agency or institution during or at the expiration of the lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

4. The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects-General and 4-5.03 Services and Clients of this act.

b. HIGHER EDUCATION TUITION AND FEES

1. Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, all nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

2. a) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all resident student groups based on, but not limited to, competitive market rates, provided that the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

b) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at levels they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates, provided that: i) the tuition and mandatory educational and general fee rates for nonresident undergraduate and graduate students cover at least 100 percent of the average cost of their education, as calculated through base adequacy guidelines adopted, and periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies, and ii) the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for educational and general programs provided in this act.

c) For institutions charging nonresident students less than 100 percent of the cost of education, the State Council of Higher Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in annual tuition and fee increases for nonresident students that would discourage their enrollment.

d) The Boards of Visitors or other governing bodies of institutions of higher education shall not increase the current proportion of nonresident undergraduate students if the institution's nonresident undergraduate enrollment exceeds 25 percent. Norfolk State University, Virginia Military Institute, Virginia State University, and two-year public institutions are exempt from this restriction.

3. a) In setting the nongeneral fund appropriation for educational and general programs at the institutions of higher education, the General Assembly shall take into consideration the appropriate student share of costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to cover at least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of Virginia is served, while recognizing the material contributions provided by the presence of nonresident students. The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 1 of each year the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed students for tuition and required fees at institutions outside of the Commonwealth.

c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

d) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, each institution shall work with the State Council of Higher Education for Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee estimates for tuition savings plans.

5. a) It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within its educational and general program closely approximate the anticipated annual budget each fiscal year.

b) In coordination with the institutions, the State Council of Higher Education for Virginia shall report no later than August 1 of each year on the estimated amount of revenue each institution expects to collect from tuition and mandatory educational and general fees during the fiscal year.

c) This report shall serve as the foundation for any administrative increase in nongeneral fund appropriations within the institutions' educational and general programs that is approved by the Director, Department of Planning and Budget, pursuant to the authority provided in § 4-1.04 of this act.

d) Each institution must notify the Director, State Council of Higher Education for Virginia, prior to requesting an administrative increase to the nongeneral fund appropriation for tuition and fee revenue within its educational and general program. Within 30 days of receiving such notification, the Director of the State Council of Higher Education for Virginia shall review and provide comment, as necessary, to the Director, Department of Planning and Budget. The Director, Department of Planning and Budget, shall evaluate the institution's request along with any comments received from the Director, State Council of Higher Education for Virginia, prior to taking action on the requested administrative increase.

e) In consultation with the Director, Department of Planning and Budget, the Director, State Council of Higher Education for Virginia, shall include a summary of all requested and approved administrative increases to nongeneral fund appropriations for tuition and fee revenue within the educational and general programs of the institutions of higher education as part of the annual nongeneral fund revenue report.

f) In consultation with the Department of Planning and Budget and the State Council of Higher Education for Virginia, the Governor shall reconcile actual nongeneral fund expenditures with nongeneral fund appropriations included in the act and recommend technical adjustments, as he deems appropriate, in submitting his budget amendments prior to the next General Assembly session.

6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants and paid at an annual contract rate of $4,000 or more may be considered resident students for the purposes of charging tuition and fees.

7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

8. a) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond five percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia Community College System, increases in any one year of no more than $15 shall be allowed on a cost-justified case-by-case basis, subject to approval by the State Board for Community Colleges.

9. Any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

10. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

c. HIGHER EDUCATION PLANNED EXCESS REVENUES:

An institution of higher education, except for those public institutions governed by Chapters 933 and 943 of the 2006 Acts of Assembly, may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:

1. Such revenues are identified by language in the appropriations in this act to any such institution.

2. The use of such moneys is fully documented by the institution to the Governor prior to each fiscal year and prior to allotment.

3. The moneys are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as the basis for funding in subsequent biennia.

4. The receipt and expenditure of these moneys shall be recorded as restricted funds on the books of the Department of Accounts and shall not revert to the surplus of the general fund at the end of the biennium.

5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-1.04 a.3 Gifts, Grants, and Other Nongeneral Funds of this act.

§ 4-2.02 GENERAL FUND REVENUE

a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

1. Except as provided in § 4-2.02 a.2., all moneys, fees, taxes, charges and revenues received at any time by the following agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

a) Marine Resources Commission, from all sources, except:

1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.

2) Revenue payable to the Virginia Marine Products Fund established by § 3.2-2705, Code of Virginia.

3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.

4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.

5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.

b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws under Title 40.1, Code of Virginia.

2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code of Virginia.

c) All state institutions for the mentally ill or intellectually disabled, from fees or per diem paid employees for the performance of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member of any such institution when summoned as a witness in any court.

d) Secretary of the Commonwealth, from all sources.

e) The Departments of Corrections, Juvenile Justice, and Correctional Education, as required by law, including revenues from sales of dairy and other farm products.

f) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the

county, city, town, regional government or political subdivision of such governments audited or examined.

g) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

h) Department of the Treasury, from the following source:

Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

i) Attorney General, from recoveries of attorneys' fees and costs of litigation.

j) Department of Social Services, from net revenues received from child support collections after all disbursements are made in accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is paid.

k) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal years, after deduction of the cost of collection and any refunds due to the federal government.

l) Without regard to paragraph e) above, the following revenues shall be excluded from the requirement for deposit to the general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the Virginia Correctional Enterprises Fund; (2) payments to the Departments of Corrections, Juvenile Justice and Correctional Education for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their use; and (3) payments to the Department of Correctional Education for work performed shall be retained by the agency to increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

2. The provisions of § 4-2.02 a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the general fund of the state treasury, out of the credits under § 4-1.04 a.1 Unappropriated Nongeneral Funds - Sale of Surplus Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides otherwise.

m) Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the safekeeping and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance Collateral Assessment Fund to defray such safekeeping and handling expenses.

n)1. Unless otherwise specifically required to ensure compliance with federal or state law, regulation, court order, or court rule, and only to the extent thereof, each settlement under subsection A. of § 2.2-514, Code of Virginia, that provides for the payment, conveyance, grant, forfeiture, assignment, or other distribution of moneys or of any real, tangible, or intangible property to settle the Commonwealth's interest shall provide that such moneys or property be deposited or assigned for deposit into the general fund of the state treasury to be appropriated as determined by the General Assembly. The provisions of this paragraph shall only apply to such settlements in favor of the Commonwealth and shall apply to both civil and criminal matters.

2. The provisions of this paragraph shall not apply to any settlement (a) in which the total value of such moneys or property does not exceed $250,000, (b) in which the entire amount of the settlement is for services provided or for property sold or provided under a contract, (c) involving the interest of the Virginia Retirement System, or (d) for an act or practice covered by the Virginia Consumer Protection Act (§ 59.1-196 et. seq., Code of Virginia) or the Virginia Antitrust Act (§ 59.1-9.1 et. seq., Code of Virginia).

b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited to the general fund of the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.

c. DATE OF RECEIPT OF REVENUES:

All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or

electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department of Accounts.

§ 4-2.03 INDIRECT COSTS

a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:

Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher education:

1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which the agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations shall reflect the indirect costs in the program incurring the costs.

2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director, Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation to the agency by the amount of such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.

3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in excess of the exempted sum shall be deposited to the general fund of the state treasury.

c. INSTITUTIONS OF HIGHER EDUCATION:

The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

1. Seventy percent shall be retained by the institution as an appropriation of moneys for the conduct and enhancement of research and research-related requirements. Such moneys may be used for payment of principal of and interest on bonds issued by or for the institution pursuant to § 23-19, Code of Virginia, for any appropriate purpose of the institution, including, but not limited to, the conduct and enhancement of research and research-related requirements.

2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1 of Chapter 1042 of the Acts of Assembly of 2003, shall be included in the educational and general revenues of the institution to meet administrative costs.

3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract levels in excess of the levels authorized in Chapter 1042 of the Acts of Assembly of 2003. This provision is included as an additional incentive for increasing externally funded research activities.

d. REPORTS

The Director, Department of Planning and Budget, shall report to the Chairmen of the Senate Finance and House Appropriations Committees no later than September 1 of each year on the indirect cost recovery moneys administratively appropriated.

e. REGULATIONS:

The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS

§ 4-3.01 DEFICITS

a. GENERAL:

1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations under the provisions of this act shall obligate or expend moneys in excess of its general fund appropriations, nor shall it obligate or expend moneys in excess of nongeneral fund revenues that are collected and appropriated.

2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:

a) an unanticipated federal or judicial mandate has been imposed,

b) insufficient moneys are available in the first year of the biennium for start-up of General Assembly-approved action, or

c) delay pending action by the General Assembly at its next legislative session will result in the curtailment of services required by statute or those required by federal mandate or will produce a threat to life, safety, health or property.

d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of this act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval.

3. Deficits shall not be authorized for capital projects.

4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a capital nature not covered by § 4-4.00 Capital Projects, of this act provided such projects a) are delineated in the Virginia Transportation Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and b) have sufficient cash allocated to each such project to cover projected costs in each year of the Program; and provided that c) sufficient revenues are projected to meet all cash obligations for such projects as well as all other commitments and appropriations approved by the General Assembly in the biennial budget.

b. UNAUTHORIZED DEFICITS: If any agency contravenes any of the prohibitions stated above, thereby incurring an unauthorized deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further, there shall be no reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any appropriation hereafter to meet such unauthorized deficit. Further, those members of the governing board of any such agency who shall have voted therefor, or its head if there be no governing board, making any such excess obligation or expenditure shall be personally liable for the full amount of such unauthorized deficit and, at the discretion of the Governor, shall be deemed guilty of neglect of official duty and be subject to removal therefor. Further, the State Comptroller is hereby directed to make public any such unauthorized deficit, and the Director, Department of Planning and Budget, is hereby directed to set out such unauthorized deficits in the next biennium budget. In addition, the Governor is directed to bring this provision of this act to the attention of the members of the governing board of each state agency, or its head if there be no governing board, within two weeks of the date that this act becomes effective. The governing board or the agency head shall execute and return to the Governor a signed acknowledgment of such notification.

c. TOTAL AUTHORIZED DEFICITS: The amount which the Governor may authorize, under the provisions of this section during the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state agencies, or other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one and one-half percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined in § 4-2.02 b. of this act during the last year of the previous biennium and the first year of the current biennium.

d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and Senate Finance Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall provide a comprehensive report to the Chairmen of the House Appropriations and Senate Finance Committees detailing all such deficits.

§ 4-3.02 TREASURY LOANS

a. AUTHORIZED DEFICIT LOANS: A state agency requesting authorization for deficit spending shall prepare a plan for the Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate the deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit under the provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized amount on such terms and from such sources as may be approved by the Governor. At the close of business on the last day of the current biennium, any unexpended balance of such loan shall be applied toward repayment of the loan, unless such action is contrary to the conditions of the loan approval. The Director, Department of Planning and Budget, shall set forth in the next biennial budget all such loans which require an appropriation for repayment. A copy of the approved plan to eliminate the deficit shall be transmitted to the Chairmen of the House Appropriations and the Senate Finance Committees within five calendar days of approval.

b. ANTICIPATION LOANS: Authorization for anticipation loans are limited to the provisions below.

1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the

Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. *Unless otherwise prohibited by federal or state law,* ~~T~~the State Treasurer shall charge current market interest rates on anticipation loans made for *operating purposes and* capital projects subject to the following:

a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.

b) Interest payments on anticipation loans for nongeneral fund capital projects *or nongeneral fund operating expenses* shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.

c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED UNDER § 4-4.01M: Authorization for anticipation loans for projects not included in this act or for projects authorized under § 4-4.01 m are limited to the provisions below:

1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.

2.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund revenues, any state agency may borrow from the state treasury the required sum with the prior written approval of the Secretary of Finance or his designee as to the amount, terms, and sources of such funds. Such loans shall not exceed the amount of the anticipated collections of such nongeneral fund revenues and shall be repaid only from such nongeneral fund revenues when collected.

b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 m is required prior to the collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed 12 months.

4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 m, the agency shall develop a plan for repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all such plans and reported to the Chairman of the House Appropriations and Senate Finance Committees.

5. Anticipation loans for capital projects authorized under § 4-4.01 m shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects authorized under § 4-4.01 m. Interest payments on anticipation loans for nongeneral fund capital projects authorized under § 4-4.01 m shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan without the approval of the Director of the Department of Planning and Budget.

a) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each loan.

§ 4-3.03 CAPITAL LEASES

a. GENERAL:

1. As part of their capital budget submission, all agencies and institutions of the Commonwealth proposing building projects that may qualify as capital lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the Directors of the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer. The Secretary of Finance may promulgate guidelines for the review and approval of such requests.

2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director, Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as capital lease agreements. The State Treasurer shall be responsible for incorporating existing and authorized capital lease agreements in the annual Debt Capacity Advisory Committee reports.

b. APPROVAL OF FINANCINGS:

1. For any project which qualifies as a capital lease, as defined in the preceding subdivisions a 1 and 2, and which is financed through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to § 2.2-2416, Code of Virginia.

2. For any project for which costs will exceed $5,000,000 and which is financed through a capital lease transaction, the Treasury Board shall approve the financing terms and structure of such capital lease in addition to such other reviews and approvals as may be required by law. Prior to consideration by the Treasury Board, the Departments of Accounts, General Services, and Planning and Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a capital lease under the terms of this section. The State Treasurer shall notify the Chairmen of the House Appropriations and Senate Finance Committees of the action of the Treasury Board as it regards this subdivision within five calendar days of its action.

c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall jointly be responsible for providing the Chairmen of the House Appropriations and Senate Finance Committees with recommendations involving proposed capital lease agreements.

d. This section shall not apply to capital leases that are funded entirely with nongeneral fund revenues and are entered into by public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly.

§ 4-4.00 CAPITAL PROJECTS

§ 4-4.01 GENERAL

a. Definition:

1. When used in this section, "capital project" or "project" means acquisition of property and new construction and improvements related to state-owned property, plant or equipment (including plans therefor), as the terms "acquisition", "new construction", and "improvements" are defined in the instructions for the preparation of the Executive Budget. "Capital project" or "project" shall also mean any improvements to property leased for use by a state agency, and not owned by the state, when such improvements are financed by public funds, except as hereinafter provided in subdivisions 3 and 4 of this subsection.

2. The provisions of this section are applicable equally to acquisition of property and plant by purchase, gift, or any other means, including the acquisition of property through a lease/purchase contract, regardless of the method of financing or the source of funds. Acquisition of property by lease shall be subject to § 4-3.03 of this act.

