

LD6801661

SENATE BILL NO. 323

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws

on February 8, 1994)

(Patron Prior to Substitute—Senator Gartlan)

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.*

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 any county, city or town of the 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, parks and public safety.

"Major state project" means the acquisition of land for any state facility (facility includes highways, as defined in Title 46.2), the construction of any facility, or expansion of an existing facility which is hereafter undertaken by any state agency, board, or commission, authority or any branch of state government, including state-supported institutions of higher learning, which requires an environmental impact report. For the purposes of this chapter, "authority" shall not include any industrial development

60 authority created pursuant to the provisions of Chapter 33 (§ 15.1-1373 et seq.) of Title 15.1 or Chapter
61 643, as amended, of the 1964 Acts of Assembly nor shall authority include any housing development or
62 redevelopment authority established pursuant to state law. For the purposes of this chapter, "branch of
63 state government" shall not include any county, city or town of the Commonwealth.

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

68 "Plan" means the Virginia Growth Strategies Plan.

69 "Political subdivision" means any governmental subdivision as defined in this section, any sanitary,
70 sanitation and transportation district, authority or other such public body created under the laws of the
71 Commonwealth.

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

75 § 2.1-51.6:7. Planning goals.

76 The planning goals of the Commonwealth are to:

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

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

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

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

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

85 6. Provide a framework for the development and rehabilitation of affordable housing in the
86 Commonwealth.

87 7. Ensure that water is available to serve the needs of all the people of the Commonwealth and that
88 beneficial uses of water are considered and protected.

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

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

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

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

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

99 § 2.1-51.6:8. Virginia Growth Strategies Plan.

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

105 § 2.1-51.6:9. Contents and implementation of the Plan.

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

108 A. Plan elements. - The Plan shall contain but not be limited to the following plan elements: (i) an
109 inventory of the Commonwealth's existing infrastructure including transportation networks, water supply
110 and treatment facilities, sewerage systems and wastewater treatment systems, and solid waste
111 management disposal facilities, and the extent to which additions or improvements will be needed to
112 accommodate anticipated population and economic growth as may be furnished by any agency of the
113 Commonwealth, any governmental subdivision or political subdivision; (ii) strategies consistent with the
114 goals and plan elements for the economic development of the Commonwealth which include an inventory
115 and assessment of the Commonwealth's economic base, labor force characteristics, affordable housing
116 characteristics and economic development opportunities and resources, including the development of
117 economically disadvantaged areas and redevelopment of urban areas; and a determination of what can
118 be done to support retention and expansion of existing businesses and attract new businesses and
119 industries; (iii) strategies consistent with the goals and plan elements to support and maintain the
120 viability of agricultural and forestal activities through specific programs that include measures to
121 protect unique and prime agricultural and forestal lands; (iv) strategies consistent with the goals and

plan elements that will meet the long-range transportation needs of the Commonwealth; and (v) strategies consistent with the goals and plan elements for the protection of the Commonwealth's natural, historic and living resources that are based on an inventory of resources including groundwater supply, coastal resources, river watersheds, flood plains, major park, recreation and conservation areas, historic resources, wetlands and state-owned 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. Use of the Plan.

The Plan shall be used by the Commonwealth and its agencies 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. The Plan shall not constitute grounds for the denial of any permit nor shall the Plan supersede or take precedence over any statute, regulation or ordinance.

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

A. The Secretaries of Commerce and Trade, Finance, Natural Resources and Transportation (the Secretaries) shall on behalf of the Governor, work cooperatively, 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 when participating in the preparation of the Plan.

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

E. The Secretaries shall submit their plans to the Division of Planning. The Division of Planning, in cooperation with the Secretaries, shall combine and coordinate the individual plans into a single draft of the Plan.

F. The Division of Planning shall forward the Plan in draft form 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 Plan as revised shall be circulated by the Commission for public review and comment.

H. The Commission shall consider all comments and make such changes to the Plan as it deems appropriate and shall submit the Plan to the Governor.

I. The Governor shall approve the Plan after making such changes as he deems appropriate, and shall submit the Plan to the General Assembly with the budget bill on or before December 20, 1997.

J. The Plan shall be reviewed again by the Governor on or before December 20, 1999, and every four years thereafter, and he may amend it as necessary to achieve its goals. The Commission shall be afforded the opportunity to review and comment on amendments proposed to the Plan by the Governor. Proposed amendments shall also be made available for public review and comment prior to incorporation in the Plan.

