

LD6931376

HOUSE BILL NO. 1068

Offered January 25, 1994

A *BILL to amend and reenact §§ 2.1-1.9, 2.1-387, 2.1-388, 2.1-391, 2.1-394, 2.1-394.1, 2.1-398, 2.1-399, 2.1-399.1, 9-6.25:1, and 42.1-1 of the Code of Virginia and to amend the Code of Virginia by adding in Title 2.1 a chapter numbered 5.01, consisting of sections numbered 2.1-51.6:4 through 2.1-51.6:15, and a section numbered 2.1-389.1, relating to a Division of Planning within the Department of Planning and Budget, a State Planning Library and the Virginia Growth Strategies Act.*

Patrons—Murphy, Bennett, Callahan, Clement, Cohen, Connally, Copeland, Croshaw, Cunningham, Darner, Davies, DeBoer, Deeds, Dickinson, Forbes, Grayson, Hall, Harris, Howell, Jackson, Jones, J.C., Keating, Kidd, Kilgore, Mayer, Morgan, Moss, Parrish, Phillips, Plum, Puller, Robinson, Scott, Shuler, Spruill, Stump, Van Landingham, Van Yahres and Watkins; Senators: Calhoun, Gartlan, Hawkins, Marye, Potts, Reasor and Waddell

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-1.9, 2.1-387, 2.1-388, 2.1-391, 2.1-394, 2.1-394.1, 2.1-398, 2.1-399, 2.1-399.1, 9-6.25:1, and 42.1-1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Title 2.1 a chapter numbered 5.01, consisting of sections numbered 2.1-51.6:4 through 2.1-51.6:15 and a section numbered 2.1-389.1 as follows:

§ 2.1-1.9. Commissions.

Notwithstanding the definition for "commission" as provided in § 2.1-1.2, the following entities shall be referred to as commissions:

Commission on Local Government

Marine Resources Commission

Milk Commission

Virginia Commission for the Arts

Virginia Employment Commission.

Virginia Strategic Planning Advisory Commission.

CHAPTER 5.01.

VIRGINIA GROWTH STRATEGIES ACT.

Article 1.

General Provisions.

§ 2.1-51.6:4. Short title.

This chapter shall be known and may be cited as the "Virginia Growth Strategies Act."

§ 2.1-51.6:5. Declaration of legislative intent.

The economic welfare of the Commonwealth, the health of its natural resources and the adequacy of its infrastructure, including but not limited to transportation, will be promoted by long-range strategic planning. Therefore, it is the intent of the General Assembly to develop a state planning process to achieve these objectives. In order to achieve the goals set forth in this chapter, this planning process is created for the following purposes: (i) to promote coordination between state and federal programs; (ii) to achieve consistency in the development and implementation of state programs; and (iii) to provide information, guidance and support to local and regional planning efforts.

§ 2.1-51.6:6. Definitions.

As used in this chapter, the words and terms listed below mean:

"Affordable housing" means a sanitary and safe dwelling that is available for sale or rental to persons and families of low and moderate income as provided for in Chapter 1.2 (§ 36-55.24 et seq.) of Title 36 for less than one-third of their gross monthly income.

"Commission" means the Virginia Strategic Planning Advisory Commission.

"Department" means the Department of Planning and Budget.

"Division" or "Division of Planning" means the Division of Planning within the Department of Planning and Budget.

"Goals" means the planning goals set forth in § 2.1-51.6:7.

"Governmental subdivision" means the counties, cities and towns of this Commonwealth.

"Infrastructure" means the basic facilities needed for the growth and functioning of the Commonwealth or a governmental subdivision in the state, including but not limited to storm water, water, sewage and solid waste disposal, utilities, communications, transportation facilities, schools,

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60 parks and public safety.

61 "Major state project" means the acquisition of land for any state facility (facility includes highways,
62 as defined in Title 46.2, constructed by the Commonwealth and Arlington and Henrico Counties), the
63 construction of any facility, or expansion of an existing facility which is hereafter undertaken by any
64 state agency, board, or commission, authority or any branch of state government, including
65 state-supported institutions of higher learning, which requires an environmental impact report. For the
66 purposes of this chapter, "authority" shall not include any industrial development authority created
67 pursuant to the provisions of Chapter 33 (§ 15.1-1373 et seq.) of Title 15.1 or Chapter 643, as
68 amended, of the 1964 Acts of Assembly nor shall authority include any housing development or
69 redevelopment authority established pursuant to state law. For the purposes of this chapter, "branch of
70 state government" shall not include any county, city or town of the Commonwealth.