3. The provisions of this section shall not apply to property or equipment acquired by lease or improvements to leased property and equipment when the improvements are provided by the lessor pursuant to the terms of the lease and upon expiration of the lease remain the property of the lessor.

4. The provisions of this section shall not apply to property leased by state agencies for the purposes described in §§ 2.2-1151 C and 33.1-93, Code of Virginia.

b. Notwithstanding any other provisions of law, requests for appropriations for capital projects shall be subject to the following:

1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to similar public and private sector projects.

2. The first priority of any agency or institution in requesting capital outlay appropriations shall be maintenance reserve funds.

3. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, financings for capital projects shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of Virginia, and any subsequent amendments thereto.

4. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written commitment from the host locality to share in the operating expense of the armory.

c. Each agency head shall provide to the Director, Department of Planning and Budget, a plan for the use of the maintenance reserve appropriation of the agency in Part 2 of this act prior to the allotment of funds. The plan shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head shall certify in the agency's annual update to its maintenance reserve plan that to the best of his or her knowledge, all necessary roof repairs have been accomplished, are in the process of being accomplished, or the necessary funds for accomplishing the work have been requested before the agency requests funds for other improvements or new construction projects. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual.

d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time and report any proposed change to the Chairmen of the House Appropriations and Senate Finance Committees prior to its implementation. Such report shall include an analysis of the impact of the suggested change on affected agencies and institutions.

e. Nothing in §§ 2-0 and 4-4.00 of this act shall be deemed to override the provisions of §§ 2.2-1132 and 62.1-132.6, Code of Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and procurement activities.

f. It is the intent of the General Assembly that the Department of Conservation and Recreation shall be authorized to initiate and accept by gift or purchase with nongeneral fund dollars any lands for State Park or Natural Area purposes which may become available, and that are not specifically appropriated by the General Assembly, when such acquisitions are made in accordance with the provisions of this section and other applicable provisions of state law including approval by the Governor.

g. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and paragraph m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education shall be pursuant to approvals by the General Assembly ~~at its regular sessions in even-numbered years. The~~ *as provided in the Six-Year Capital Outlay Plan established pursuant to § 2.2-1515, et seq., Code of Virginia. Otherwise, the* consideration of capital projects ~~in odd-numbered years~~ shall be limited to:

1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and

2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing facilities.

This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 m hereof, or projects included under the central appropriations for capital project expenses in this act.

h. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift or is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the need for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a program approved by the General Assembly.

i. Initiation Generally:

1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or revised without the prior written approval of the Governor.

2. The requirements of § 10.1-1190, Code of Virginia, shall be met prior to the release of funds for a major state project, provided, however, that the Governor is authorized to release from any appropriation for a major state project made pursuant to this act such sum or sums as may be necessary to pay for the preparation of the environmental impact report required by § 10.1-1188, Code of Virginia.

3. The Governor, at his discretion, may release from any capital project appropriation or reappropriation made pursuant to this act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and engineers, provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the preliminary design for any such project may be based on such estimated costs as may be approved by the Governor in writing, where it is shown to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen conditions, have made the appropriation inadequate for the completion of the project for which the appropriation was made, and where in the judgment of the Governor such changed conditions justify the payment of architectural or engineering fees based on costs exceeding the appropriation.

4. Architectural or engineering contracts shall not be awarded in perpetuity for capital projects at any state institution, agency or activity.

j. Capital Projects Financed with Bonds: Capital projects proposed to be financed with (i) 9 (c) general obligation bonds or (ii) 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the agency or institution, shall be reviewed as follows:

1. By August 15 of each year, requests for inclusion in the Executive Budget of capital projects to be financed with 9(c) general obligation bonds shall be submitted to the State Treasurer for evaluation of financial feasibility. Submission shall be in accordance with the instructions prescribed by the State Treasurer. The State Treasurer shall distribute copies of financial feasibility studies to the Director, Department of Planning and Budget, the Secretary for the submitting agency or institution, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, State Council of Higher Education for Virginia if the project is requested by an institution of higher education.

2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the institution. The State Council of Higher Education shall identify the impact of all projects requested by the institutions of higher education, and as described in § 4-4.01 j.1. of this act, on the current and projected cost to students in institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year.

3. Prior to the issuance of debt for 9(c) general obligation projects, when more than one year has elapsed since the review of financial feasibility specified in § 4-4.01 j 1 above, an updated feasibility study shall be prepared by the agency and reviewed by the State Treasurer prior to requesting the Governor's Opinion of Financial Feasibility required under Article X, Section 9 (c), of the Constitution of Virginia.

k. Transfers to supplement capital projects from nongeneral funds may be made under the conditions set forth in §§ 4-1.03 a, 4-1.04 a.3, and 4-4.01 m of this act.

l.1.Change in Size and Scope: Unless otherwise provided by law, the scope of any capital project may not be increased or decreased by more than five percent in size beyond the plans and justification which were the basis for the appropriation or reappropriation in this act or for the Governor's authorization pursuant to § 4-4.01 m of this act. However, this prohibition is not applicable to changes in size and scope required because of circumstances determined by the Governor to be an emergency, or requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds, or minor increases or decreases in square footage determined by the Director, Department of General Services to be reasonable and appropriate based on a written justification submitted by the agency stating the reason for the increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; or decreases in scope to offset unbudgeted costs when such costs are determined by the Director, Department of Planning and Budget, to be reasonable based on a written justification submitted by the agency specifying the amount and nature of the unbudgeted costs and the types of actions that will be taken to decrease the scope of the project. The written justification shall also include a certification, signed by the agency head, that the resulting project will be consistent with the original programmatic intent of the appropriations.

2. If space planning, energy conservation, and environmental standards guides for any type of construction have been approved by the Governor or the General Assembly, the Governor shall require capital projects to conform to such planning guides.

m. Projects Not Included In This Act:

1. Authorization by Governor:

a) The Governor may authorize initiation of, planning for, construction of or acquisition of a nongeneral fund capital project

not specifically included in this act or provided for a program approved by the General Assembly through appropriations, under one or more of the following conditions:

1) The project is required to meet an emergency situation.

2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will be fully funded by revenues of auxiliary enterprises or sponsored programs.

3) The project is to be operated as an educational and general program in an institution of higher education and will be fully funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.

4) The project consists of plant or property which has become available or has been received as a gift.

5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission or the Virginia Tobacco Settlement Foundation.

b) The foregoing conditions are subject to the following criteria:

1) Funds are available within the appropriations made by this act (including those subject to §§ 4-1.03 a, 4-1.04 a.3, and 4-2.03) without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.

2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.

3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated operating costs, and the fund sources for the project and its operating costs.

4) The Chairmen of the House Appropriations and Senate Finance Committees shall be notified by the Governor prior to the authorization of any capital project under the provisions of this subsection.

5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.

2. Authorization by Director, Department of Planning and Budget:

a) The Director, Department of Planning and Budget, may authorize initiation of a capital project not included in this act, if the General Assembly has enacted legislation to fund the project from bonds of the Virginia Public Building Authority, Virginia College Building Authority, or from reserves created by refunding of bonds issued by those Authorities.

3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:

a) In accordance with § 4-5.06 of this act, the board of visitors of any public institution of higher education that: i) has met the eligibility criteria set forth in Chapters 933 and 945 of the 2005 Acts of Assembly for additional operational and administrative autonomy, including having entered into a memorandum of understanding with the Secretary of Administration for delegated authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund appropriation for emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of any capital project that is not specifically set forth in this act provided that the project meets at least one of the conditions and criteria identified in § 4-4.01 m 1 of this act.

b) At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and Chairmen of the House Appropriations and Senate Finance Committees and must provide a life-cycle budget analysis of the project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.

c) The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher education in accordance with this provision.

n. Acquisition, maintenance, and operation of buildings and nonbuilding facilities in colleges and universities shall be subject to the following policies:

1. The anticipated program use of the building or nonbuilding facility should determine the funding source for expenditures for acquisition, construction, maintenance, operation, and repairs.

2. Expenditures for land acquisition, site preparation beyond five feet from a building, and the construction of additional outdoor lighting, sidewalks, outdoor athletic and recreational facilities, and parking lots in the Virginia Community College System shall be made only from appropriated federal funds, Trust and Agency funds, including local government allocations or appropriations, or the proceeds of indebtedness authorized by the General Assembly.

3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all

colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking facilities.

4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting, sidewalks, and other infrastructure facilities may be made from any appropriated funds.

5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing on a community college campus as of July 1, 1988.

6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative authority as set forth in Chapters 933 and 945 of the 2005 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly, any repair, renovation, or new construction project costing up to $2,000,000 shall be exempt from the capital outlay review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would exceed the $2,000,000 maximum.

2. All institutions of higher education shall be exempt from the capital review and approval process for repair, renovation, or new construction projects costing up to $2,000,000.

b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing up to $2,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid award made after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide exemptions to the threshold.

7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities as a priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of Plant" subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and Budget, or his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the House Appropriations and Senate Finance Committees.

o. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the opinion of the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his judgment may be necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be in accordance with § 4-8.00, Reporting Requirements.

p. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project beyond that anticipated when the project was initially approved by the General Assembly except to comply with requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. General fund appropriations in excess of those necessary to complete the project shall not be reallocated to expand or enhance the project, or be reallocated to a different project. The prohibitions in this subsection shall not apply to transfers from projects for which reappropriations have been authorized.

q. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as owner or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.

r. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure, landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed within thirty days and the comments of that department shall be submitted to the Governor through the Department of General Services for use in making a final determination.

s.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the educational or real estate foundation of any institution of higher education where he finds that such property was acquired with local or private funds or by gift or grant to or for the use of the institution, and not with funds appropriated to the institution by the General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of Virginia, and any other statute concerning conveyance, transfer or sale of state property. If the foundation conveys any interest in the property or any improvements thereon, such conveyance shall likewise be exempt from compliance with any statute concerning disposition of state property. Any income or proceeds from the conveyance of any interest in the property shall be deemed to be local or private funds and may be used by the foundation for any foundation purpose.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly.

t.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the lease agreement was developed.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly.

u. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be considered an operating expense, provided that:

1. The scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services.

2. The project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by ~~the Division of Purchases and Supply of~~ the Department of General Services.

3. The scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy.

4. However, if the project scope entails: (a) constructing, enlarging, altering, repairing or demolishing a building or structure, (b) changing the use of a building either within the same use group or to a different use group when the new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or disturbing any asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures, the project shall be subject to the capital outlay process as outlined in this section.

5. The total project cost does not exceed $3,000,000. If the total project cost exceeds $3,000,000, the project shall be subject to the capital budgeting process. However, energy performance projects underway before July 1, 2005, shall continue to be treated as operating expenses. Notwithstanding the above, if energy savings from a performance project offset the debt service, interest payments, and the cost of the project, the project shall not be subject to the capital budgeting process and the total project cost shall not exceed $7,000,000.

6. If the total project exceeds $250,000, the agency director will submit written notification to the Director, Department of Planning and Budget, verifying that the project meets all of the above conditions. The director shall notify, in turn, the Chairmen of the House Appropriations and Senate Finance Committees that such projects have been initiated.

v. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the Commonwealth on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located has adopted a resolution supporting the location of such project within the boundaries of the affected jurisdiction. The foregoing does not prohibit expenditures for site studies, real estate options, correctional facility design and related expenditures.

w. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, any alternative financing agreement entered into between a state agency or institution of higher education and a private entity or affiliated foundation must be reviewed and approved by the Treasury Board.

x. Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.

y. Any new construction project developed by or for the Chippokes Plantation Farm Foundation, with an estimated cost of $750,000 or less, shall be exempt from the capital outlay review and approval process.

z. Construction or improvement projects of the Department of Military Affairs are not exempt from the capital outlay review process when the state procurement process is utilized, except for those projects with both an estimated cost of $1,000,000 or less and are 100 percent federally reimbursed.

§ 4-4.02 PLANNING AND BUDGETING

a. It shall be the intent of the General Assembly to make biennial appropriations for a capital improvements program sufficient to address the program needs of the Commonwealth. The capital improvements program shall include maintenance and deferred maintenance of the Commonwealth's existing facilities, and of the facility requirements necessary to deliver the

programs of state agencies and institutions.

b. In effecting these policies, the Governor shall establish a capital budget plan to address the renewal and replacement of the Commonwealth's physical plant, using such guidelines as recommended by industry or government to maintain the Commonwealth's investment in its property and plant.

§ 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES

§ 4-5.01 TRANSACTIONS WITH INDIVIDUALS

a. SETTLEMENT OF CLAIMS: Whenever a dispute, claim or controversy involving the interest of the Commonwealth is settled pursuant to § 2.2-514, Code of Virginia, payment may be made out of any appropriations, designated by the Governor, to the state agency(ies) which is (are) party to the settlement.

b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

1. General:

a) The appropriations made in this act to state institutions of higher education within the Items for student financial assistance may be expended for any one, all, or any combination of the following purposes: grants to undergraduate students enrolled at least one-half time in a degree, certificate or diploma program; grants to full-time graduate students; grants to students enrolled full-time in a dual or concurrent undergraduate and graduate program~~;~~. ~~institutional contributions~~ *The institutions may also use these appropriations for the purpose of supporting work study programs. Institutions may also contribute* to federal or private student grant aid programs requiring matching funds by the institution, except for programs requiring work. The State Council of Higher Education for Virginia shall annually review each institution's plan for the expenditures of its appropriation for undergraduate student financial assistance prior to the start of the fall term to determine program compliance. The institution's plan shall include the institution's assumptions and calculations for determining the cost of attendance, student financial need, and student remaining need as well as an award schedule or description of how funds are awarded. For the purposes of the proposed plan, each community college shall be considered independently.

b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset all, or portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1) hereof, the cost of books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to the remaining need of individual students, with students with higher levels of remaining need receiving grants before other students. No criteria other than the need of the student shall be used to determine the award amount other than as specified in Item 206 J of this act. Because of the low cost of attendance and recognizing that federal grants provide a much higher portion of cost than at other institutions, a modified approach and minimum award amount for the neediest VGAP student should be implemented for community college and Richard Bland College students based on remaining need and the combination of federal and grant state aid. Student financial need shall be determined by a need-analysis system approved by the Council.

c)1) All need-based awards made to graduate students shall be determined by the use of a need-analysis system approved by the Council.

