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HOUSE BILL NO. 2202

Offered January 16, 1997

A *BILL to amend and reenact §§ 2.1-20.01:1 and 2.1-398 of the Code of Virginia, relating to the submission of the executive budget to the General Assembly.*

Patrons—Plum, Abbitt, Almand, Behm, Callahan, Christian, Connally, Council, Cranwell, Croshaw, Darner, Davies, DeBoer, Diamonstein, Dickinson, Dillard, Grayson, Hall, Heilig, Hull, Jackson, Johnson, Lovelace, Melvin, Moss, Murphy, Phillips, Robinson, Scott, Shuler, Stump, Van Landingham, Van Yahres, Watts and Woodrum

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-20.01:1 and 2.1-398 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-20.01:1. General authority for agency directors.

A. Notwithstanding any provision of law to the contrary, the agency director of each executive branch agency shall have the following powers and duties:

1. To supervise and manage the department or agency.

2. To prepare, approve, and submit to the Governor all requests for appropriations and to be responsible for all expenditures pursuant to appropriations.

B. The agency director of each executive branch agency, except those that by law are appointed by their respective boards, shall not proscribe any agency employee from discussing the functions and policies of the agency, without prior approval from his supervisor or superior, with any person unless the information to be discussed is protected from disclosure by the Virginia Freedom of Information Act (§ 2.1-340 et seq.) or any other provision of state or federal law.

C. No provision in subsection A shall be construed to restrict any other specific or general powers and duties of executive branch boards granted by law.

D. This section shall not apply to those agency directors that are appointed by their respective boards or by the Board of Education. Directors appointed in this manner shall have the powers and duties assigned by law or by the board.

E. The director of each agency in any branch of state government shall, at the end of each fiscal year, report to (i) the Secretary of Finance *a listing and general description of any federal contract, grant, or money for which the agency was eligible, whether or not the agency applied for, accepted, and received such contract, grant, or money, and, if not, the reasons therefore*, and the dollar amount and corresponding percentage of the agency's total annual budget that was supplied by funds from the federal government and (ii) the chairmen of the House Appropriations, House Finance, and Senate Finance Committees any amounts owed to the agency from any source that are more than six months' delinquent, the length of such delinquencies, and the total of all such delinquent amounts in each six-month interval.

§ 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.

2. 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.

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- 60 3. A statement organized by function, primary agency, and proposed appropriation item which sets
61 forth:
- 62 (a) Identification of common programs and services;
 - 63 (b) Service attainments or lack of attainments and service terminations or reductions for the
64 biennium;
 - 65 (c) Major goals and objectives for programs;
 - 66 (d) Program measures to be used in monitoring and evaluating services as specified in the general
67 appropriations act; ~~and~~
 - 68 (e) The amount of each primary agency's budget that is direct aid to localities; *and*
 - 69 (f) *Reports, or summaries thereof, provided by agencies of the Commonwealth pursuant to subsection*
70 *E of § 2.1-20.01:1.*
- 71 4. An "executive salary plan" recommending levels into which the position of each cabinet secretary
72 and administrative head of each agency and institution of the executive branch of state government
73 should be placed for salary purposes, salary ranges for each of those recommended levels, and the basis
74 for the recommendations contained in the plan.
- 75 5. A statement of proposed capital appropriations organized by the primary agency that sets forth the
76 program need for the project and the proposed source of funding.