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

On or before December 5, 1999, every county and city and every town with a population of 3,500 or more shall file a copy of 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

183 encouraged to file. The provisions of this section shall apply to any amendment to the local
184 comprehensive plan. Within sixty days after January 1 of each year, every county, city or town required
185 to file such amendments, shall file such amendments adopted during the preceding year.

186 § 2.1-51.6:13. Duties of the Division of Planning.

187 A. The 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. Analyze such geographic information and other data as may be furnished to it with regard to:
191 demographics, infrastructure, land use and land development patterns, air and water quality, economic
192 development, natural, cultural and historic resources, open space, and other areas relating to the goals.
193 The Division shall analyze trends in those areas where the Commonwealth has developed a strategic
194 plan and develop projections for future trends in such areas to aid the Governor and the Commission in
195 preparing, amending and implementing the Plan.

196 4. Coordinate preparation of the Commonwealth's capital improvements and long-term infrastructure
197 needs.

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

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

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

203 After December 20, 1997, the Division, in addition to the preceding duties, shall:

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

207 2. Cooperate with and provide professional, technical, and such grant assistance as may be available
208 to any planning agency, planning district commission, service district, or governmental subdivision
209 engaged in the preparation of development plans and programs.

210 3. Develop and maintain the Commonwealth's comprehensive data network.

211 4. Promote regional planning.

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

217 § 2.1-51.6:14. Virginia Strategic Planning Advisory Commission.

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

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

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

239 § 2.1-51.6:15. Duties of Virginia Strategic Planning Advisory Commission.

240 The Commission shall:

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

243 2. Assist the Division of Planning in developing administrative guidelines for the initial development
244 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 necessary to implement the strategies set forth in the Plan.

6. Recommend to the Governor alternatives to meet the funding requirements for economic development, conservation programs, transportation and other infrastructure improvements which will enhance the Commonwealth's ability to accommodate its population and development.

7. Recommend innovative and cooperative land management techniques that will accommodate anticipated population growth and development in a manner which enhances economic development and protects 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 submit a biennial budget which is substantially consistent with the Plan.

§ 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 (§ 2.1-51.6:4 et seq.) 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 statement that such projects are consistent with the Virginia Growth Strategies Plan. If a request is not accompanied by such statement, the Governor may nevertheless approve the project*

306 on the ground that there is an overriding state interest which supports the project. However, notice of
 307 any such approval shall be sent for informational purposes to the Commission and any governmental
 308 subdivision affected by the Governor's action. The Governor may prescribe targets which shall not be
 309 exceeded in the official estimate of each agency; however, an agency may submit to the Governor a
 310 request for an amount exceeding the target as an addendum to its official budget estimate.

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

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

320 § 2.1-394.1. Estimates by nonstate agencies of amounts needed.

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

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

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

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

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

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

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

341 § 2.1-398. Submission of budget to General Assembly.

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

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

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

354 (a)a. Administration of justice;

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

356 (c)c. Individual and family services;

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

359 (e)e. Transportation; and

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

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

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

365 (b)b. Service attainments or lack of attainments and service terminations or reductions for the
 366 biennium;

367 (c)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. 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