2) As part of the six-year financial plans required in the provisions of Chapters 933 and 945 of the 2005 Acts of Assembly, each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees.

d) A student who receives a grant under such Items and who, during a semester, withdraws from the institution which made the award must surrender the unearned portion. The institution shall calculate the unearned portion of the award based on the percentage used for federal Return to Title IV program purposes.

e) An award made under such Items to assist a student in attending an institution's summer session shall be prorated according to the size of comparable awards made in that institution's regular session.

f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to the soil scientist scholarships authorized under § 23-38.3, Code of Virginia.

g) Unless noted elsewhere in this act, awards shall be named "Commonwealth" grants.

h) Unless otherwise provided by statute, undergraduate awards shall not be made to students seeking a second or additional baccalaureate degree until the financial aid needs of first-degree seeking students are fully met.

2. Grants To Undergraduate Students:

a) Each institution which makes undergraduate grants paid from its appropriation for student financial assistance shall expend such sums as approved for that purpose by the Council.

b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes of eligibility under Title IV of the federal Higher Education Act, as amended.

c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP) authorized in Title 23, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other students with equivalent remaining need.

2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with the greatest financial need shall be guaranteed an award at least equal to tuition.

3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic performance and to consider higher education an achievable objective in their futures.

4) Students may not receive a VGAP and a Commonwealth grant in the same semester.

3. Grants To Graduate Students:

a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria determined by the institution making the award. The amount of an award shall be determined by the institution making the award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in the appropriation.

b) The institution is required to transfer to educational and general appropriations all funds used to pay graduate assistantships or for duties which require work.

c) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at the institution making the award.

d) Not more than 50 percent of the funds designated by an institution as graduate grants from the appropriation, and approved as such by the Council, shall be awarded to persons not eligible to be classified as Virginia domiciliary resident students except in cases where the persons meet the criteria outlined in § 4-2.01b.6.

4. Matching Funds: Any institution of higher education may, with the approval of the Council, use funds from its appropriation for fellowships and scholarships to provide the institutional contribution to any student financial aid program established by the federal government or private sources which requires the matching of the contribution by institutional funds, except for programs requiring work.

5. Discontinued Loan Program:

a) If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional share was derived unless other arrangements for the use of the funds are recommended by the Council and approved by the Department of Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the funds shall be used according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

b)1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23, Chapter 4.01, Code of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished thereafter for that institution.

2) The cash so paid into the state treasury shall be used only for grants to undergraduate and graduate students in the Higher Education Student Financial Assistance program according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

3) Payments on principal and interest of any promissory notes held by the discontinued loan fund shall continue to be received by the institution, which shall deposit such payments in the state treasury to the nonrevertible nongeneral fund account specified in subdivision (1) preceding, to be used for grants as specified in subdivision (2) preceding.

6. Reporting: The Council shall collect student-specific information for undergraduate students as is necessary for the operation

of the Student Financial Assistance Program. The Council shall maintain regulations governing the operation of the Student Financial Assistance Program based on the provisions outlined in this section, the Code of Virginia, and State Council policy.

C. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

Notwithstanding any other provision of law, executive branch agencies shall not pay compensation to citizen members of boards, commissions, authorities, councils, or other bodies from any fund for the performance of such members' duties in the work of the board, commission, authority, council, or other body.

§ 4-5.02 THIRD PARTY TRANSACTIONS

a. EMPLOYMENT OF ATTORNEYS:

1.a. All attorneys authorized by this act to be employed by any state agency and all attorneys compensated out of any moneys appropriated in this session of the General Assembly shall be appointed by the Attorney General and be in all respects subject to the provisions of Title 2.2, Chapter 5, Code of Virginia, to the extent not to conflict with Title 12.1, Chapter 4, Code of Virginia; provided, however, that if the Governor certifies the need for independent legal counsel for any Executive Department agency, such agency shall be free to act independently of the Office of the Attorney General in regard to selection, and provided, further, that compensation of such independent legal counsel shall be paid from the moneys appropriated to such Executive Department agency or from the moneys appropriated to the Office of the Attorney General.

b. For purposes of this act, "attorney" shall be defined as an employee or contractor who represents an agency before a court, board or agency of the Commonwealth of Virginia or political subdivision thereof. This term shall not include members of the bar employed by an agency who perform in a capacity that does not require a license to practice law, including but not limited to, instructing, managing, supervising or performing normal or customary duties of that agency.

2. This section does not apply to attorneys employed by state agencies in the Legislative Department, Judicial Department or Independent Agencies.

3. Reporting on employment of attorneys shall be in accordance with § 4-8.00, Reporting Requirements.

b. STUDIES AND CONSULTATIVE SERVICES REQUIRED BY GENERAL ASSEMBLY: No expenditure for payments on third party nongovernmental contracts for studies or consultative services shall be made out of any appropriation to the General Assembly or to any study group created by the General Assembly, nor shall any such expenditure for third party nongovernmental contracts be made by any Executive Department agency in response to a legislative request for a study, without the prior approval of two of the following persons: the Chairman of the House Appropriations Committee; the Chairman of the Senate Finance Committee; the Speaker of the House of Delegates; the President pro tempore of the Senate. All such expenditures shall be made only in accordance with the terms of a written contract approved as to form by the Attorney General.

c. USE OF CONSULTING SERVICES: All state agencies and institutions of higher education shall make a determination of "return on investment" as part of the criteria for awarding contracts for consulting services.

d. DEBT COLLECTION SERVICES:

1. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Virginia Commonwealth University Health System Authority shall have the option to participate in the Office of the Attorney General's debt collection process. Should the Authority choose not to participate, the Authority shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims.

2. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the University of Virginia Medical Center shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and discharge accounts receivable claims, provided that the University of Virginia demonstrates to the Secretary of Finance that debt collection by an agent other than the Office of the Attorney General is anticipated to be more cost effective. Nothing in this paragraph is intended to limit the ability of the University of Virginia Medical Center from voluntarily contracting with the Office of the Attorney General's Division of Debt Collection in cases where the Center would benefit from the expertise of legal counsel and collection services offered by the Office of the Attorney General.

3. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation shall be exempt from participating in the debt collection process of the Office of the Attorney General.

§ 4-5.03 SERVICES AND CLIENTS

a. CHANGED COST FACTORS:

1. No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the cost of such change.

2. State agencies shall submit any proposed modifications in rates to be charged by internal service funds, pursuant to §§ 2.2-803, 2.2-1011, and 2.2-2013, Code of Virginia, that impact on agency expenditures to the Department of Planning and Budget for review prior to approval by the Joint Legislative Audit and Review Commission. In its review, the Department of Planning and Budget shall determine whether the requested rate modifications are consistent with budget assumptions and report its findings to the Commission prior to the approval of the rate request.

b. NEW SERVICES:

1. No state agency shall begin any new service that will call for future additional property, plant or equipment or that will require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the General Assembly.

2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council may grant exemptions to this policy in exceptional circumstances.

3. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.

c. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:

No moneys appropriated by this act shall be used for off-campus sites unless as provided for in this section.

1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or indirectly from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit course offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and approval. The State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the site for up to one year, after which time the college or university must receive approval from the Governor and General Assembly, through legislation or appropriation, to continue operating the site.

2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible for approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main campus of the institution, including locations outside Virginia.

3. a) The provisions herein shall not apply to credit offerings on the site of a public or private entity if the offerings are supported entirely with private, local, or federal funds or revenue from tuition and mandatory educational and general fees generated entirely by course offerings at the site.

b) Offerings at previously approved off-campus locations shall also not be subject to these provisions.

c) Further, the provisions herein do not govern the establishment and operations of campus sites with a primary function of carrying out grant and contract research where direct and indirect costs from such research are covered through external funding sources. Such locations may offer limited graduate education as appropriate to support the research mission of the site.

d) Nothing herein shall prohibit an institution from offering non-credit continuing education programs at sites away from the main campus of a college or university.

4. The State Council of Higher Education shall establish guidelines to implement this provision.

d. PERFORMANCE MEASUREMENT

1. In accordance with § 2.2-1501, Code of Virginia, the Department of Planning and Budget shall develop a programmatic budget and accounting structure for all new programs and activities to ensure that it provides the appropriate financial and performance measures to determine if programs achieve desired results and outcomes. The Department of Accounts shall provide assistance as requested by the Department of Planning and Budget. The Department of Planning and Budget shall provide this information each year when the Governor submits the budget in accordance with § 2.2-1509, Code of Virginia, to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

2.a) Within thirty days of the enactment of this act, the Director, Department of Planning and Budget, shall submit in writing to the Chairmen of the House Appropriations and Senate Finance Committees a list of the new initiatives for which appropriations are provided in this act.

b) Not later than ninety days after the end of the first year of the biennium, the Director, Department of Planning and Budget, shall prepare a report on the performance of each new initiative contained in the list, to be submitted to the Chairmen of the House Appropriations and Senate Finance Committees. The report shall compare the actual results, including expenditures, of the initiative with the anticipated results and the appropriation for the initiative. This information shall be used to determine whether the initiative should be extended beyond the beginning period. In the preparation of this report, all state agencies shall provide assistance as requested by the Department of Planning and Budget.

§ 4-5.04 GOODS AND SERVICES

a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

1. Public Information Encouraged: Each public institution of higher education is expected and encouraged to provide prospective students with accurate and objective information about its programs and services. The institution may use public funds under the control of the institution's Board of Visitors for the development, preparation and dissemination of factual information about the following subjects: academic programs; special programs for minorities; dates, times and procedures for registration; dates and times of course offerings; admission requirements; financial aid; tuition and fee schedules; and other information normally distributed through the college catalog. This information may be presented in any and all media, such as newspapers, magazines, television or radio where the information may be in the form of news, public service announcements or advertisements. Other forms of acceptable presentation would include brochures, pamphlets, posters, notices, bulletins, official catalogs, flyers available at public places and formal or informal meetings with prospective students.

2. Excessive Promotion Prohibited: Each public institution of higher education is prohibited from using public funds under the control of the institution's Board of Visitors for the development, preparation, dissemination or presentation of any material intended or designed to induce students to attend by exaggerating or extolling the institution's virtues, faculty, students, facilities or programs through the use of hyperbole. Artwork and photographs which exaggerate or extol rather than supplement or complement permissible information are prohibited. Mass mailings are generally prohibited; however, either mass mailings or newspaper inserts, but not both, may be used if other methods of distributing permissible information are not economically feasible in the institution's local service area.

3. Remedial Education: Senior institutions of higher education shall make arrangements with community colleges for the remediation of students accepted for admission by the senior institutions.

4. Compliance: The president or chancellor of each institution of higher education is responsible for the institution's compliance with this subsection.

b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

1.a) The Virginia Information Technologies Agency shall procure information technology and telecommunications goods and services of every description for its own benefit or on behalf of other state agencies and institutions, or authorize other state agencies or institutions to undertake such procurements on their own.

b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-major information technology project request from the Virginia Community College System, Longwood University, or from an institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) as of July 1, 2003, *or any procurement of information technology and telecommunications goods and services by public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of the 2008 Acts of Assembly, or Chapters 824 and 829 of the 2008 Acts of Assembly,* requests for authorization from state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University, Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, and the University of Virginia.

c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request conforms to the statewide information technology plan and the individual information technology plan of the requesting agency or institution.

d) Any procurement authorized by the Chief Information Officer or his designee for information technology and telecommunications goods and services, including geographic information systems, shall be issued by the requesting state agency or institution in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System from using the services of Network Virginia.

f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.

2. If the billing rates and associated systems for computer, telecommunications and systems development services to state agencies are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund between programs affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program appropriations affected by the altered billing systems.

3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under the provisions of § 2.2-803, Code of Virginia.

4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs, including geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data, or services which may be available or soon made available for use by state agencies, institutions, authorities, and other public bodies. State agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in identifying the development and operational requirements for proposed IT and GIS systems, products, data, and services, including the proposed use, functionality, capacity and the total cost of acquisition, operation and maintenance.

5. ~~This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly.~~ *This section shall not apply to public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of the 2008 Acts of Assembly, or Chapters 824 and 829 of the 2008 Acts of Assembly.*

6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia Information Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and laptops to their employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the appropriate fund or funds used to purchase the equipment.

c. MOTOR VEHICLES AND AIRCRAFT:

1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state without the prior written approval of the Director, Department of General Services.

2. The institutions of higher education shall be exempt from this provision but shall be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of higher education to like vehicles under the state contract. If the comparison demonstrates for a given institution that the cost to the Commonwealth is greater for like vehicles than would be the case based on a contract of statewide applicability, the Governor or his designee may suspend the exemption granted to the institution pursuant to this subparagraph c.

3. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state agencies affected by such transfers.

d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION: Except for public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, no state Executive Department agency or the State Lottery Department shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the State Lottery Department, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-2427, Code of Virginia.

e. TRAVEL: Reimbursement for the cost of travel on official business of the state government is authorized to be paid pursuant to law and regulations issued by the State Comptroller to implement such law. Notwithstanding any contrary provisions of law:

1. For the use of personal automobiles in the discharge of official duties outside the continental limits of the United States, the State Comptroller may authorize an allowance not exceeding the actual cost of operation of such automobiles;

2. The first 15,000 miles of use during each fiscal year of personal automobiles in the discharge of official duties within the continental limits of the United States shall be reimbursed at an amount equal to the most recent business standard mileage rate as established by the Internal Revenue Service for employees or self-employed individuals to use in computing their income tax deductible costs for operating passenger vehicles owned or leased by them for business purposes, or in the instance of a state employee, at the lesser of (a) the IRS rate or (b) the lowest combined capital and operational trip pool rate charged by the Department of General Services, Office of Fleet Management Services (OFMS), posted on the OFMS website at time of travel, for the use of a compact state-owned vehicle. If the head of the state agency concerned certifies that a state-owned vehicle was not available, or if, according to regulations issued by the State Comptroller, the use of a personal automobile in lieu of a state-owned automobile is considered to be an advantage to the state, the reimbursement shall be at the rate of the IRS rate. For such use in excess of 15,000 miles in each fiscal year, the reimbursement shall be at a rate of 13.0 cents per mile, unless a state-owned vehicle is not available; then the rate shall be the IRS rate;

3. The State Comptroller may authorize exemptions to restrictions upon use of common carrier accommodations;

4. The State Comptroller may authorize reimbursement by per diem in lieu of actual costs of meals and any other expense category deemed necessary for the efficient and effective operation of state government;

5. State employees traveling on official business of state government shall be reimbursed for their travel costs using the same bank account authorized by the employee in which their net pay is direct deposited; and

6. This section shall not apply to members and employees of public school boards.

f. SMALL PURCHASE CHARGE CARD, ELECTRONIC DATA INTERCHANGE, DIRECT DEPOSIT, AND PAYLINE OPT OUT: The State Comptroller is hereby authorized to charge state agencies a fee of $5 per check or earnings notice when, in his judgment, agencies have failed to comply with the Commonwealth's electronic commerce initiatives to reduce unnecessary administrative costs for the printing and mailing of state checks and earning notices. The fee shall be collected by the Department of Accounts through accounting entries.

g. PURCHASES OF APPLIANCES AND EQUIPMENT: State agencies and institutions shall purchase Energy Star rated appliances and equipment in all cases where such appliances and equipment are available.

h. ELECTRONIC PAYMENTS: Any recipient of payments from the State Treasury who receives six or more payments per year issued by the State Treasurer shall receive such payments electronically. The State Treasurer shall decide the appropriate method of electronic payment and, through his warrant issuance authority, the State Comptroller shall enforce the provisions of this section. The State Comptroller is authorized to grant administrative relief to this requirement when circumstances justify non-electronic payment.

i. LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES: It is the intent of the General Assembly that State agencies shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance, procurement, social services programs, and facilities management.

j. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except as otherwise required by federal law or state statute.

k. TELECOMMUNICATION SERVICES AND DEVICES:

1. The Chief Information Officer and the State Comptroller shall develop statewide requirements for the use of cellular telephones and other telecommunication devices by in-scope Executive Department agencies, addressing the assignment, evaluation of need, safeguarding, monitoring, and usage of these telecommunication devices. The requirements shall include an acceptable use agreement template clearly defining an employee’s responsibility when they receive and use a telecommunication device. Statewide requirements shall require some form of identification on a device in case it is lost or stolen and procedures to wipe the device clean of all sensitive information when it is no longer in use.