71 "Open space" means any land, water, submerged land, marshes, or similar properties which are
72 provided for, preserved for or used for: (i) park or recreational purposes; (ii) conservation of land or
73 other natural resources; (iii) cultural or scenic purposes; or (iv) assistance in the shaping of the
74 character, direction, and timing of community development.

75 "Plan" means the Virginia Growth Strategies Plan.

76 "Political subdivisions" means the governmental subdivisions as defined in this section, sanitary,
77 sanitation and transportation districts, authorities and other such public bodies created under the laws
78 of this Commonwealth.

79 "Public review" means a period of time in which written comments, or other requirements as
80 established by the Governor, shall be submitted. Unless otherwise indicated, public review in the context
81 of this chapter shall not refer to the public hearing requirements in § 9-6.14:7.1.

82 § 2.1-51.6:7. Planning goals.

83 The planning goals of the Commonwealth are to:

84 1. Encourage growth that promotes economic opportunity and improves the quality of life for all
85 citizens of the Commonwealth consistent with the Virginia Growth Strategies Plan.

86 2. Provide incentives that promote and encourage natural resource-based industries, including
87 agriculture, forestry, fishing, mining and recreational tourism.

88 3. Provide appropriate incentives for economic development in rural areas.

89 4. Provide appropriate incentives for economic development and redevelopment of urban areas.

90 5. Determine and develop in an orderly and fiscally responsible manner, infrastructure needed for
91 urban and rural development.

92 6. Provide a framework for the development and rehabilitation of affordable housing in the
93 Commonwealth.

94 7. Ensure that water is available to serve the needs of all the people of the Commonwealth and that
95 nonconsumptive uses of water are considered and protected.

96 8. Encourage, consistent with the needs and circumstances of the governmental subdivisions, compact
97 and efficient patterns of development that minimize consumption of land, protect natural resources,
98 enhance mobility of people and goods, promote efficient expenditure of public funds, and reduce
99 resource and energy consumption.

100 9. Protect the environment and the quality of the Commonwealth's land, water, and air.

101 10. Conserve and protect open space, scenic and natural areas, recreational areas, and endangered,
102 unique and threatened plant and animal species and their habitats.

103 11. Protect and enhance the Commonwealth's natural, cultural, and historic resources in order to
104 maintain the Commonwealth's heritage and further its tourist economy.

105 12. Protect both public and private property interests as established by law.

106 § 2.1-51.6:8. Virginia Growth Strategies Plan.

107 The Governor shall prepare and implement a growth strategies plan for the Commonwealth which
108 implements the legislative intent and goals of this chapter. In developing this Plan, the Governor shall
109 consult with the Virginia Strategic Planning Advisory Commission created pursuant to § 2.1-51.6:14.
110 Thereafter, pursuant to public notice, the Plan shall be circulated for public review and comment. The
111 Plan shall be known as the Virginia Growth Strategies Plan.

112 § 2.1-51.6:9. Contents and implementation of the Plan.

113 The Plan shall include: (i) plan elements; (ii) measurable and quantifiable objectives; (iii) regional
114 approaches; (iv) interagency approaches; and (v) an implementation strategy.

115 A. Plan elements. - The Plan shall contain but not be limited to the following plan elements: (i) an
116 assessment of the Commonwealth's existing infrastructure including transportation networks, water
117 supply and treatment facilities, sewerage systems and wastewater treatment systems, and solid waste
118 management disposal facilities, and the extent to which additions or improvements will be needed to
119 accommodate anticipated population and economic growth; (ii) economic development strategies that
120 include an inventory and assessment of the Commonwealth's economic base, labor force characteristics,
121 affordable housing characteristics and economic development opportunities and resources, including the

development of economically disadvantaged areas and redevelopment of urban areas; and a determination of what can be done to support retention and expansion of existing businesses and attract new businesses and industries consistent with other Plan elements and the goals; (iii) protection strategies for the Commonwealth's natural, historic and living resources that are consistent with other Plan elements and the goals and that are based on the identification of resources including groundwater supply, coastal resources, river watersheds, flood plains, major park, recreation and conservation areas, historic resources, wetlands and state-owned lands; and (iv) strategies to support and maintain the viability of agricultural and forestal activities through specific programs that include measures to protect unique and prime agricultural and forestal lands.

B. Measurable objectives. - The Plan shall establish measurable and quantifiable objectives that state agencies shall use in the development of their programs to achieve the goals both in the short term (four-year planning horizon) and long-term (twenty-year planning horizon).