Advisory Board on Teacher Education and Licensure

Advisory Council on Revenue Estimates

Advisory Council on the Virginia Business-Education Partnership Program

Appomattox State Scenic River Advisory Board

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

- 491 Private College Advisory Board
- 492 (Effective July 1, 1994) Private Enterprise Commission
- 493 Private Security Services Advisory Board
- 494 Psychiatric Advisory Board
- 495 Radiation Advisory Board
- 496 Rappahannock Scenic River Advisory Board
- 497 Recreational Fishing Advisory Board, Virginia
- 498 Reforestation Board
- 499 Retirement System Review Board
- 500 Rockfish State Scenic River Advisory Board
- 501 Shenandoah State Scenic River Advisory Board
- 502 Small Business Advisory Board
- 503 Small Business Environmental Compliance Advisory Board
- 504 St. Mary's Scenic River Advisory Committee
- 505 State Advisory Board on Air Pollution
- 506 State Advisory Board for the Virginia Employment Commission
- 507 State Building Code Technical Review Board
- 508 State Council on Local Debt
- 509 State Health Benefits Advisory Council
- 510 State Insurance Advisory Board
- 511 State Land Evaluation Advisory Council
- 512 State Networking Users Advisory Board
- 513 State Public Records Advisory Council
- 514 Staunton Scenic River Advisory Committee
- 515 Telecommunications Relay Service Advisory Board
- 516 Tourism and Travel Services Advisory Board
- 517 Toxic Substances Advisory Board
- 518 Virginia Advisory Commission on Intergovernmental Relations
- 519 Virginia Advisory Council for Adult Education and Literacy
- 520 (For effective date - See Editor's note) Virginia Board on Physical Fitness and Sports
- 521 Virginia Coal Research and Development Advisory Board
- 522 Virginia Commission for the Arts
- 523 Virginia Commission on the Bicentennial of the United States Constitution
- 524 Virginia Council on Coordinating Prevention
- 525 Virginia Equal Employment Opportunity Council
- 526 Virginia Interagency Coordinating Council
- 527 Virginia Military Advisory Council
- 528 Virginia Mine Safety Board
- 529 Virginia Public Buildings Board
- 530 Virginia Recycling Markets Development Council
- 531 *Virginia Strategic Planning Advisory Commission*
- 532 Virginia Transplant Council
- 533 Virginia Water Resources Research Center, Statewide Advisory Board
- 534 Virginia Winegrowers Advisory Board.
- 535 § 42.1-1. Virginia State Library and Archives.
- 536 The Virginia State Library, which is hereby declared an educational institution and an institution of
- 537 learning, shall be continued and shall hereafter be known as the Virginia State Library and Archives.
- 538 The Virginia State Library and Archives shall be the library agency of the Commonwealth, the archival
- 539 agency of the Commonwealth, and the reference library at the seat of government. It shall have the
- 540 following powers and duties:
- 541 (1)1. [Repealed.]
- 542 (2)2. To accept gifts, bequests and endowments for the purposes which fall within the general legal
- 543 powers and duties of the State Library and Archives. Unless otherwise specified by the donor or legator,
- 544 the Library and Archives may either expend both the principal and interest of any gift or bequest or
- 545 may invest such sums as the Board deems advisable, with the consent of the State Treasurer, in
- 546 securities in which sinking funds may be invested. The Library and Archives shall be deemed to be an
- 547 institution of higher education within the meaning of § 23-9.2;
- 548 (3)3. To purchase and maintain a general collection of books, periodicals, newspapers, maps, films,
- 549 audiovisual materials and other materials for the use of the people of the Commonwealth as a means for
- 550 the promotion of knowledge within the Commonwealth. The scope of the Library and Archives'
- 551 collections shall be determined by the Library Board on recommendation of the State Librarian, and, in

552 making these decisions, the Board and Librarian shall take into account the book collections of public
553 libraries and college and university libraries throughout the Commonwealth and the availability of such
554 collections to the general public. The Board shall make available for circulation to libraries or to the
555 public such of its materials as it deems advisable;

556 (4)4. To give assistance, advice and counsel to other agencies of the Commonwealth maintaining
557 libraries and special reference collections as to the best means of establishing and administering such
558 libraries and collections. It may establish in the State Library and Archives a union catalogue of all
559 books, pamphlets and other materials owned and used for reference purposes by all other agencies of the
560 Commonwealth and of all books, pamphlets and other materials maintained by libraries in the
561 Commonwealth which are of interest to the people of the whole Commonwealth;

562 (5)5. To fix reasonable penalties for damage to or failure to return any book, periodical or other
563 material owned by the Library and Archives, or for violation of any rule or regulation concerning the
564 use of books, periodicals, and other materials in custody of the Library and Archives;

565 (6)6. To give direction, assistance and counsel to all libraries in the Commonwealth, to all
566 communities which may propose to establish libraries, and to all persons interested in public libraries, as
567 to means of establishment and administration of such libraries, selection of books, retrieval systems,
568 cataloguing, maintenance, and other details of library management, and to conduct such inspections as
569 are necessary;

570 (7)7. To engage in such activities in aid of city, county, town, regional and other public libraries as
571 will serve to develop the library system of the Commonwealth;

572 (8)8. To administer and distribute state and federal library funds in accordance with law and its own
573 regulations to the city, county, town and regional libraries of the Commonwealth; and

574 (9)9. To enter into contracts with other states or regions or districts for the purpose of providing
575 cooperative library services; and

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

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