2. In-scope Executive Department agencies providing employees with telecommunication devices shall develop agency-specific policies, incorporating the guidance provided in § 4-5.04 k. 1. of this act and shall maintain a cost justification for the assignment or a public health, welfare and safety need.

3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to meet the needs of in-scope Executive Department agency personnel. The Chief Information Officer shall regularly procure these services and provide statewide contracts for use by all such agencies. These contracts shall require the vendors to provide detailed usage information in a useable electronic format to enable the in-scope agencies to properly monitor usage to make informed purchasing decisions and minimize costs.

4. The Chief Information Officer shall examine the feasibility of providing tools for in-scope Executive Department agencies to analyze usage and cost data to assist in determining the most cost effective plan combinations for the entity as a whole and individual users.

l. ALTERNATIVE PROCUREMENT: If any payment is declared unconstitutional for any reason or if the Attorney General finds in a formal, written, legal opinion that a payment is unconstitutional, in circumstances where a good or service can constitutionally be the subject of a purchase, the administering agency of such payment is authorized to use the affected appropriation to procure, by means of the Commonwealth's Procurement Act, goods and services, which are similar to those sought by such payment in order to accomplish the original legislative intent.

§ 4-5.05 NONSTATE AGENCIES, INTERSTATE COMPACTS AND ORGANIZATIONAL MEMBERSHIPS

a. The accounts of any agency, however titled, which receives funds from this or any other appropriating act, and is not owned or controlled by the Commonwealth of Virginia, shall be subject to audit or shall present an audit acceptable to the Auditor of Public Accounts when so directed by the Governor or the Joint Legislative Audit and Review Commission.

b.1. For purposes of this subsection, the definition of "nonstate agency" is that contained in § 2.2-1505, Code of Virginia.

2. Allotment of appropriations to nonstate agencies shall be subject to the following criteria:

a) Such agency is located in and operates in Virginia.

b) The agency must be open to the public or otherwise engaged in activity of public interest, with expenditures having actually been incurred for its operation.

3. No allotment of appropriations shall be made to a nonstate agency until such agency has certified to the Secretary of Finance that cash or in-kind contributions are on hand and available to match equally all or any part of an appropriation which may be provided by the General Assembly, unless the organization is specifically exempted from this requirement by language in this act. Such matching funds shall not have been previously used to meet the match requirement in any prior appropriation act.

4. Operating appropriations for nonstate agencies equal to or in excess of $150,000 shall be disbursed to nonstate agencies in twelve or fewer equal monthly installments depending on when the first payment is made within the fiscal year. Operating appropriations for nonstate agencies of less than $150,000 shall be disbursed in one payment once the nonstate agency has successfully met applicable match and application requirements.

5. The provisions of § 2.2-4343 A 14, Code of Virginia shall apply to any expenditure of state appropriations by a nonstate agency.

c.1. Each interstate compact commission and each organization in which the Commonwealth of Virginia or a state agency thereof holds membership, and the dues for which are provided in this act or any other appropriating act, shall submit its biennial budget request to the state agency under which such commission or organization is listed in this act. The state agency shall include the request of such commission or organization within its own request, but identified separately. Requests by the commission or organization for disbursements from appropriations shall be submitted to the designated state agency.

2. Each state agency shall submit by November 1 each year, a report to the Director, Department of Planning and Budget, listing the name and purpose for organizational memberships held by that agency with annual dues of $5,000 or more. The institutions of higher education shall be exempt from this reporting requirement.

§ 4-5.06 DELEGATION OF AUTHORITY

a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the authority of the Governor to delegate powers under the provisions of § 2.2-104 , Code of Virginia.

b. The nongeneral fund capital outlay decentralization programs initiated pursuant to § 4-5.08b of Chapter 912, 1996 Acts of Assembly as continued in subsequent appropriation acts are hereby made permanent. Decentralization programs for which institutions have executed memoranda of understanding with the Secretary of Administration pursuant to the provisions of § 4-5.08b of Chapter 912, 1996 Acts of Assembly shall no longer be considered pilot projects, and shall remain in effect until revoked.

c. Institutions wishing to participate in a nongeneral fund capital outlay decentralization program for the first time shall submit a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if appropriate, establish a decentralization program at the institution. The Cabinet Secretary shall report to the Governor and Chairmen of the Senate Finance and House Appropriations Committees by December 1 of each year all institutions that have applied for inclusion in a decentralization program and whether the institutions have been granted authority to participate in the decentralization program.

d. The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042 of the Acts of Assembly of 2003 pertaining to pilot programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

e. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and House Appropriations Committees.

f. Institutions that have executed memoranda of understanding with the Secretary of Administration for nongeneral fund capital outlay decentralization programs are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation, subdivision 3a, Code of Virginia, regarding the not to exceed amount of $100,000 for a single project, the not to exceed sum of $500,000 for all projects performed, and the option to renew for two additional one-year terms.

g. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

h. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly.

§ 4-5.07 LEASE, LICENSE OR USE AGREEMENTS

a. Agencies shall not acquire or occupy real property through lease, license or use agreement until the agency certifies to the Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for the cost of the lease, license or use agreement and (ii) except for good cause as determined by the Department of General Services, the volume of such space conforms with the space planning procedures for leased facilities developed by the Department of General Services and approved by the Governor. The Department of General Services shall acquire and hold such space for use by state departments, agencies and institutions within the Executive Branch and may utilize brokerage services, portfolio management strategies, strategic planning, transaction management, project and construction management, and lease administration strategies consistent with industry best practices as adopted by the Department from time to time. These provisions may be waived in writing by the Director, Department of General Services. However, these provisions shall not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23-38.88, Code of Virginia.

b. Agencies acquiring personal property in accordance with § 2.2-2417, Code of Virginia, shall certify to the State Treasurer that funds are available within the agency's appropriations made by this act for the cost of the lease.

§ 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS

a. The Comptroller shall not draw any warrants to issue checks for semiconductor manufacturing performance grant programs, pursuant to Title 59.1, Chapter 22.3, Code of Virginia, without a specific legislative appropriation. The appropriation shall be in accordance with the terms and conditions set forth in a memorandum of understanding between a qualified manufacturer and the Commonwealth. These terms and conditions shall supplement the provisions of the Semiconductor Manufacturing Performance Grant Program, the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program, and the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program II, as applicable, and shall include but not be limited to the numbers and types of semiconductor wafers that are produced; the level of investment directly related to the building and equipment for manufacturing of wafers or activities ancillary to or supportive of such manufacturer within the eligible locality; and the direct employment related to these programs. To that end, the Secretary of Commerce and Trade shall certify in writing to the Governor and to the Chairmen of the House Appropriations and Senate Finance Committees the extent to which a qualified manufacturer met the terms and conditions. The appropriation shall be made in full or in proportion to a qualified manufacturer's fulfillment of the memorandum of understanding.

b. The Governor shall consult with the House Appropriations and Senate Finance Committees before amending any existing memorandum of understanding. These Committees shall have the opportunity to review any changes prior to their execution by the Commonwealth.

§ 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY

a. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the departments, divisions, institutions, or agencies of the Commonwealth, or the Governor, shall sell or lease surplus real property only under the following circumstances:

1. Any emergency declared in accordance with §§ 44-146.18:2 or 44-146.28, Code of Virginia, or

2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate Finance Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such conveyance and the individual or entity taking title to such property.

3. Surplus property valued at less than $5,000,000 that is possessed and controlled by a public institution of higher education, pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

b. In any circumstance provided for in subsection a of this section, the cognizant board or governing body of the agency or institution holding title or otherwise controlling the state-owned property shall approve, in writing, the proposed conveyance of the property.

c. In accordance with § 15.2-2005, Code of Virginia, the consent of the General Assembly is herein provided for the road known as Standpipe Road, that was relocated and established on a portion of the Virginia Department of Transportation's Culpeper District Office property, identified as Tax Map No. 50-28, to improve the operational efficiency of the local road network in the Town of Culpeper. Further, the Virginia Department of Transportation is hereby authorized to convey to the Town of Culpeper, upon such terms and conditions as the Department deems proper and for such considerations the Department may determine, the property on which "Standpipe Road (Relocated)(Variable Width R/W)" on the plat entitled "plat Showing Property and Various Easements for Standpipe Road Relocated, Tax Map 50-28, Town of Culpeper, Culpeper County, Virginia" prepared by ATCS P.L.C and sealed March 14, 2012, together with easements to the Town of Culpeper for electric utility, slopes and drainage as shown on said plat. The conveyance shall be made with the approval of the Governor and in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

§ 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

a. The Commonwealth shall receive the fair market value of surplus state property which is designated by the Governor for economic development purposes, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, which shall be assessed by more than one independent appraiser certified as a Licensed General Appraiser. Such property shall not be disposed of for less than its fair market value as determined by the assessments.

b. Recognizing the commercial, business and industrial development potential of certain lands declared surplus, and for any properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest based on the deferred portion of the purchase price, the Governor shall be authorized to utilize funds available in the Governor's discretion, to meet the requirements of the preceding subsection a. Sale proceeds, together with the money from the Governor's Development Opportunity Fund, shall be deposited as provided in § 2.2-1156 D, Code of Virginia.

c. Within thirty days of closing on the sale of surplus property designated for economic development, the Governor or his designee shall report to the Chairmen of the Senate Finance and House Appropriations Committees. The report shall include information on the number of acres sold, sales price, amount of proceeds deposited to the general fund and Conservation Resources Fund, and the fair market value of the sold property.

d. Except for subaqueous lands that have been filled prior to January 1, 2006, the Governor shall not sell or convey those subaqueous lands identified by metes and bounds in Chapter 884 of the Acts of the Assembly of 2006.

I VETO THIS SECTION AS IT CONSTITUTES SEPARATE LEGISLATION. /s/ Robert F. McDonnell (6/11/12) (Vetoed item is enclosed in brackets.)

[§ 4-5.11 ASSIGNMENT OF GENERAL FUND FOR NONRECURRING EXPENDITURES

In developing the annual budget bill submitted pursuant to § 2.2-1509, Code of Virginia, including any amendments to a general appropriation act pursuant to such section, "Nonrecurring expenditures" shall mean only the acquisition or construction of capital outlay projects as defined in § 2.2-1518, Code of Virginia, the acquisition or construction of capital improvements, the acquisition of land, the acquisition of equipment, or other expenditures of a one-time nature as specified in the general appropriation act. Such term shall not include any expenditures relating to transportation, including but not limited to transportation maintenance.]

§ 4-5.12 AGREEMENTS TO SELL, LEASE OR TRANSFER OPERATION OF VIRGINIA PORT AUTHORITY FACILITIES PROHIBITED

Notwithstanding any provision of law to the contrary, the Commonwealth, or any agency or instrumentality thereof, shall not enter into any agreement for the sale, lease, or operation of any seaport, or any other capital facility under the jurisdiction of the Virginia Port Authority, in Virginia, prior to the completion of a comprehensive study of port operations by the House Appropriations and Senate Finance Committees, or by an agency or third party specifically designated by those Committees. These restrictions shall continue subsequent to the completion of such study and remain in force until an agreement for such sale, lease, or operation has been subsequently and specifically authorized in the general appropriation act adopted by the General Assembly provided, however, that the Commonwealth, or any agency or instrumentality thereof, may, in the ordinary course of business and in accordance with reasonable commercial standards, enter into a lease for a portion of a port facility for the movement of non-containerized cargo if such lease does not materially affect the ownership or operation of the port facility as a whole.

§ 4-6.00 POSITIONS AND EMPLOYMENT

§ 4-6.01 EMPLOYEE COMPENSATION

a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions of this subsection.

b. Annual salaries of persons appointed to positions by the General Assembly, pursuant to the provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, shall be paid in the amounts shown.

	July 1, 2012 to June 24, 2013	**June 25, 2013 to November 24, 2013**	**November 25, 2013 to June 30, 2014**
Chief of Staff	$160,459	$160,459	$160,459
Secretary of Administration	$152,793	$152,793	$152,793
Secretary of Agriculture and Forestry	$152,793	$152,793	$152,793
Secretary of Commerce and Trade	$160,433	$160,433	$160,433
Secretary of the Commonwealth	$152,793	$152,793	$152,793
Secretary of Education	$152,793	$152,793	$152,793
Secretary of Finance	$160,433	$160,433	$160,433
Secretary of Health and Human Resources	$152,793	$152,793	$152,793
Secretary of Natural Resources	$152,793	$152,793	$152,793
Secretary of Public Safety	$160,433	$160,433	$160,433
Secretary of Technology	$152,793	$152,793	$152,793
Secretary of Transportation	$160,433	$160,433	$160,433
Secretary of Veterans Affairs and Homeland Security	$160,433	$160,433	$160,433

c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.

b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a ten percent increase from an appointee's preappointment compensation. In such cases, an appointee's starting salary may be set at a rate which is ten percent higher than the preappointment compensation, provided that the maximum of the range is not exceeded. However, in instances where an appointee's preappointment compensation exceeded the maximum of the respective salary range, then the salary for that appointee may be set at the maximum salary for the respective salary range.

c) Nothing in subdivision c 1 shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of this act.

d) For new appointees to positions listed in § 4-6.01c.6., the Governor is authorized to provide for fringe benefits in addition to those otherwise provided by law, including post retirement health care and other non-salaried benefits provided to similar positions in the public sector.