C. Regional approaches. - The Plan shall identify and promote opportunities to employ regional strategies to achieve the goals by encouraging the development of regional solutions.

D. Agency coordination. - The Plan shall establish a process for achieving interagency coordination of programs to ensure the collective responsibility for and achievement of the goals in the most efficient and cost-effective manner. To the extent that other federal and state agency plans exist, the Governor shall identify inconsistencies and, insofar as is practical, conform these documents to the Plan.

E. Implementation strategy. - The Plan shall contain a complete and comprehensive strategy for its implementation that merges and coordinates the elements set forth in subsections A, B and C and the goals. The four-year implementation strategy shall include a description of specific initiatives or programs, public or private, to be put in place in the four- and twenty-year planning horizon, including cost estimates and necessary and alternative funding sources, where applicable, and a description of administrative systems, regulatory measures or incentive programs recommended to be adopted or amended.

§ 2.1-51.6:10. Adherence to the Plan.

The Commonwealth and its agencies shall adhere to the Plan to: (i) achieve the goals of the Commonwealth; (ii) ensure consistency among and between state agencies; and (iii) encourage coordination among the political subdivisions of the Commonwealth.

§ 2.1-51.6:11. Procedure for developing the Plan.

A. The four Secretaries (Finance, Transportation, Natural Resources and Commerce and Trade) shall on behalf of the Governor, work cooperatively together and in conjunction with the Virginia Strategic Planning Advisory Commission, to prepare and implement the Virginia Growth Strategies Plan.

B. Prior to developing the Plan, the Division of Planning shall develop, with the assistance of the Commission, administrative guidelines for creation of the Plan in order to implement the provisions of this chapter in a timely and consistent manner. These guidelines shall include, but not be limited to: the process for developing the Plan cooperatively; the studies, inventories and surveys that will be prepared to support the implementation of the goals; and a work plan and schedule for producing the Plan.

C. These guidelines shall be used by the Secretaries in preparation of the initial elements of the Plan. The Secretaries shall prepare initial plans for the agencies under their secretariat in order to ensure that all functions of each agency that relate to the goals are addressed.

D. The Secretaries may request to meet and confer with the Division of Planning as needed during their process.

E. The four Secretaries shall submit their plan(s) to the Division of Planning.

F. The Division of Planning shall forward the draft Plan to the planning district commissions and the Commission for review and comment.

G. The Division of Planning shall review all comments and revise the Plan as necessary. Thereafter, the draft Plan shall be circulated for public review and comment by the Commission.

H. The Governor shall consider all comments and make such changes as deemed appropriate to the Plan.

I. The Governor shall approve the initial Plan by December 20, 1997, and shall submit the Plan to the General Assembly with the budget bill and report its implementation.

J. The Plan shall be reviewed by the Governor by December 20, 1999, and every four years thereafter, and be amended as necessary to achieve the goals. The Commission shall review and comment on amendments proposed to the Plan. Proposed amendments shall be made available for public review and comment prior to incorporation in the Plan.

§ 2.1-51.6:12. Filing of local comprehensive plans.

Every county and city and every town with a population of 3,500 or more shall file, on or before December 1, 1994, its local comprehensive plan with the Department of Planning and Budget's Division of Planning and the Virginia State Library. Towns with a population under 3,500 are encouraged to file. The provisions of this section shall apply to any amendment to the local comprehensive plan that is

183 adopted by the county, city, or town and shall be filed with the Department of Planning and Budget's
184 Division of Planning and the Virginia State Library, within sixty days after adoption by the local
185 governing body.

186 § 2.1-51.6:13. Duties of Department acting through its Division of Planning.

187 The Department, acting through its Division of Planning, shall:

188 1. Assist the Governor in the development and adoption of the Virginia Growth Strategies Plan.

189 2. Provide staff support to the Virginia Strategic Advisory Commission.

190 3. Collect and analyze data in the Commonwealth with regard to: demographics; infrastructure; land
191 use and land development patterns; air and water quality; economic development, including but not
192 limited to an inventory of resource-based industries and an inventory of natural, cultural and historic
193 resources, open space, and other areas relating to the goals. The Division shall also develop short- and
194 long-term analyses and projections of future trends and conditions in the Commonwealth.

195 4. Coordinate preparation of the Commonwealth's capital improvements and long-term infrastructure
196 needs and assessments for the Commonwealth and its governmental subdivisions.

197 5. Evaluate and report to the Governor and the Commission on progress and problems in
198 implementing the Plan.

