

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 Lanningham, 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,

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

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

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

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

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

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

147 § 2.1-51.6:10. Adherence to the Plan.

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

151 § 2.1-51.6:11. Procedure for developing the Plan.

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

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

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

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

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

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

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

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

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

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

178 § 2.1-51.6:12. Filing of local comprehensive plans.

179 Every county and city and every town with a population of 3,500 or more shall file, on or before
 180 December 1, 1994, its local comprehensive plan with the Department of Planning and Budget's Division
 181 of Planning and the Virginia State Library. Towns with a population under 3,500 are encouraged to
 182 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.

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

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

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

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

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

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

260 § 2.1-387. Chief planning and budget officer; deputy.

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

266 § 2.1-388. Department of Planning and Budget created; appointment of Director.

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

270 § 2.1-389.1. Duties of Division of Planning.

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

273 § 2.1-391. Duties of ~~Department~~ Division of Budget.

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

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

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

279 3.2. Formulation of an executive budget as required in this chapter. In implementing this provision,
280 the ~~Department of Planning and Division of Budget~~ shall utilize the resources and determine the manner
281 of participation of any executive agency as the Governor may determine necessary to support an
282 efficient and effective budget process notwithstanding any contrary provision of law.

283 4.3. Conduct of policy analysis and program evaluation for the Governor.

284 5.4. Continuous review of the activities of state government focusing on budget requirements in the
285 context of the goals and objectives determined by the Governor and the General Assembly and
286 monitoring the progress of agencies in achieving goals and objectives.

287 6.5. Operation of a system of budgetary execution to ~~assure~~ensure that agency activities are
288 conducted within fund limitations provided in the ~~appropriations~~appropriation act and in accordance
289 with gubernatorial and legislative intent.

290 7.6. Development and operation of a system of standardized reports of program and financial
291 performance for management.

292 8.7. Coordination of statistical data by reviewing, analyzing, monitoring, and evaluating statistical
293 data developed and used by state agencies and by receiving statistical data from outside sources, such as
294 research institutes and the federal government.

295 9.8. Assessment of the impact of federal funds on state government by reviewing, analyzing,
296 monitoring, and evaluating the federal budget, as well as solicitations, applications, and awards for
297 federal financial aid programs on behalf of state agencies.

298 ~~10.9.~~ Review and verification of the accuracy of agency estimates of receipts from donations, gifts
299 or other nongeneral fund revenue.

300 § 2.1-394. Estimates by state agencies of amounts needed.

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

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

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

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

322 § 2.1-394.1. Estimates by nonstate agencies of amounts needed.

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

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

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

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

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

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

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

343 § 2.1-398. Submission of budget to General Assembly.

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

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

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

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

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

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

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

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

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

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

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

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

368 biennium;

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

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

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

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

377 5. A statement of proposed capital appropriations organized by the primary agency that sets forth the
378 program need for the project and the proposed source of funding.

379 § 2.1-399. Budget Bill.

380 A. On or before December 20 of the year immediately prior to the beginning of each regular session
381 held in an even-numbered year of the General Assembly, the Governor also shall submit to the presiding
382 officer of each house of the General Assembly, at the same time he submits his budget, copies of a
383 tentative bill for all proposed appropriations of the budget, for each year in the ensuing biennial
384 appropriation period, which shall be known as "The Budget Bill." "The Budget Bill" shall reference the
385 Virginia Growth Strategies Plan; shall be organized by function, primary agency, and proposed
386 appropriation item; and shall include an identification of, and authorization for, common programs and
387 the appropriation of funds according to programs. Except as expressly provided in an appropriation act,
388 whenever the amounts in a schedule for a single appropriation item are shown in two or more lines, the
389 portions of the total amount shown on separate lines are for information purposes only and are not
390 limiting. No such bill shall contain any appropriation the expenditure of which is contingent upon the
391 receipt of revenues in excess of funds unconditionally appropriated. The salary proposed for payment for
392 the position of each cabinet secretary and administrative head of each agency of the executive branch of
393 state government shall be specified in "The Budget Bill."

394 B. On or before December 20 of the year immediately prior to the beginning of each regular session
395 held in an odd-numbered year of the General Assembly, the Governor shall submit to the presiding
396 officer of each house printed copies of all gubernatorial amendments proposed to the general
397 appropriation act adopted in the immediately preceding even-numbered year session.

398 § 2.1-399.1. Capital projects.

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

407 B. On or before December 20 of the year immediately prior to the beginning of each regular session
408 held in an odd-numbered year of the General Assembly, the Governor shall submit to the presiding
409 officer of each house printed copies of all gubernatorial amendments proposed to capital appropriations
410 acts adopted in the immediately preceding even-numbered year session.

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

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

419 § 9-6.25:1. Advisory boards, commissions and councils.

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

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

423 Advisory Board for the Department for the Aging

424 Advisory Board on Child Abuse and Neglect

425 Advisory Board on Medicare and Medicaid

426 Advisory Board on Occupational Therapy

427 Advisory Board on Physical Therapy to the Board of Medicine

428 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.