2.a)1) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at a rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in accordance with an assessment of performance and service to the Commonwealth.

2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions listed in subdivision c.7. below at a rate of up to 10 percent in any fiscal year between the minimum and maximum of the respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over and above the salaries listed in this act, and shall not become part of the base rate of pay.

2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to the Department of Human Resource Management for retention in its records.

3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as creditable compensation for the calculation of such benefits.

4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

5. With the written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, the Science Museum of Virginia, the Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, *Gunston Hall*, the Library Board, and the Virginia College Savings Plan Board may supplement the salary of the Director of each museum, the Librarian of Virginia, and the Director of the Virginia College Savings Plan Board from nonstate funds. In approving a supplement, the Governor should be guided by criteria which provide a reasonable limit on the total additional income and the criteria should include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of other states. The respective Boards shall report approved supplements to the Department of Human Resource Management for retention in its records.

6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be subject to subdivisions c 2 through c 5 above.

	July 1, 2012 to June 24, 2013	**June 25, 2013 to November 24, 2013**	**November 25, 2013 to June 30, 2014**
Level I Range	**$143,449 - $198,450**	**$143,449 - $198,450**	**$143,449 - $198,450**
Midpoint	**$170,950**	**$170,950**	**$170,950**
Chief Information Officer, Virginia Information Technologies Agency	$157,500	$157,500	$157,500
Commissioner, Department of Motor Vehicles	$143,449	$143,449	$143,449
Commissioner, Department of Social Services	$147,000	$147,000	$147,000

Commissioner, Department of Behavioral Health and Developmental Services	$191,672	$191,672	$191,672
Commonwealth Transportation Commissioner	$198,450	$198,450	$198,450
Director, Department of Corrections	$150,000	$150,000	$150,000
Director, Department of Environmental Quality	$157,729	$157,729	$157,729
Director, Department of Medical Assistance Services	$165,669	$165,669	$165,669
Director, Department of Planning and Budget	$157,500	$157,500	$157,500
State Health Commissioner	$191,906	$191,906	$191,906
State Tax Commissioner	$143,646	$143,646	$143,646
Superintendent of Public Instruction	$175,467	$175,467	$175,467
Superintendent of State Police	$153,076	$153,076	$153,076

	July 1, 2012 to June 24, 2013	**June 25, 2013 to November 24, 2013**	**November 25, 2013 to June 30, 2014**
Level II Range	**$100,800 - $157,249**	**$100,800 - $157,249**	**$100,800 - $157,249**
Midpoint	**$129,025**	**$129,025**	**$129,025**
Alcoholic Beverage Control Commissioner	$120,000	$126,000	$126,000
Alcoholic Beverage Control Commissioner	$122,000	$122,000	$122,000
Chairman, Alcoholic Beverage Control Board	$130,978	$130,978	$130,978
Commissioner, Department of Agriculture and Consumer Services	$120,000	$120,000	$120,000
Commissioner, Department of Veterans Services	$120,000	$120,000	$120,000
Commissioner, Virginia Employment Commission	$128,100	$128,100	$128,100
Executive Director, Department of Game and Inland Fisheries	$130,977	$130,977	$130,977

Commissioner, Marine Resources Commission	$115,395	$115,395	$115,395
Director, Department of Business Assistance	$100,800	$100,800	$100,800
Director, Department of Forensic Science	$153,972	$153,972	$153,972
Director, Department of General Services	$148,293	$148,293	$148,293
Director, Department of Mines, Minerals and Energy	$124,888	$124,888	$124,888
Director, Department of Human Resource Management	$137,955	$137,955	$137,955
Director, Department of Juvenile Justice	$120,750	$120,750	$120,750
Director, Department of Rail and Public Transportation	$132,132	$132,132	$132,132
Executive Director, DMV Dealer Board	$115,445	$115,445	$115,445
Executive Director, Virginia Port Authority	$137,186	$137,186	$137,186
State Comptroller	~~$140,671~~ *$157,249*	~~$140,671~~ *$157,249*	~~$140,671~~ *$157,249*
State Treasurer	$157,249	$157,249	$157,249

	July 1, 2012 to June 24, 2013	**June 25, 2013 to November 24, 2013**	**November 25, 2013 to June 30, 2014**
Level III Range	**$101,493- $139,535**	**$101,493- $139,535**	**$101,493- $139,535**
Midpoint	**$120,514**	**$120,514**	**$120,514**
Adjutant General	$132,890	$132,890	$132,890
Chairman, Virginia Parole Board	$120,750	$120,750	$120,750
Commissioner, Department of Labor and Industry	$110,250	$110,250	$110,250
Commissioner, Department ~~of~~ *for Aging and* Rehabilitative Services	$130,815	$130,815	$130,815
Coordinator, Department of Emergency Management	$120,383	$120,383	$120,383

Director, Department of Aviation	$127,937	$127,937	$127,937
Director, Department of Conservation and Recreation	~~$134,400~~ *$128,000*	~~$134,400~~ *$128,000*	~~$134,400~~ *$128,000*
Director, Department of Criminal Justice Services	$113,400	$113,400	$113,400
~~Director, Department of Employment Dispute Resolution~~	~~$111,758~~	~~$111,758~~	~~$111,758~~
Director, Department of Health Professions	$126,127	$126,127	$126,127
Director, Department of Historic Resources	$105,189	$105,189	$105,189
Director, Department of Housing and Community Development	$124,335	$124,335	$124,335
Director, Department of Professional and Occupational Regulation	$112,000	$112,000	$112,000
Director, The Science Museum of Virginia	$128,767	$128,767	$128,767
Director, Virginia Museum of Fine Arts	$133,726	$133,726	$133,726
Director, Virginia Museum of Natural History	$110,250	$110,250	$110,250
Executive Director, Jamestown-Yorktown Foundation	$127,940	$127,940	$127,940
Executive Secretary, Virginia Racing Commission	$108,472	$108,472	$108,472
Librarian of Virginia	$139,535	$139,535	$139,535
State Forester, Department of Forestry	$101,493	$101,493	$101,493
~~Superintendent, Department of Correctional Education~~	~~$128,873~~	~~$128,873~~	~~$128,873~~

	July 1, 2012 to June 24, 2013	**June 25, 2013 to November 24, 2013**	**November 25, 2013 to June 30, 2014**
Level IV Range	~~**$76,745 - $109,309**~~ ***$98,214 -$109,725***	~~**$76,745 - $109,309**~~ ***$98,214 -$109,725***	~~**$76,745 - $109,309**~~ ***$98,214 -$109,725***
Midpoint	~~**$93,235**~~ ***$103,970***	~~**$93,235**~~ ***$103,970***	~~**$93,235**~~ ***$103,970***

Administrator, Commonwealth's Attorneys' Services Council	$98,214	$98,214	$98,214
~~Commissioner, Department for the Aging~~	~~$109,309~~	~~$109,309~~	~~$109,309~~
Commissioner, Virginia Department for the Blind and Vision Impaired	$109,725	$109,725	$109,725
Director, Department of Minority Business Enterprise	$101,130	$101,130	$101,130
Executive Director, Board of Accountancy	$109,200	$109,200	$109,200
Executive Director, Frontier Culture Museum of Virginia	$106,139	$106,139	$106,139
~~Human Rights Director, Human Rights Council~~	~~$76,745~~	~~$76,745~~	~~$76,745~~
Secretary, State Board of Elections	$104,000	$104,000	$104,000

	July 1, 2012 to June 24, 2013	**June 25, 2013 to November 24, 2013**	**November 25, 2013 to June 30, 2014**
Level V Range	**$20,288 - $88,583**	**$20,288 - $88,583**	**$20,288 - $88,583**
Midpoint	**$54,436**	**$54,436**	**$54,436**
Director, Gunston Hall	$86,176	$86,176	$86,176
Director, Virginia Department for the Deaf and Hard-of-Hearing	$88,583	$88,583	$88,583
Executive Director, Department of Fire Programs	$87,360	$87,360	$87,360
~~Executive Director, Towing and Recovery Operators~~	~~$79,498~~	~~$79,498~~	~~$79,498~~
Executive Director, Virginia Commission for the Arts	$86,283	$86,283	$86,283
Chairman of Board Chairman, Compensation Board	$20,288	$20,288	$20,288

7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts shown. All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.

	July 1, 2012 to June 24, 2013	June 25, 2013 to November 24, 2013	November 25, 2013 to June 30, 2014
Independent Range	**$127,846 - $170,352**	**$127,846 - $170,352**	**$127,846 - $170,352**
Midpoint	**$149,099**	**$149,099**	**$149,099**
Director, State Lottery Department	$142,719	$142,719	$142,719
Executive Director, Virginia Office for Protection and Advocacy	$127,846	$127,846	$127,846
Director, Virginia Retirement System	$170,352	$170,352	$170,352
Chief Executive Officer, Virginia College Savings Plan	$170,352	$170,352	$170,352

8. Notwithstanding any provision of this Act, the Board of Trustees of the Virginia Retirement System may supplement the salary of its Director. The Board should be guided by criteria, which provide a reasonable limit on the total additional income of the Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in comparable public pension plans. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

d.1. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of the State Council of Higher Education, the Director of the Southern Virginia Higher Education Center, the Director of the Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be paid in the amounts shown. The annual salaries of the presidents of the community colleges shall be fixed by the State Board for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

2.a) The board of visitors of each institution of higher education or the boards of directors for Southern Virginia Higher Education Center, Southwest Virginia Higher Education Center, and the New College Institute may annually supplement the salary of a president or director from private gifts, endowment funds, foundation funds, or income from endowments and gifts. Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a supplement, the board of visitors or board of directors should be guided by criteria which provide a reasonable limit on the total additional income of a president or director. The criteria should include a consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The board of visitors or board of directors shall report approved supplements to the Department of Human Resource Management for retention in its records.

b) The State Board for Community Colleges may annually supplement the salary of the Chancellor from any available appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community Colleges should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The criteria should include consideration of additional income from outside sources including, but not being limited to, service on boards of directors or other such services. The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

c) Norfolk State University is authorized to supplement the salary of its president from educational and general funds up to $17,000.

d) Should a vacancy occur for the Director of the State Council of Higher Education on or after the date of enactment of this act, the salary for the new director shall be established by the State Council of Higher Education based on the salary range for Level I agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the new director.

July 1, 2012 to June 24, 2013	June 25, 2013 to November 24, 2013	November 25, 2013 to June 30, 2014

NEW COLLEGE INSTITUTE			
Executive Director, New College Institute	$123,524	$123,524	$123,524
STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA			
Director, State Council of Higher Education for Virginia	$182,490	$182,490	$182,490
SOUTHERN VIRGINIA HIGHER EDUCATION CENTER			
Director, Southern Virginia Higher Education Center	$124,925	$124,925	$124,925
SOUTHWEST VIRGINIA HIGHER EDUCATION CENTER			
Director, Southwest Virginia Higher Education Center	$128,300	$128,300	$128,300
VIRGINIA COMMUNITY COLLEGE SYSTEM			
Chancellor of Community Colleges	$167,243	$167,243	$167,243
SENIOR COLLEGE PRESIDENTS' SALARIES			
Chancellor, University of Virginia's College at Wise	$127,221	$127,221	$127,221
President, Christopher Newport University	$130,805	$130,805	$130,805
President, The College of William and Mary in Virginia	$157,249	$157,249	$157,249
President, George Mason University	$148,307	$148,307	$148,307
President, James Madison University	$153,183	$153,183	$153,183
President, Longwood University	$147,127	$147,127	$147,127
President, Norfolk State University	$143,627	$143, 627	$143, 627
President, Old Dominion University	$165,777	$165,777	$165,777
President, Radford University	$150,805	$150,805	$150,805
President, Richard Bland College	$129,200	$129,200	$129,200

President, University of Mary Washington	$140,447	$140,447	$140,447
President, University of Virginia	$176,104	$176,104	$176,104
President, Virginia Commonwealth University	$176,104	$176,104	$176,104
President, Virginia Polytechnic Institute and State University	$184,919	$184,919	$184,919
President, Virginia State University	$143,624	$143,624	$143,624
Superintendent, Virginia Military Institute	$142,297	$142,297	$142,297

e. 1. Salaries for newly employed or promoted employees shall be established consistent with the compensation and classification plans established by the Governor.

2. The State Comptroller is hereby authorized to require payment of wages or salaries to state employees by direct deposit or by credit to a prepaid debit card or card account from which the employee is able to withdraw or transfer funds.

f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to any system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing any such system shall be paid from any funds appropriated to the affected agencies.

g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in § 2.2-1201.12, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected agencies.

i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body to provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular geographic and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries which enable the Commonwealth to maintain a competitive position in the relevant labor market.

j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall pay one-half of the salary listed in § 4-6.01 c 6 of this act. Further, such institution may provide compensation in addition to that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.

k.1.a) Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role contained in the compensation and classification plans approved by the Governor shall be effective beginning with the first pay period, defined as the pay period from June 25 through July 9, of the fiscal year if: (1) the agency certifies to the Secretary of Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the current biennium and presents a plan for covering the costs next biennium and the Secretary concurs, or (2) such funds are appropriated by the General Assembly. If at any time the Secretary of Administration shall certify that such change in the salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are available to cover the cost of the increase for the remainder of the biennium within the agency’s appropriation, such change in compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide a monthly report of all such emergency changes in accordance with § 4-8.00, Reporting Requirements.

b) Notwithstanding any other provision of law, state employees will be paid on July 2, 2012, for the work period June 10 to June 24, 2012.

2. Salary adjustments for any employee through a promotion, role change, exceptional recruitment and retention incentive options, or in-range adjustment shall occur only if: a) the agency has sufficient funds within its appropriation to cover the cost of the salary adjustment for the remainder of the current biennium or b) such funds are appropriated by the General Assembly.