199 6. Advise the Governor on proposed legislative and budgetary initiatives which significantly affect
200 the Plan.

201 7. Distribute copies of the Plan to state agencies and governmental subdivisions.

202 After June 30, 1995, the Division, in addition to the preceding duties shall:

203 8. Provide technical assistance to planning district commissions and governmental subdivisions
204 including providing from the Commonwealth's records information concerning demographics and
205 natural, cultural and historic resources.

206 9. Provide professional, technical, and grant assistance to, and cooperate with, any planning agency,
207 planning district commission, service district, or governmental subdivision engaged in the preparation of
208 development plans and programs.

209 10. Develop and maintain the Commonwealth's comprehensive data network.

210 11. Review and approve all substate district system boundaries established or proposed for
211 establishment by state agencies.

212 12. Promote regional planning.

213 13. After the Plan has been approved by the Governor, develop a process, in conjunction with the
214 Commission, to review: (i) the effect of the Plan on governmental subdivisions and (ii) the effect of the
215 local plans on the achievement of the Commonwealth's goals and objectives as set forth in the Plan.
216 This process shall occur at least once every four years during the regular review of and revision to the
217 Plan. The Division shall report its findings and recommendations to the Governor and General
218 Assembly.

219 § 2.1-51.6:14. Virginia Strategic Planning Advisory Commission.

220 A. There is hereby created the Virginia Strategic Planning Advisory Commission, hereinafter referred
221 to as the Commission. The Commission shall be composed of seventeen members: three members from
222 the House of Delegates, one of whom shall be a member of the House Appropriations Committee, to be
223 appointed by the Speaker of the House; three members from the Senate, one of whom shall be a member
224 of the Senate Finance Committee, to be appointed by the Senate Committee on Privileges and Elections;
225 and eleven citizen members to be appointed by the Governor. The citizen members shall include local
226 government officials and individuals reflecting the different regions and diverse interests of the
227 Commonwealth such as agriculture, forestry, business, community development, environmental
228 protection, finance, real estate, and mining. All appointments shall be made by November 1, 1994.

229 B. Of the citizen members first appointed, four shall be appointed for a term of two years, four shall
230 be appointed for a term of four years and three shall be appointed for a term of six years. Thereafter,
231 all citizen members shall be appointed for terms of six years each, except that appointments to fill
232 vacancies shall be made for the unexpired terms. Legislative members shall serve coincident with their
233 terms of office. No person shall be eligible to serve more than two successive six-year terms; but after
234 the expiration of a term of two years or less, or after the expiration of the remainder of a term to which
235 appointed to fill a vacancy, two additional six-year terms may be served by such a member.

236 C. The Commission shall meet at least four times a year and at the call of the Governor. The first
237 meeting of the Commission shall be held no later than sixty days after the appointment of all its
238 members, at which time the Commission shall elect a chairman and vice chairman from its citizen
239 membership to serve for two-year terms. Successive chairmen and vice chairmen shall be elected for
240 two-year terms.

241 § 2.1-51.6:15. Duties of Virginia Strategic Planning Advisory Commission.

242 The Commission shall:

243 1. Assist and advise the Governor and the Department of Planning and Budget in developing and
244 implementing the Virginia Growth Strategies Plan.

2. Assist the Division of Planning in developing administrative guidelines for the initial development of the Plan.

3. Develop and implement a program to educate the public about the Plan development process and solicit comments on the draft Plan.

4. Periodically review planning procedures and relationships between the Commonwealth and its governmental subdivisions and recommend to the Governor and the General Assembly methods of strengthening cooperation between them.

5. Recommend to the Governor and the General Assembly administrative or legislative actions that advance the purposes of the Virginia Growth Strategies Act.

6. Recommend to the Governor alternatives to meet the funding requirements of infrastructure improvements and conservation measures which will enhance the Commonwealth's ability to accommodate its population and development.

7. Propose innovative and cooperative land management techniques that will accommodate anticipated population growth and development and will protect the Commonwealth's natural resources and environment.

§ 2.1-387. Chief planning and budget officer; deputy.

The Governor shall be the chief planning officer and the chief budget officer of the Commonwealth. As the chief planning officer, the Governor shall be responsible for developing the Virginia Growth Strategies Plan to implement Chapter 5.01 of this title. As the chief budget officer, the Governor shall certify that the budget is in conformance with the Plan when the biennial budget is submitted to the General Assembly.

§ 2.1-388. Department of Planning and Budget created; appointment of Director.

