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## SENATE BILL NO. 1117

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws)

(Patron Prior to Substitute—Senator Edwards)

Senate Amendments in [ ] — February 1, 2001

A BILL to amend and reenact § 9-154 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 25 of Title 9 a section numbered 9-155.3, relating to the Thermal Imaging Camera Fund.

Be it enacted by the General Assembly of Virginia:

1. That § 9-154 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding in Chapter 25 of Title 9 a section numbered 9-155.3 as follows:

§ 9-154. Executive Director; powers.

A. The Governor shall appoint an Executive Director of the Department, subject to confirmation by the General Assembly. The Executive Director shall hold his position at the pleasure of the Governor.

B. The Executive Director shall have the following powers to:

1. ~~To supervise~~ Supervise the administration of the Department;

2. ~~To prepare~~ Prepare, approve, and submit all requests for appropriations and be responsible for all expenditures pursuant to appropriations;

3. ~~To employ~~ Employ such staff as is necessary to carry out the powers and duties of this chapter, within the limits of available appropriations;

4. ~~To accept~~ Accept on behalf of the Department grants from the United States government and agencies and instrumentalities thereof and any other sources. To these ends, the Executive Director shall have the power to execute such agreements in accordance with the policies of the Board;

5. ~~To do~~ Do all acts necessary or convenient to carry out the purpose of this chapter and to assist the Board in carrying out its responsibilities and duties;

6. ~~To make~~ Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter, including, but not limited to, contracts with the United States, other states, and agencies and governmental subdivisions of the Commonwealth;

7. ~~To appoint~~ Appoint a director of fire services training; and

8. ~~To receive~~ Receive funds as appropriated by the General Assembly collected pursuant to § 38.2-401, on an annual basis to be used as provided in subsection C of § 38.2-401; and

9. Administer the Thermal Imaging Camera Grant Fund established pursuant § 9-155.3.

§ 9-155.3. The Thermal Imaging Camera Grant Fund.

A. From only such funds as are appropriated from the general fund by the General Assembly for this purpose and from such gifts, donations, grants, bequests and other funds as may be received on its behalf, there is hereby created in the state treasury a special nonreverting fund to be known as the Virginia Thermal Imaging Camera Grant Fund, hereinafter referred to as the "VTIC Fund." No moneys from the Fire Programs Fund established pursuant to § 38.2-401 may be used or expended for the VTIC Fund. The VTIC Fund is established to assist the localities of the Commonwealth providing fire service operations in purchasing thermal imaging cameras and equipment associated with the use of thermal imaging cameras. The VTIC Fund shall be administered by the Department of Fire Programs and established on the books of the Comptroller. Any moneys remaining in the VTIC Fund at the end of each fiscal year shall not revert to the general fund but shall remain in the VTIC Fund. Moneys in the VTIC Fund shall not be diverted or expended for any purpose not authorized by this section. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board, and any grants provided from the VTIC Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. Expenditures for administration of and disbursements from the VTIC Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Department of Fire Programs or his designee.

B. When, and only if, funds are available in the VTIC Fund a Virginia Thermal Imaging Camera Advisory Panel (the "Panel") shall be convened to make recommendations to the Department of Fire Programs for the use of the VTIC Fund. The Panel shall consist of nine members as follows: three members from the State Fire Chief's Association, three members from the Virginia Professional Firefighters Association and three members from the Virginia State Firefighters Association, appointed by the Fire Services Board from a list of names submitted by each such organization. The Panel shall be selected annually only if moneys are available in the VTIC Fund and shall report directly to the Executive Director of the Department of Fire Programs. The Panel shall not have any responsibility or

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60 *authority over any other matters not specified in this section. Members of the Panel shall not receive*  
61 *compensation, but shall be reimbursed for their reasonable and necessary expenses in the discharge of*  
62 *their duties.*

63 **[ 2. That the provisions of this act, shall not become effective unless an appropriation of General**  
64 **Funds effectuating the purposes of this act is included in the 2001 Appropriations Act, passed**  
65 **during the 2001 Session of the General Assembly and signed into law by the Governor. ]**