3. No changes in salary band assignments affecting classified employees of more than one agency shall become effective unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected employees supported from the general fund.

l. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are appointed to a state-level board, council, commission or similar collegial body shall not receive any such compensation for their services as members or chairmen except for reimbursement of reasonable and necessary expenses. The foregoing provision shall likewise apply to the Compensation Board, pursuant to § 15.2-1636.5, Code of Virginia.

m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early retirement incentive plans for their respective institutions pursuant to § 23-9.2:3.1 B and the cash payment offered under such compensation plans pursuant to § 23-9.2:3.1 D, Code of Virginia. Notwithstanding the limitations in § 23-9.2:3.1 D, the total cost in any fiscal year for any such compensation plan , shall be set forth by the governing body in the compensation plan for approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals appointed to full-time, 12-month classified positions.

n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed $5,000 and the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System pursuant to § 51.1-1103 (F), Code of Virginia.

o. It is the intent of the General Assembly that calculation of the faculty salary benchmark goal for the Virginia Community College System shall be done in a manner consistent with that used for four-year institutions, taking into consideration the number of faculty at each of the community colleges. In addition, calculation of the salary target shall reflect an eight percent salary differential in a manner consistent with other public four-year institutions and for faculty at Northern Virginia Community College.

p. Any public institution of higher education that has met the eligibility criteria set out in Chapters 933 and 945 of the 2005 Acts of Assembly may supplement annual salaries for classified employees from private gifts, endowment funds, or income from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general fund obligations for the continuation of such salary supplements.

q. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in this item, and other items in the Act, to reflect the compensation adjustments authorized in Item 468 of this Act.

§ 4-6.02 EMPLOYEE TRAINING AND STUDY

Subject to uniform rules and regulations established by the Governor, the head of any state agency may authorize, from any funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose, compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic studies for the purpose of becoming better equipped for their employment in the state service. The rules and regulations shall include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

§ 4-6.03 EMPLOYEE BENEFITS

a. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state employee, as defined in § 2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

b. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

c. Each agency may, within the funds appropriated by this act, implement a transit and ridesharing incentive program for its employees. With such programs, agencies may reimburse employees for all or a portion of the costs incurred from using public transit, car pools, or van pools. The Secretary of Transportation shall develop guidelines for the implementation of such

programs and any agency program must be developed in accordance with such guidelines. The guidelines shall be in accordance with the federal National Energy Policy Act of 1992 (P.L. 102-486), and no program shall provide an incentive that exceeds the actual costs incurred by the employee.

d. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State Employee Health Insurance Program pursuant to § 2.2-2818, Code of Virginia, provided that (1) such hospital is not a participating provider in the network, contracted by the Department of Human Resource Management, that serves state employees and (2) such hospital enters into a written agreement with the Department of Human Resource Management as to the rates of reimbursement. The department shall accept the lowest rates offered by the hospital from among the rates charged by the hospital to (1) its largest purchaser of care, (2) any state or federal public program, or (3) any special rate developed by the hospital for the state employee health benefits program which is lower than either of the rates above. If the department and the hospital cannot come to an agreement, the department shall reimburse the hospital at the rates contained in its final offer to the hospital until the dispute is resolved. Any dispute shall be resolved through arbitration or through the procedures established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial review.

e. Any classified employee of the Commonwealth and any person similarly employed in the legislative, judicial and independent agencies who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and retirement programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the programs under this provision.

f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia who: 1) returns to work in a position that is covered by the provisions of § 51.1-155.1, Code of Virginia after a break of not less than four years, 2) receives no other compensation for service to a public employer than that provided for the position covered by § 51.1-155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such period of reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

a) Revert to the previous retirement benefit received under the provisions of § 51.1-155.1, Code of Virginia, including any annual cost of living adjustments granted thereon. This benefit may be adjusted upward to reflect the effect of such additional months of service and compensation received during the period of reemployment, or

b) Retire under the provisions of Title 51.1 in effect at the termination of his or her period of reemployment, including any purchase of service that may be eligible for purchase under the provisions of §51.1-142.2, Code of Virginia.

2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits provided for in this paragraph.

g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be eligible for the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance payment to purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia. Such service purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final compensation, whichever is greater, and shall be completed within 90 days of separation of service.

i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and

2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation of creditable service.

j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable compensation for each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i) "state employee," as defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial Retirement System under Chapter 3 of Title 51.1 (§ 51.1-300 et seq.), who is not a "person who becomes a member on or after July 1, 2010," as defined in § 51.1-124.3, Code of Virginia.

§ 4-6.04 CHARGES

a. FOOD SERVICES: Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the calculation of meal charges and revenues collected. Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund. The provisions of this paragraph shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections, Juvenile Justice, and Correctional Education.

b. HOUSING SERVICES:

1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned or leased housing and for documenting in writing why the rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

c. PARKING SERVICES :

1. State-owned parking facilities

Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. –

2. Leased parking facilities in metropolitan Richmond area

Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of higher education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are otherwise available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private parking space. In such cases, the individual employee parking fee shall not be less than that paid by employees parking in Department of General Services parking facilities at the Seat of Government. The Director, Department of General Services may amend or waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains. Any lease for private parking space must be approved by the Director, Department of General Services.

3. The assignment of Lot P1A of the Department of General Services, Capitol Area Site Plan, to include parking spaces 1 through 37, but excluding spaces 34 and 36, which shall be reserved for the Department of General Services, and the surrounding surfaces around those spaces shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Any employee permanently assigned to any of these spaces shall be subject to the provisions of paragraph 1 of this item.

§ 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia (the Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are strictly observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

§ 4-6.06 POSITIONS GOVERNED BY CHAPTERS 933 AND 943 OF THE 2006 ACTS OF ASSEMBLY

Except as provided in subsection A of § 23-38.114 of the Code of Virginia, § 4-6.00 shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly with regard to their participating covered employees, as that term is defined in those two chapters, except to the extent a specific appropriation or language in this act addresses such an employee.

§ 4-7.00 STATEWIDE PLANS

§ 4-7.01 MANPOWER CONTROL PROGRAM

a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies.

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or compliance with judicial orders or federal mandates, to support federal grants or private donations, to administer a program for another agency or to address an immediate increase in workload or responsibility or when to delay approval of increased positions would result in a curtailment of services prior to the next legislative session. Any such position level increases pursuant to this provision may not be approved for more than one year.

b. The Position Levels stipulated for the individual agencies within the Department of Behavioral Health and Developmental Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided that such changes do not result in exceeding the Position Level for that department.

c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient operation of programs.

2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists requiring a change in the official estimate of general fund revenues available for appropriation.

d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.

2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon workload and funding availability.

3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 46102, Social Security Disability Determination, at the Department of Rehabilitative Services are for reference only and may fluctuate depending upon workload and funding availability.

4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director, Department of Planning and Budget.

5. Positions assigned to Item Details 47001, Job Placement Services; 47002, Unemployment Insurance Services; 47003, Workforce Development Services; and 53402, Economic Information Services, at the Virginia Employment Commission are for reference only and may fluctuate depending upon workload and funding availability. Unless otherwise required by the funding source, after enactment of this act, any new positions hired using this provision shall not be subject to transitional severance benefit provisions of the Workforce Transition Act of 1995, Title 2.2, Chapter 32, Code of Virginia.

e. Prior to implementing any Executive Department hiring freeze, the Governor shall consider the needs of the Commonwealth in regards to the safe and efficient operation of state facilities and performance of essential services to include the exemption of certain positions assigned to agencies and institutions that provide services pertaining to public safety and public health from such hiring freezes.

f.1. Full-time, part-time, wage or contractual state employees assigned to the Governor's Cabinet Secretaries from agencies and institutions under their control for the purpose of carrying out temporary assignments or projects may not be so assigned for a period exceeding 180 days in any calendar year. The permanent transfer of positions from an agency or institution to the Offices of the Secretaries, or the temporary assignment of agency or institutional employees to the Offices of the Secretaries

for periods exceeding 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited without the prior approval of the General Assembly.

2. Not more than three positions in total, as described in subsection 1 hereof, may be assigned at any time to the Office of any Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the House Appropriations and Senate Finance Committees in the case of any such approvals.

g. In accordance with the Affordable Care Act, all state employees in all branches of government who work 30 hours or more per week on average per month are considered to be, for health benefits purposes only, full-time employees eligible to participate in the health benefits plan for state employees with the standard contribution. Wage employees in the legislative, judicial, executive, and independent branches of government may not work more than 29 hours per week on average over a 12 month period. Since the federal regulations are currently under development, the Department of Human Resource Management (DHRM) shall provide program requirements to agencies and employees, including information on wage, variable and seasonal employees, prior to the effective date of the law. To comply with federal law, all state agencies in all branches of government shall provide information requested by DHRM concerning wage employees and hours worked by employees. Agencies are accountable for compliance with this provision, and are responsible for any costs associated with any violations.

§ 4-8.00 REPORTING REQUIREMENTS

§ 4-8.01 GOVERNOR

a. General:

1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget.

2. The Governor shall make available annually to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically appropriated, their sources, and the amounts for each agency affected.

3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific reporting requirements that the Governor may consider suspending.

b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect, use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to collect the information; or (3) the information collected is central to an essential state process mandated by the Code of Virginia.

c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended or modified as specified below:

Agency	Report Title of Descriptor	Authority	Action
Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23-1.1.	Suspend reporting.
Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.
Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive — Executive Order 89 (2005)	Suspend reporting.
Department of General Services	Gas Report/Repair Charge	Agency Directive—Executive Order 89 (2005)	Suspend reporting.
Department of Human Resource Management	Report of Personnel Development Service	Agency Directive	~~Change reporting from quarterly to annually.~~ *Suspend reporting.*

Department of Human Resource Management	*Human Capital Report (Full-Time, Part-Time, Temporary, Contractual employees funded by the Commonwealth)*	*Code of Virginia § 2.2-1201. A. 14.*	*Change reporting from annually to monthly.*
Department of Human Resource Management State Employee Workers' Compensation Program	Work-related injuries and illnesses report — goals, strategies, and results	Agency Directive — Executive Order 94 (2005)	Suspend reporting.
Governor's Office	Small, Women-and Minority-owned Businesses (SWaM)	Executive Directive	Change reporting from weekly to monthly.
Secretary of Commerce and Trade	Recruitment of National and Regional Conferences Report	Agency Directive — Executive Order 14 (2006)	Suspend reporting.

d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall work jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral fund revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for use in collecting nongeneral fund data for DPB's six-year nongeneral fund revenue estimate submission and SCHEV's annual survey of nongeneral fund revenue from institutions of higher education.

b. Operating Appropriations Reports:

1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments, transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this act shall be made to the Chairmen of the House Appropriations and Senate Finance Committees by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current biennium.

3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for economic contingency.

4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.

5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.

6. Status of approvals of deficits.

c. Employment Reports:

1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions and the agencies affected.

2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter 1 of Title 33.1, Code of Virginia, on behalf of the Commonwealth Transportation Commissioner, as authorized by § 2.2-510, Code of Virginia. This report shall include fees for special counsel for the respective county or city for which the expenditure is made and shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).

3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.

4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration, in cooperation with the Secretary of Technology, shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and localities have adopted telecommuting policies, the number of state employees who telecommute, the frequency with which state employees telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state services and completing state functions. This report shall be provided to the Chairmen of the House Committee on Appropriations, the House Committee on Science and Technology, the Senate Committee on Finance, and the Senate Committee on General Laws and Technology each year by October 1.

d. Capital Appropriations Reports:

1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).

2. Notice of all capital projects authorized under § 4-4.01 m (see § 4-4.01 m. 1. b) 4)).

e. Utilization of State Owned and Leased Real Property:

1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General Assembly and include (i) information on the implementation and effectiveness of the program established pursuant to subsection A of § 2.2-1131.1, (ii) a listing of real property leases that are in effect for the current year, the agency executing the lease, the amount of space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report on DGS's findings and recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be required by the Governor and the General Assembly to identify and dispose of property not being efficiently and effectively utilized.

2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS lease administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

f. Services Reports:

Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the operation of any academic program by any state institution of higher education, unless approved by the Council and included in the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

g. Standard State Agency Abbreviations:

The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of state agencies. The Department shall submit to the Chairmen of the House Appropriations and Senate Finance Committees, the State Comptroller, the Director, Department of Human Resource Management and the Chief Information Officer, Virginia Information Technologies Agency, on or before June 1 annually, a report on such standard abbreviations and any changes thereto.

h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning and Budget:

The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget, shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance Committees on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each public college and university contained in this budget. The report shall include actual or projected adjustments which increase nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The report shall provide the justification for the increase or transfer and the relative impact on student groups.

§ 4-8.02 STATE AGENCIES

a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and to the State Comptroller.

b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit, electronically if available, copies to the Chairmen of the Senate Finance and House Appropriations Committees.

c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance Committees.

§ 4-9.00 HIGHER EDUCATION RESTRUCTURING

§ 4-9.01 APPROVAL OF MANAGEMENT AGREEMENT FOR VIRGINIA COMMONWEALTH UNIVERSITY

The exceptions and authority granted in this act pursuant to Chapters 933 and 943 of the 2006 Acts of Assembly shall also be granted pursuant to Chapters 594 and 616 of the 2008 Acts of Assembly. It is the intent of the General Assembly that this act be enrolled to include references to Chapters 594 and 616 of the 2008 Acts of Assembly, in sections where Chapters 933 and 943, Acts of Assembly of 2006 are referenced.

§ 4-9.02 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

Consistent with § 23-9.6:1.01, Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no later than ~~June 1 of each year~~ *October 1 of each even-numbered year*. Institutional performance on measures set forth in paragraph D of this section shall be evaluated year-to-date by the Secretaries of Finance, Administration, and Technology as appropriate, and communicated to the State Council of Higher Education before ~~June 1 of each year~~ *October 1 of each even-numbered year*. Financial benefits provided to each institution in accordance with § 2.2-5005 will be evaluated in light of that institution's performance.

~~In general, institutions are expected to achieve their agreed upon targets and standards on all performance measures in order to be certified by SCHEV. However, the State Council, in working with each institution, shall establish a threshold of permitted variance from targets for each education-related measure, as appropriate. The Council shall review and, if in agreement, approve institutional targets and thresholds.~~

In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of financial benefits.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of performance.