There is hereby created, a Department of Planning and Budget with a Division of Planning and a Division of Budget. The Department shall be headed by a Director who shall be appointed by and serve at the pleasure of the Governor.

§ 2.1-389.1. Duties of Division of Planning.

The Division of Planning shall implement and carry out the duties imposed on the Department by Chapter 5.01 of this title.

§ 2.1-391. Duties of ~~Department~~ Division of Budget.

The ~~Department~~ Division of Budget shall have the following duties:

1. Development and direction of an integrated fiscal policy analysis; ~~planning~~, and budgeting process within state government.

2. ~~Review and approval of all sub-state district systems boundaries established or proposed for establishment by state agencies.~~

3.2. Formulation of an executive budget as required in this chapter. In implementing this provision, the ~~Department of Planning and Division of Budget~~ shall utilize the resources and determine the manner of participation of any executive agency as the Governor may determine necessary to support an efficient and effective budget process notwithstanding any contrary provision of law.

4.3. Conduct of policy analysis and program evaluation for the Governor.

5.4. Continuous review of the activities of state government focusing on budget requirements in the context of the goals and objectives determined by the Governor and the General Assembly and monitoring the progress of agencies in achieving goals and objectives.

6.5. Operation of a system of budgetary execution to ~~assure~~ensure that agency activities are conducted within fund limitations provided in the ~~appropriations~~appropriation act and in accordance with gubernatorial and legislative intent.

7.6. Development and operation of a system of standardized reports of program and financial performance for management.

8.7. Coordination of statistical data by reviewing, analyzing, monitoring, and evaluating statistical data developed and used by state agencies and by receiving statistical data from outside sources, such as research institutes and the federal government.

9.8. Assessment of the impact of federal funds on state government by reviewing, analyzing, monitoring, and evaluating the federal budget, as well as solicitations, applications, and awards for federal financial aid programs on behalf of state agencies.

~~10.9.~~ Review and verification of the accuracy of agency estimates of receipts from donations, gifts or other nongeneral fund revenue.

§ 2.1-394. Estimates by state agencies of amounts needed.

A. Biennially in the odd-numbered years, on a date established by the Governor, each of the several state agencies and other agencies and undertakings receiving or asking financial aid from the Commonwealth shall report to the Governor, through the responsible secretary designated by statute or executive order, in a format prescribed for such purpose, an estimate in itemized form showing the amount needed for each year of the ensuing biennial period beginning with the first day of July

thereafter. *Requests for financial aid for major state projects, as defined in § 2.1-51.6:6, shall be accompanied by a certified statement that such projects are consistent with the Virginia Growth Strategies Plan. The Governor may certify that a project is of overriding state interest and not subject to the preceding provision. Such a notice shall be sent for information purposes to the local government(s) affected by the Governor's finding.* The Governor may prescribe targets which shall not be exceeded in the official estimate of each agency; however, an agency may submit to the Governor a request for an amount exceeding the target as an addendum to its official budget estimate.

B. Each agency or undertaking required to submit a biennial estimate pursuant to subsection A of this section shall simultaneously submit an estimate of the amount which will be needed for the two succeeding biennial periods beginning July 1 of the third year following the year in which the report is submitted.

C. The format which must be used in making these reports shall be prescribed by the Governor, shall be uniform for all agencies and shall clearly designate the kind of information to be given thereon. The Governor may prescribe a different format for reports from institutions of higher education, which format shall be uniform for all such institutions and shall clearly designate the kind of information to be provided thereon.

§ 2.1-394.1. Estimates by nonstate agencies of amounts needed.

A. Except as provided in §§ 10.1-812 through 10.1-814, no state funds shall be appropriated or expended for, or to, nonstate agencies unless:

1. A request for state aid is filed by the organization with the ~~Department of Planning and~~ *Division of Budget*, as required by § 2.1-394.

2. ~~Such~~ *The* nonstate agency shall certify to the satisfaction of the ~~Department~~ *Division of Budget* that matching funds are available in cash from local or private sources in an amount at least equal to the amount of the request. These matching funds must be concurrent with the purpose for which state funds are requested. Contributions received and spent prior to the state grant shall not be considered in satisfying the requirements of this subdivision.

3. ~~Such~~ *The* nonstate agency shall provide documentation of its tax exempt status under applicable provisions of the United States Internal Revenue Code.

B. Except as provided in §§ 23-38.11 through 23-38.18, no state funds shall be appropriated to, or expended for, a private institution of higher education or religious organization.

C. Requests for the appropriation of funds for nonstate agencies shall be considered by the Governor and the General Assembly only in even-numbered years.