The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

~~a. ANNUAL ASSESSMENTS~~

~~1. Access~~

~~a) Institution meets 95 percent of its State Council-approved biennial projection of total in-state student enrollment within the prescribed range of permitted variance.~~

~~b) Institution maintains acceptable progress towards agreed upon targets for the percentage of in-state undergraduate students from under-represented populations. (Such populations include low income, first-generation college status, geographic origin within Virginia, race, and ethnicity, or other populations as may be identified by the State Council.)~~

~~c) Institution annually meets at least 95 percent of its undergraduate and 90 percent of its graduate and first-professional State Council-approved estimates of degrees awarded.~~

~~2. Affordability~~

~~Institution establishes annual targets of graduation rates according to financial aid status with the intent of achieving, where appropriate, a similar graduation rate for each cohort of students. Three cohorts of students shall be used for this measure, as they are identified in their first year of enrollment at the institution:~~

~~i. Students receiving Pell grants.~~

~~ii. Students receiving forms of need-based financial assistance other than Pell grants.~~

~~iii. Students receiving no need-based financial assistance.~~

~~Four-year institutions shall set targets based on four-year and six-year graduation rates.~~

~~The Virginia Community College System and Richard Bland College shall use two-year and four-year graduation rates.~~

~~3. Breadth of Academics~~

~~Institution maintains acceptable progress towards agreed upon targets for the number of graduates in high-need areas, as identified by the State Council of Higher Education.~~

~~4. Academic Standards~~

~~Institution reports on total programs reviewed under Southern Association of Colleges and Schools assessment of student learning outcomes criteria within the institution's established assessment cycle in which continuous improvement plans addressing recommended policy and program changes were implemented.~~

~~5. Student Retention and Timely Graduation~~

~~a) Institution maintains acceptable progress towards agreed upon targets for the average annual retention and progression rates of degree-seeking undergraduate students.~~

~~b) Institution maintains acceptable progress towards agreed upon targets for the ratio of total undergraduate degree awards to the number of annual full-time equivalent, degree-seeking undergraduate students.~~

~~6. Articulation Agreements and Dual Enrollment~~

~~a) Institution maintains acceptable progress towards agreed upon targets for the total number of transfer students, including as a priority those with an associate degree, from Virginia's public two-year colleges with the expectation that the general education credits from those institutions apply toward general education baccalaureate degree requirements.~~

~~b) The Virginia Community College System and Richard Bland College maintain acceptable progress towards agreed upon targets for the number of students involved in dual enrollment programs.~~

~~7. Research~~

~~Institution maintains acceptable progress towards agreed upon targets for the three-year moving average of total expenditures in grants and contracts for research.~~

~~b.~~ *a.* BIENNIAL ASSESSMENTS

~~1. Affordability~~

~~a) Institution includes in its six-year plan the expected average borrowing of in-state students with established financial need, and the percentage of those students who borrow, and states its commitment to limit, where possible, the average borrowing to a level that maintains or increases access while not unduly compromising affordability.~~

~~b) Institution conducts a biennial assessment of the impact of tuition and fee levels net of financial aid on student indebtedness incurred for the payment of tuition and fees and provides the State Council with a copy of this study upon its completion and makes appropriate reference to its use within the required six-year plan. The institution shall also make a parent- and student-friendly version of this assessment widely available on the institution's website. The assessment should include, but is not limited to, the following information for in-state undergraduate students: a five-year historical overview of average tuition and fees, average federal loans and grants, average institutional aid, average state support, and average total debt burden.~~

~~c) This report, along with institutional tuition and fee information shall be prominently located on the institution's web site.~~

~~d) Institution will provide an addendum to the six-year plan identifying the steps it is taking to maintain its effort to meet the needs of in-state undergraduate financially-needy students taking into account tuition and fees, state appropriations, and financial need of these students.~~

~~2. Academic Standards˙Productivity~~

~~Institution reports biennially the ratio of degrees conferred per full-time equivalent instructional faculty member.~~

~~3. Articulation Agreements~~

~~Institution maintains acceptable progress towards agreed upon targets for the number of undergraduate programs or schools for which it has established a uniform articulation agreement by program or school for associate degree graduates transferring from all colleges of the Virginia Community College System and Richard Bland College.~~

~~4. Economic Development~~

~~Institution develops a specific set of actions to help address local and/or regional economic development needs consisting of specific partners, activities, fiscal support, and desired outcomes. A summary of activities will be reported to the State Council biennially.~~

~~5. Patents and Licenses~~

~~Institution reports biennially to the State Council the annual number of new patent awards and licenses.~~

1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount enrollment.

2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate and bachelor degree awards.

3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.

4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time equivalent students.

5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented populations.

6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

~~6.~~ *b.* Elementary and Secondary Education

~~a) Institution develops a specific set of actions with schools or school division administrations with specific goals to improve student achievement, upgrade the knowledge and skills of teachers, or strengthen the leadership skills of school administrators. A summary of activities and the improvements in student learning, if any, shall be reported to the State Council biennially.~~

~~b)~~ *1.* The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

~~c) 1.~~ *2. a)* The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

~~2.~~ *b)* Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher Education for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use, share, and maintain de-identified student data to improve student and program performance including those for career readiness.

~~d)~~ *3.* Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards of Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the same purpose. All information provided to the Superintendent or his designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning and shall not be redisclosed, except as provided under federal law. All information shall be destroyed when no longer needed for the purposes of studying the content and rigor of the Standards of Learning.

~~7. Campus Safety and Security~~

~~The institution shall work to adopt an acceptable number of the 27 Best Practice Recommendations for Campus Safety adopted by the Virginia Crime Commission on January 10, 2006. Each practice shall be considered by the institution as to how it fits in with current practices and the needs of the institution. Following each biennium of reporting, the institution shall enumerate those practices adopted by the institution.~~

c. SIX-YEAR PLAN

Institution prepares six-year financial plan consistent with § 23-9.2:3.02.

d. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to all institutions except those governed under Chapters 933 and 943 of the 2006 Acts of Assembly and the institution governed under Chapters 594 and 616 of the 2008 Acts of Assembly.

1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and administrative standards:

a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be prudently issued within a specified period.

3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15 percent from the established goal will be acceptable.

4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted to the Department of Minority Business Enterprise; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable.

The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet procurement system (eVA) from vendor locations registered in eVA.

5. The institution will complete capital projects (with an individual cost of over $1,000,000) within the budget originally approved by the institution's governing board for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun.

6. The institution will complete major information technology projects (with an individual cost of over $1,000,000) within the budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay.

e. FINANCIAL AND ADMINISTRATIVE STANDARDS

The financial and administrative standards apply to institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and the institution governed under Chapters 594 and 616 of the 2008 Acts of Assembly. They shall be measured by the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act. However, the Governor may supplement or replace those administrative performance measures with the administrative performance measures listed in this paragraph. Effective July 1, 2009, the following administrative and financial measures shall be used for the assessment of institutional performance for institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and those governed under Chapters 594 and 616 of the 2008 Acts of Assembly.

1. Financial

a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

2. Debt Management

a) The institution shall maintain a bond rating of AA- or better;

b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and

c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt management policy.

3. Human Resources

a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover rate for state classified employees within a variance of 15 percent; and

b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for the fiscal year.

4. Procurement

a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan as submitted to the Department of Minority Business Enterprise; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable; and

b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

5. Capital Outlay

a) The institution will complete capital projects (with an individual cost of over $1,000,000) within the budget originally approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun;

b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2 percent of the guaranteed maximum price (GMP) or construction price; and

c) The institution shall pay competitive rates for leased office space - the average cost per square foot for office space leased by the institution is within 5 percent of the average commercial business district lease rate for similar quality space within reasonable proximity to the institution's campus.

6. Information Technology

a) The institution will complete major information technology projects (with an individual cost of over $1,000,000) on time and on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay; and

b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits. The institution will have no significant audit deficiencies unresolved beyond one year.

f. REPORTING

The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure data.

g. EXEMPTION

The requirements of this section shall not be in effect if they conflict with § 23-9.6:1.01.D. of Chapters 828 and 869 of the Acts of Assembly of 2011.

§ 4-9.03 LEVEL II AUTHORITY

a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher education that have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824 and 829 of the 2008 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority for a third and separate functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted by an original memorandum of understanding;

2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding with the Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital Outlay) of Chapter 824 and 829 of the 2008 Acts of Assembly.

b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related measure for the new area of operational authority. Each education-related measure and its respective target shall be developed in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State Council of Higher Education for Virginia and shall become part of the certification required by § 23-9.6:1.01.

§ 4-10.00 IMPLEMENTING VIRGINIA HIGHER EDUCATION OPPORTUNITY ACT OF 2011

Pursuant to Chapter 869 and 828, 2011 Acts of Assembly, and its provisions promoting partnership between public and private institutions in the achievement of stated policy goals, the Commonwealth's higher education investment strategy and funding policy may include the provision of financial incentives to private non-profit institutions of higher education where such incentives will support the goals of economic growth, reform-based investment and affordable access. The Secretary of Education shall consult with the Attorney General, the Secretary of Finance and Chairmen of the House Appropriations and Senate Finance Committees, to identify appropriate methods for the provision of such incentives and may make recommendations to the State Council of Higher Education for Virginia on or before October 1, 2012.

§ 4-11.00 STATEMENT OF FINANCIAL CONDITION

Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts, make a detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of Public Accounts, and upon such forms as shall be prescribed by the Auditor of Public Accounts.

§ 4-12.00 SEVERABILITY

If any part, section, subsection, paragraph, sentence, clause, phrase, or item of this act or the application thereof to any person or circumstance is for any reason declared unconstitutional, such decisions shall not affect the validity of the remaining portions of this act which shall remain in force as if such act had been passed with the unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, item or such application thereof eliminated; and the General Assembly hereby declares that it would have passed this act if such unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, or item had not been included herein, or if such application had not been made.

§ 4-13.00 CONFLICT WITH OTHER LAWS

Notwithstanding any other provision of law, and until June 30, 2014, the provisions of this act shall prevail over any conflicting provision of any other law, without regard to whether such other law is enacted before or after this act; however, a conflicting provision of another law enacted after this act shall prevail over a conflicting provision of this act if the General Assembly has clearly evidenced its intent that the conflicting provision of such other law shall prevail, which intent shall be evident only if such other law (i) identifies the specific provision(s) of this act over which the conflicting provision of such other law is intended to prevail and (ii) specifically states that the terms of this section are not applicable with respect to the conflict between the provision(s) of this act and the provision of such other law.

§ 4-14.00 EFFECTIVE DATE

This act is effective on ~~July 1, 2012~~ *its passage as provided in § 1-214, Code of Virginia*.

ADDITIONAL ENACTMENTS

2. That no provision of this act shall be construed or interpreted to cause the expiration of any provision of Chapter 896 of the Acts of Assembly of 2007 pursuant to the 22nd enactment of such Chapter.

3. That the Code of Virginia is amended by adding section 62.1-132.3:2, relating to the Virginia Port Authority and promotion of the ports of Virginia, as follows:

A. From such funds as may be appropriated by the General Assembly and any gifts, grants, or donations from public or private sources, and any funds transferred at the request of the Executive Director from the Port Opportunity Fund created pursuant to § 62.1-132.3:1, there is hereby created in the state treasury a special nonreverting, permanent fund to be known as the Port of Virginia Economic and Infrastructure Development Zone Grant Fund (the Fund), to be administered by the Virginia Port Authority. The Fund shall be established on the books of the Comptroller. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund, which shall be in the form of grants, shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director. Moneys in the Fund shall be used solely for the purpose of grants to qualified applicants to the Port of Virginia Economic and Infrastructure Development Zone Grant Program.

B. The Virginia General Assembly does hereby designate the following localities to be part of the Port of Virginia Economic and Infrastructure Development Zone: the Counties of Brunswick, Chesterfield, Charles City, Clarke, Dinwiddie, Frederick, Gloucester, Greensville, Henrico, Hanover, Isle of Wight, James City, Mecklenburg, Montgomery, New Kent, *Page*, Prince George, *Shenandoah*, Southampton, Surry, Sussex, Warren, and York; and the Cities of Chesapeake, Colonial Heights, Emporia, *Franklin*, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Richmond, Suffolk, Virginia Beach, Williamsburg, and Winchester.

C. As used in this section, unless the context requires a different meaning:

"New, permanent full-time position" means a job of an indefinite duration, created by a qualified company as a result of operations within the Zone, requiring a minimum of 35 hours of an employee's time per week for the entire normal year of the company's operations, which normal year shall consist of at least 48 weeks, or a position of indefinite duration that requires a minimum of 35 hours of an employee's time per week for the portion of the taxable year in which the employee was initially hired for the qualified company's location within the Zone. Seasonal or temporary positions, or jobs created when a position is shifted from an existing location in the Commonwealth to the qualified company's location within the Zone, and positions in building and grounds maintenance, security, and other positions that are ancillary to the principal activities performed by the employees at the qualified company's location within the Zone shall not qualify as new, permanent full-time positions.

"Qualified company" means a corporation, limited liability company, partnership, joint, venture, or other business entity that (i) locates or expands a facility within the Zone; (ii) creates at least 25 new, permanent full-time positions for qualified full-time employees at a facility within the Zone during its first year of operation within the Zone or during the year when the expansion occurs; (iii) is involved in maritime commerce or exports or imports manufactured goods through the Port of Virginia; and (iv) is engaged in one or more of the following: the distribution, freight forwarding, freight handling, goods processing, manufacturing, warehousing, crossdocking, transloading, or wholesaling of goods exported and imported through the Port of Virginia; ship building and ship repair; dredging; marine construction; or offshore energy exploration or extraction.

"Qualified full-time employee" means an employee filling a new, permanent full-time position in the qualified company's location within the Zone. A "qualified full-time employee" does not include an employee (i) for whom a tax credit was previously earned pursuant to §§ 58.1-439 or 58.1-439.12:06 by a related party as defined in § 267(b) of the Internal Revenue Code or by a trade or business under common control as defined in § 52(b) of the Internal Revenue Code; (ii) who was previously employed in the same job function at an existing location in Virginia by a related party as defined in § 267(b) of the Internal Revenue Code; or (iii) whose job function was previously performed at a different location in Virginia by an employee of a related party as defined in § 267(b) of the Internal Revenue Code or a trade or business under common control as defined in § 52(b) of the Internal Revenue Code.

"Zone" means the Port of Virginia Economic and Infrastructure Development Zone.

D. Beginning January 1, 2013, but not later than June 30, 2020, and subject to appropriation, any qualified company that locates or expands a facility within the Port of Virginia Economic and Infrastructure Development Zone shall be eligible to apply for a one-time grant from the Fund, in an amount determined as follows:

1. One thousand dollars per new, permanent full-time position if the qualified company creates at least 25 new, permanent full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in which the expansion occurs;

2. Fifteen hundred dollars per new, permanent full-time position if the qualified company creates at least 50 new, permanent full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in which the expansion occurs;

3. Two thousand dollars per new, permanent full-time position if the qualified company creates at least 75 new, permanent full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in which the expansion occurs; and

4. Three thousand dollars per new, permanent full-time position if the qualified company creates at least 100 new, permanent full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in which the expansion occurs.

E. The maximum amount of grant allowable per qualified company in any given fiscal year is $500,000. The maximum amount of grants allowable among all qualified companies in any given fiscal year is $5,000,000.

F. To qualify for a grant pursuant to this section, a qualified company must apply for the grant not later than March 31 in the year immediately following the location or expansion of a facility within the Zone pursuant to an application process developed by the Virginia Port Authority. Within 90 days after the filing deadline, the Executive Director shall certify to the Comptroller and the qualified company the amount of grant to which the qualified company is entitled under this section. Payment of each grant shall be made by check issued by the Treasurer of Virginia on warrant of the Comptroller within 60 days of such certification and in the order that each completed eligible application is received. In the event that the amount of eligible grants requested in a fiscal year exceeds the funds available in the Fund or $5,000,000, such grants paid in the next fiscal year in which funds are available.

G. Prior to receipt of a grant, the qualified company shall enter into a memorandum of understanding with the Virginia Port Authority establishing the requirements for maintaining the number of new, permanent full-time positions for qualified employees at the qualified company's location within the Zone. If the number of new, permanent full-time positions for any of the three years immediately following receipt of a grant falls below the number of new, permanent full-time positions created during the year for which the grant is claimed, the amount of the grant must be recalculated using the decreased number of new, permanent full-time positions and the qualified company shall repay the difference.

H. No qualified company shall apply for a grant nor shall one be awarded under this section to an otherwise qualified company if (i) a credit pursuant to §§ 58.1-439 or 58.1-439.12:06 is claimed for the same employees or for capital expenditures at the same facility by the qualified company, by a related party as defined in § 267(b) of the Internal Revenue Code, or by a trade or business under common control as defined in § 52(b) of the Internal Revenue Code or (ii) the qualified company was a party to a reorganization as defined in § 368(b) of the Internal Revenue Code, and any corporation involved in the reorganization as defined in §368(a) of the Internal Revenue Code previously received a grant under this section for the same facility or operations.

I. The Virginia Port Authority, with the assistance of the Virginia Economic Development Partnership, shall develop guidelines establishing procedures and requirements for qualifying for the grant, including the affirmative determination that each applicant is a qualified company, as defined above, engaged in a port-related business. The guidelines shall be exempt from the Administrative Process Act (§ 2.2-4000 et seq.).

4. That §§ 2.2-1508 and 2.2-1509 of the Code of Virginia are amended and reenacted as follows:

§ 2.2-1508. Submission of executive budget to General Assembly.

A. On or before December 20 in the year immediately prior to the beginning of each regular session of the General Assembly held in an even-numbered year, the Governor shall submit to the presiding officer of each house of the General Assembly printed copies of a budget document *for the biennium beginning July 1 of the even-numbered year*, which shall be known as "The Executive Budget," based on his own conclusions and judgment, containing the following:

1. For each agency, the amount and number of positions appropriated for the current appropriation year and the amount and number of positions recommended for each year of the ensuing biennial period beginning with the first day of July thereafter, accompanied by an explanation of the recommended amount and number of positions. Such information shall also include the total estimated amount appropriated for personnel costs for each agency.

2. A statement of historical and projected trends that influence the general economic conditions in the Commonwealth and a statement of the economic assumptions upon which revenue projections are based.

3. A statement of the Governor's proposed goals, objectives, and policies in the areas of:

a. Administration of justice;

b. Education, including intellectual and cultural development;

c. Individual and family services;

d. Resources and economic development, including specific references to economic development and management of natural

resources;

e. Transportation; and

f. General government, including therein or as separate categories areas of multiple impact, such as telecommunications, energy, and urban development.

4. A statement organized by function, primary agency, and proposed appropriation item that sets forth:

a. Identification of common programs and services;

b. Service attainments or lack of attainments and service terminations or reductions for the biennium;

c. Major goals, objectives, and specific outcomes related to expenditures for programs;

d. Program measures and performance standards to be used in monitoring and evaluating services; and the development of appropriate evaluation cycles, within available resources;

e. The amount of each primary agency's budget that is direct aid to localities.

5. A statement of proposed capital appropriations organized by the primary agency that sets forth the program need for the project and the proposed source of funding.

6. A listing of all activity, program-related, agency or departmental evaluations performed in the previous two years with guidance indicating the manner in which the public can gain access to the full text of such studies.

7. A schedule and description of all data processing or other projects in which the Commonwealth has entered into or plans to enter into a contract, agreement or other financing agreement or such other arrangement that requires that the Commonwealth either pay for the contract by foregoing revenue collections, or allows or assigns to another party the collection on behalf of or for the Commonwealth any fees, charges, or other assessment or revenues to pay for the project. Such schedule shall include by agency and project (i) a summary of the terms, (ii) the anticipated duration, and (iii) cost or charges to any user, whether a state agency or institutions or other party not directly a party to the project arrangements. The description shall also include any terms or conditions that bind the Commonwealth or restrict the Commonwealth operations and the methods of procurement employed to reach such terms.

B. ~~On~~ *Each year on* or before December 20 of the year immediately prior to the beginning of the regular session of the General Assembly held in odd-numbered years, the Governor shall submit to the presiding officer of each house of the General Assembly printed copies of ~~a budget document, which shall be known as "Executive Amendments to the Appropriation Act," describing~~ all gubernatorial amendments proposed to the general appropriation act ~~enacted in the immediately preceding even-numbered session~~ in effect at that time. *A specific, separate, and severable amendment shall be submitted for each item of the general appropriation act that the Governor proposes to amend or add, in the same format the Governor uses when recommending amendments to a general appropriation act at a reconvened session of the General Assembly. For purposes of this subsection, "item" means the designation of such in the general appropriation act.*

C. The Department of Planning and Budget shall prepare "The Executive Budget" and ~~the "Executive Amendments to the Appropriation Act"~~ *amendments proposed pursuant to subsection B* in a manner and with language that can be easily understood by the citizens of the Commonwealth. *The "Executive Budget" shall provide* ~~and that provides~~, to the extent practical, a cross-reference to the Governor's recommended budget bill ~~or amendments to the Appropriation Act~~. Such documents shall also be placed on the Internet to provide easy access by the public.

§ 2.2-1509. Budget bill.

A. (Effective until July 1, 2013) On or before December 20 of the year immediately prior to the beginning of each regular session of the General Assembly held in an even-numbered year, the Governor also shall submit to the presiding officer of each house of the General Assembly, at the same time he submits "The Executive Budget," copies of a tentative bill for all proposed appropriations of the budget, for each year in the ensuing biennial appropriation period, which shall be known as "The Budget Bill." "The Budget Bill" shall be organized by function, primary agency, and proposed appropriation item and shall include (i) an identification of, and authorization for, common programs and (ii) the appropriation of funds according to programs. Strategic plan information and performance measurement results developed by each agency shall be made available to the General Assembly as it considers "The Budget Bill." Except as expressly provided in an appropriation act, whenever the amounts in a schedule for a single appropriation item are shown in two or more lines, the portions of the total amount shown on separate lines are for information purposes only and are not limiting. No such bill shall contain any appropriation the expenditure of which is contingent upon the receipt of revenues in excess of funds unconditionally appropriated.

A. (Effective July 1, 2013) On or before December 20 of the year immediately prior to the beginning of each regular session of the General Assembly held in an even-numbered year, the Governor also shall submit to the presiding officer of each house of the General Assembly, at the same time he submits "The Executive Budget," copies of a tentative bill for all proposed

appropriations of the budget, for each year in the ensuing biennial appropriation period, which shall be known as "The Budget Bill." "The Budget Bill" shall be organized by function, primary agency, and proposed appropriation item and shall include an identification of, and authorization for, common programs and the appropriation of funds according to programs. Except as expressly provided in an appropriation act, whenever the amounts in a schedule for a single appropriation item are shown in two or more lines, the portions of the total amount shown on separate lines are for information purposes only and are not limiting. No such bill shall contain any appropriation the expenditure of which is contingent upon the receipt of revenues in excess of funds unconditionally appropriated.

B. The salary proposed for payment for the position of each cabinet secretary and administrative head of each agency and institution of the executive branch of state government shall be specified in "The Budget Bill," showing the salary ranges and levels proposed for such positions.

C. "The Budget Bill" shall include all proposed capital appropriations, including each capital project to be financed through revenue bonds or other debt issuance, the amount of each project, and the identity of the entity that will issue the debt.

D. Concurrently with the submission of "The Budget Bill," the Governor shall submit a tentative bill involving a request for authorization of additional bonded indebtedness if its issuance is authorized by, or its repayment is proposed to be made in whole or in part, from revenues or appropriations contained in "The Budget Bill."

E. ~~On~~*Each year, on* or before December 20 ~~of the year immediately prior to the beginning of each regular session held in an odd-numbered year of the General Assembly~~, the Governor shall submit to the presiding officer of each house printed copies of all gubernatorial amendments proposed to the general appropriation act ~~adopted in the immediately preceding even-numbered year~~ ~~*session*~~ *in effect at the time. A specific, separate, and severable amendment shall be submitted for each item of the general appropriation act that the Governor proposes to amend or add, in the same format the Governor uses when recommending amendments to a general appropriation act at a reconvened session of the General Assembly. For purposes of this subsection, "item" means the designation of such in the general appropriation act.* In preparing the amendments, the Governor may obtain estimates in the manner prescribed in §§ 2.2-1504, 2.2-1505, and 2.2-1506. On the same date he shall also submit ~~a tentative bill during the second year of the appropriation period,~~ a request for authorization of additional bonded indebtedness if its issuance is authorized by, or its repayment is proposed to be made in whole or in part, from revenues or appropriations contained in the proposed gubernatorial amendments.

F. The proposed capital appropriations or capital projects described in, or for which proposed appropriations are made pursuant to, this section shall include the capital outlay projects required to be included in "The Budget Bill" pursuant to § 2.2-1509.1. The Governor shall propose appropriations for such capital outlay projects in "The Budget Bill" in accordance with the minimum amount of funding and the designated sources of funding for such projects as required under § 2.2-1509.1.

5. That § 30-310 of the Code of Virginia is amended and reenacted as follows:

§ 30-310. Review of incentive packages.

A. *1.*The Commission shall review individual incentive packages, including but not limited to packages offering tax incentives, for economic development projects (including but not limited to MEI projects) for which (i) one or more of the incentives in the incentive package is not authorized under current law or (ii) an amendment by the General Assembly is being sought to one or more currently existing incentives included as part of the incentive package. The Commission shall recommend approval or denial of such packages to the General Assembly. Factors that shall be considered by the Commission in its review shall include, but not be limited to (i) return on investment, (ii) the time frame for repayment of incentives to the Commonwealth, (iii) average wages of the jobs created by the prospective MEI project or other economic development project, (iv) the amount of capital investment that is required, and (v) the need for enhanced employment opportunities in the prospective location of the prospective MEI project or other economic development project.

2. a. Any time a proposed individual incentive package is to be considered by the Commission, materials outlining (i) the value of the proposed incentives, (ii) assumed return on investment, (iii) the time frame for repayment of incentives to the Commonwealth, (iv) average wages of the jobs created by the prospective MEI project or other economic development project, (v) the amount of capital investment that is required, and (vi) the need for enhanced employment opportunities in the prospective location of the prospective MEI project or other economic development project, shall be provided to the Commission members not less than forty-eight hours prior to the scheduled Commission meeting.

b. The timing of any request for an endorsement of a proposed individual incentive package should be scheduled so that the MEI Commission could, at its discretion, have up to seven days subsequent to the presentation of the incentive package prior to endorsing or rejecting such proposal.

B. An affirmative vote by three of the five members of the Commission from the House of Delegates and two of the three members of the Commission from the Senate shall be required to endorse any incentive package, including but not limited to packages offering tax incentives, for economic development projects (including but not limited to MEI projects) for which (i) one or more of the incentives in the incentive package is not authorized under current law or (ii) an amendment by the General Assembly is being sought to one or more currently existing incentives included as part of the incentive package.

6. That the Code of Virginia is amended by adding a section numbered 30-339 and reenacted as follows:

§ 30-339. Medicaid Innovation and Reform Commission; membership; terms; compensation and expenses; definition.

A. The Medicaid Innovation and Reform Commission (the Commission) is established as a commission in the legislative branch of state government. The purpose of the Commission shall be to review, recommend and approve innovation and reform proposals affecting the implementation of Title XIX and Title XXI of the Social Security Act, including eligibility and financing for proposals set out in Item 307 of this act. Specifically, the Commission shall review (i) the development of reform proposals; (ii) progress in obtaining federal approval for reforms such as benefit design, service delivery, payment reform, and quality and cost containment outcomes; and (iii) implementation of reform measures.

B. The Commission shall consist of 12 members as follows: the chair of the House Committee on Appropriations, or his designee, and four members of the House Committee on Appropriations appointed by the chair and the chair of the Senate Finance Committee, or his designee, and four members of the Senate Finance Committee appointed by the chair. In addition, the Secretaries of Finance and Health and Human Resources shall serve as ex officio, nonvoting members of the Commission.

C. Members shall serve terms coincident with their terms of office. Vacancies for unexpired terms shall be filled in the same manner as the original appointments. Members may be reappointed for successive terms.

D.1. The members of the Commission shall elect a chairman and vice chairman annually. A majority of the voting members of the Commission shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request. The Commission shall meet bimonthly beginning in June 2013, or as soon as possible thereafter.

2. An affirmative vote by three of the five members of the Commission from the House of Delegates and three of the five members of the Commission from the Senate shall be required to endorse any reform proposal to amend the State Plan for Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act.

E. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative members shall receive such compensation as provided in § 2.2-2813.

7. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2014. The provisions of the second, third, fourth, fifth and sixth enactments of this act shall have no expiration date. The amendments to §§ 2.2-1508 and 2.2-1509 pursuant to the fourth enactment of this act shall become effective for calendar year 2014 and calendar years thereafter. For the purposes of implementing the amendments to §§ 2.2-1508 and 2.2-1509, a working group composed of the staff of the House Appropriations and Senate Finance Committees, the Department of Planning and Budget, and the Division of Legislative Automated Systems shall determine the format, transmission method, required submission date for printing, and other factors necessary to implement the required submission of specific, separate, and severable gubernatorial amendments.