D. For the purposes of this section, a "nonstate agency" ~~shall mean~~ *means* any public or private foundation, authority, institute, museum, corporation or similar organization which is not a unit of state government or a political subdivision of the Commonwealth as established by general law or special act. It shall not mean any such entity which receives state funds as a subgrantee of a state agency or through a state grant-in-aid program authorized by law.

§ 2.1-398. Submission of budget to General Assembly.

On or before December 20 in the year immediately prior to the beginning of each regular session held in an even-numbered year of the General Assembly, the Governor shall submit to the presiding officer of each house printed copies of a budget, based on his own conclusions and judgment, containing the following:

1. A statement of historical and projected trends which influence development, natural and human resources, and general economic conditions in the Commonwealth, and projections pertaining to population, transportation, commerce, agriculture, and urbanization. In addition to utilizing such statement in the preparation of his budget, the Governor shall use such statement for the purpose of coordinating programs of planning district commissions, regional development authorities, and local governments with those of state agencies *and to disclose how the Virginia Growth Strategies Plan is being implemented in the budget.*

2. A statement of the Governor's proposed goals, objectives, and policies in the areas of:

(a) ~~a.~~ Administration of justice;

(b) ~~b.~~ Education, including intellectual and cultural development;

(c) ~~c.~~ Individual and family services;

(d) ~~d.~~ Resources and economic development, including specific references to economic development and management of natural resources;

(e) ~~e.~~ Transportation; and

(f) ~~f.~~ General government, including therein or as separate categories areas of multiple impact, such as telecommunications, energy, and urban development.

3. A statement organized by function, primary agency, and proposed appropriation item which sets forth:

(a) ~~a.~~ Identification of common programs and services;

(b) ~~b.~~ Service attainments or lack of attainments and service terminations or reductions for the

biennium;

(e)c. Major goals and objectives for programs;

(d)d. Program measures to be used in monitoring and evaluating services as specified in the general appropriations appropriation act; and

(e)e. The amount of each primary agency's budget that is direct aid to localities.

4. An "executive salary plan" recommending levels into which the position of each cabinet secretary and administrative head of each agency and institution of the executive branch of state government should be placed for salary purposes, salary ranges for each of those recommended levels, and the basis for the recommendations contained in the plan.

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.

§ 2.1-399. Budget Bill.

A. On or before December 20 of the year immediately prior to the beginning of each regular session held in an even-numbered year of the General Assembly, the Governor also shall submit to the presiding officer of each house of the General Assembly, at the same time he submits his 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 reference the *Virginia Growth Strategies Plan*; 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. The salary proposed for payment for the position of each cabinet secretary and administrative head of each agency of the executive branch of state government shall be specified in "The Budget Bill."

B. 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.

§ 2.1-399.1. Capital projects.

A. On or before December 20 of the year immediately prior to the beginning of each regular session held in an even-numbered year of the General Assembly, the Governor shall submit to the presiding officer of each house of the General Assembly copies of any tentative bill or bills involving proposed capital appropriations for each year in the ensuing biennial appropriation period. *Each of such capital appropriations shall be consistent with and implement, when appropriate, the Virginia Growth Strategies Plan.* Such bill or bills shall include each capital project to be financed through revenue bonds or other debt issuance, *specify* the amount of each such project, and identify the entity which will issue such debt.

B. 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 capital appropriations acts adopted in the immediately preceding even-numbered year session.

C. The Governor shall ensure that a summary of budget highlights be sent to a newspaper of general circulation in the following geographical areas of the Commonwealth: Northern Virginia, Hampton Roads, Richmond/Petersburg, Central Virginia, Shenandoah Valley, Roanoke Valley, Southside, and Southwest Virginia prior to the convening of such session of the General Assembly.

D. The standing committees of the House of Delegates and of the Senate in charge of appropriation measures shall hold four regional public hearings on ~~the budget bill~~ *The Budget Bill* submitted by the Governor. The four public hearings shall be held prior to the convening of such session of the General Assembly, at hearing sites and times as selected by the chairmen of the two committees.

§ 9-6.25:1. Advisory boards, commissions and councils.

There shall be, in addition to such others as may be designated in accordance with § 9-6.25, the following advisory boards, commissions and councils within the executive branch:

Advisory Board for the Department for the Deaf and Hard-of-Hearing

Advisory Board for the Department for the Aging

Advisory Board on Child Abuse and Neglect

Advisory Board on Medicare and Medicaid

Advisory Board on Occupational Therapy

Advisory Board on Physical Therapy to the Board of Medicine

Advisory Board on Respiratory Therapy to the Board of Medicine

429	Advisory Board on Teacher Education and Licensure
430	Advisory Council on Revenue Estimates
431	Advisory Council on the Virginia Business-Education Partnership Program
432	Appomattox State Scenic River Advisory Board
433	Aquaculture Advisory Board
434	Art and Architectural Review Board
435	(Effective until July 1, 1994) Board for the Visually Handicapped
436	Board of Directors, Virginia Truck and Ornamentals Research Station
437	Board of Forestry
438	Board of Military Affairs
439	(Effective until July 1, 1994) Board of Rehabilitative Services
440	Board of Transportation Safety
441	Board of Trustees of the Family and Children's Trust Fund
442	Board of Visitors, Gunston Hall Plantation
443	Board on Veterans' Affairs
444	Catoctin Creek State Scenic River Advisory Board
445	Cave Board
446	Chickahominy State Scenic River Advisory Board
447	Clinch Scenic River Advisory Board
448	Coal Surface Mining Reclamation Fund Advisory Board
449	Council on Indians
450	Council on the Status of Women
451	Emergency Medical Services Advisory Board
452	Falls of the James Committee
453	Film Office Advisory Board
454	Forensic Science Advisory Board
455	Goose Creek Scenic River Advisory Board
456	Governor's Council on Alcohol and Drug Abuse Problems
457	Governor's Mined Land Reclamation Advisory Committee
458	Hemophilia Advisory Board
459	Human Services Information and Referral Advisory Council
460	Industrial Development Services Advisory Board
461	Interagency Coordinating Council on Housing for the Disabled
462	Interdepartmental Board of the State Department of Minority Business Enterprise
463	Laboratory Services Advisory Board
464	Local Advisory Board to the Blue Ridge Community College
465	Local Advisory Board to the Central Virginia Community College
466	Local Advisory Board to the Dabney S. Lancaster Community College
467	Local Advisory Board to the Danville Community College
468	Local Advisory Board to the Eastern Shore Community College
469	Local Advisory Board to the Germanna Community College
470	Local Advisory Board to the J. Sargeant Reynolds Community College
471	Local Advisory Board to the John Tyler Community College
472	Local Advisory Board to the Lord Fairfax Community College
473	Local Advisory Board to the Mountain Empire Community College
474	Local Advisory Board to the New River Community College
475	Local Advisory Board to the Northern Virginia Community College
476	Local Advisory Board to the Patrick Henry Community College
477	Local Advisory Board to the Paul D. Camp Community College
478	Local Advisory Board to the Piedmont Virginia Community College
479	Local Advisory Board to the Rappahannock Community College
480	Local Advisory Board to the Southwest Virginia Community College
481	Local Advisory Board to the Thomas Nelson Community College
482	Local Advisory Board to the Tidewater Community College
483	Local Advisory Board to the Virginia Highlands Community College
484	Local Advisory Board to the Virginia Western Community College
485	Local Advisory Board to the Wytheville Community College
486	Long-Term Care Council
487	Maternal and Child Health Council
488	Medical Advisory Board, Department of Motor Vehicles
489	Medical Board of the Virginia Retirement System
490	Migrant and Seasonal Farmworkers Board

491 Motor Vehicle Dealer's Advisory Board
 492 Nottoway State Scenic River Advisory Board
 493 Personnel Advisory Board
 494 Plant Pollination Advisory Board
 495 Private College Advisory Board
 496 (Effective July 1, 1994) Private Enterprise Commission
 497 Private Security Services Advisory Board
 498 Psychiatric Advisory Board
 499 Radiation Advisory Board
 500 Rappahannock Scenic River Advisory Board
 501 Recreational Fishing Advisory Board, Virginia
 502 Reforestation Board
 503 Retirement System Review Board
 504 Rockfish State Scenic River Advisory Board
 505 Shenandoah State Scenic River Advisory Board
 506 Small Business Advisory Board
 507 Small Business Environmental Compliance Advisory Board
 508 St. Mary's Scenic River Advisory Committee
 509 State Advisory Board on Air Pollution
 510 State Advisory Board for the Virginia Employment Commission
 511 State Building Code Technical Review Board
 512 State Council on Local Debt
 513 State Health Benefits Advisory Council
 514 State Insurance Advisory Board
 515 State Land Evaluation Advisory Council
 516 State Networking Users Advisory Board
 517 State Public Records Advisory Council
 518 Staunton Scenic River Advisory Committee
 519 Telecommunications Relay Service Advisory Board
 520 Tourism and Travel Services Advisory Board
 521 Toxic Substances Advisory Board
 522 Virginia Advisory Commission on Intergovernmental Relations
 523 Virginia Advisory Council for Adult Education and Literacy
 524 (For effective date - See Editor's note) Virginia Board on Physical Fitness and Sports
 525 Virginia Coal Research and Development Advisory Board
 526 Virginia Commission for the Arts
 527 Virginia Commission on the Bicentennial of the United States Constitution
 528 Virginia Council on Coordinating Prevention
 529 Virginia Equal Employment Opportunity Council
 530 Virginia Interagency Coordinating Council
 531 Virginia Military Advisory Council
 532 Virginia Mine Safety Board
 533 Virginia Public Buildings Board
 534 Virginia Recycling Markets Development Council
 535 *Virginia Strategic Planning Advisory Commission*
 536 Virginia Transplant Council
 537 Virginia Water Resources Research Center, Statewide Advisory Board
 538 Virginia Winegrowers Advisory Board.
 539 § 42.1-1. Virginia State Library and Archives.
 540 The Virginia State Library, which is hereby declared an educational institution and an institution of
 541 learning, shall be continued and shall hereafter be known as the Virginia State Library and Archives.
 542 The Virginia State Library and Archives shall be the library agency of the Commonwealth, the archival
 543 agency of the Commonwealth, and the reference library at the seat of government. It shall have the
 544 following powers and duties:
 545 ~~(1)1.~~ [Repealed.]
 546 (2)2. To accept gifts, bequests and endowments for the purposes which fall within the general legal
 547 powers and duties of the State Library and Archives. Unless otherwise specified by the donor or legator,
 548 the Library and Archives may either expend both the principal and interest of any gift or bequest or
 549 may invest such sums as the Board deems advisable, with the consent of the State Treasurer, in
 550 securities in which sinking funds may be invested. The Library and Archives shall be deemed to be an
 551 institution of higher education within the meaning of § 23-9.2;

552 ~~(3)~~3. To purchase and maintain a general collection of books, periodicals, newspapers, maps, films,
553 audiovisual materials and other materials for the use of the people of the Commonwealth as a means for
554 the promotion of knowledge within the Commonwealth. The scope of the Library and Archives'
555 collections shall be determined by the Library Board on recommendation of the State Librarian, and, in
556 making these decisions, the Board and Librarian shall take into account the book collections of public
557 libraries and college and university libraries throughout the Commonwealth and the availability of such
558 collections to the general public. The Board shall make available for circulation to libraries or to the
559 public such of its materials as it deems advisable;

560 ~~(4)~~4. To give assistance, advice and counsel to other agencies of the Commonwealth maintaining
561 libraries and special reference collections as to the best means of establishing and administering such
562 libraries and collections. It may establish in the State Library and Archives a union catalogue of all
563 books, pamphlets and other materials owned and used for reference purposes by all other agencies of the
564 Commonwealth and of all books, pamphlets and other materials maintained by libraries in the
565 Commonwealth which are of interest to the people of the whole Commonwealth;

566 ~~(5)~~5. To fix reasonable penalties for damage to or failure to return any book, periodical or other
567 material owned by the Library and Archives, or for violation of any rule or regulation concerning the
568 use of books, periodicals, and other materials in custody of the Library and Archives;

569 ~~(6)~~6. To give direction, assistance and counsel to all libraries in the Commonwealth, to all
570 communities which may propose to establish libraries, and to all persons interested in public libraries, as
571 to means of establishment and administration of such libraries, selection of books, retrieval systems,
572 cataloguing, maintenance, and other details of library management, and to conduct such inspections as
573 are necessary;

574 ~~(7)~~7. To engage in such activities in aid of city, county, town, regional and other public libraries as
575 will serve to develop the library system of the Commonwealth;

576 ~~(8)~~8. To administer and distribute state and federal library funds in accordance with law and its own
577 regulations to the city, county, town and regional libraries of the Commonwealth; ~~and~~

578 ~~(9)~~9. To enter into contracts with other states or regions or districts for the purpose of providing
579 cooperative library services; *and*

580 10. *To establish a State Planning Library, with the assistance of the Department of Planning and*
581 *Budget, Division of Planning, to be a repository for all planning documents of the Commonwealth and*
582 *its governmental subdivisions.*

583 Wherever in this title and the Code of Virginia the terms "State Library" or "Library" appear
584 referring to the Virginia State Library, they shall mean the Virginia State Library and Archives.