

2014 SESSION

SENATE BILL NO. 29

Offered January 8, 2014

Prefiled December 16, 2013

A Bill to amend and reenact Chapter 806 of the 2013 Acts of Assembly, which appropriated the public revenues and provided a portion of such revenues for the two years ending, respectively, on the thirtieth day of June, 2013, and the thirtieth day of June, 2014.

Patron - Stosch

Referred to the Committee on Finance

Be it enacted by the General Assembly of Virginia:

1. That Items 42,43, 44, 45, 53, 64.05, 69, 75, 83, 86, 87, 102, 105, 107, 109, 128, 131, 132, 137, 138, 139, 146, 149, 152, 153, 164, 168, 169, 172, 180, 184, 195, 196, 198, 202, 205, 206, 208, 218, 219, 221, 222, 223, 229, 231, 235, 241, 250, 265, 266, 271, 273, 280, 288, 294, 304, 306, 307, 309, 310, 314, 315, 329, 336, 337, 339, 340, 341, 343, 355, 362, 366, 371, 388, 389, 400, 404, 405.05, 406, 407, 409, 417, 442, 446, 459.05, 468, 469, 482, 483, 484, C-36, C-38.10, C-39.05, C-39.40, 3-1.01, 3-5.03, 3-5.04, 4-1.04, and 4-5.03 of Chapter 806 of the Acts of Assembly of 2013 be hereby amended and reenacted and that the cited chapter be further amended by adding Items 471.10, C-8.11, 3-5.10, and 3-5.11.

§ 1. The following are hereby appropriated, for the current biennium, as set forth in succeeding parts, sections and items, for the purposes stated and for the years indicated:

A. The balances of appropriations made by previous acts of the General Assembly which are recorded as unexpended, as of the close of business on the last day of the previous biennium, on the final records of the State Comptroller; and

B. The public taxes and arrears of taxes, as well as moneys derived from all other sources, which shall come into the state treasury prior to the close of business on the last day of the current biennium. The term "moneys" means nontax revenues of all kinds, including but not limited to fees, licenses, services and contract charges, gifts, grants, and donations, and projected revenues derived from proposed legislation contingent upon General Assembly passage.

§ 2. Such balances, public taxes, arrears of taxes, and monies derived from all other sources as are not segregated by law to other funds, which funds are defined by the State Comptroller, pursuant to § 2.2-803, Code of Virginia, shall establish and constitute the general fund of the state treasury.

§ 3. The appropriations made in this act from the general fund are based upon the following:

	First Year	Second Year	Total
Unreserved Balance, June 30, 2012	\$976,011,000	\$0	\$976,011,000
	\$1,350,263,527		\$1,350,263,527
Additions to Balance	(\$179,378,723)	\$3,602,508	(\$175,776,215)
		(\$99,971,563)	(\$279,350,286)
Official Revenue Estimates	\$16,420,995,305	\$17,056,958,606	\$33,477,953,911
		\$16,970,956,277	\$33,391,951,582
Transfers	\$423,932,936	\$431,645,366	\$855,578,302
		\$522,824,031	\$946,756,967
Total General Fund Resources Available for Appropriation	\$17,641,560,518	\$17,492,206,480	\$35,133,766,998
	\$16,298,637,495	\$17,393,808,745	\$35,409,621,790

The appropriations made in this act from nongeneral fund revenues are based upon the following:

	First Year	Second Year	Total
Balance, June 30, 2012	\$4,307,352,991		\$4,307,352,991
Official Revenue Estimates	\$24,634,182,779	\$24,676,667,248	\$49,310,850,027
		\$24,692,441,767	\$49,326,624,546
Lottery Proceeds Fund	\$487,300,000	\$462,000,000	\$949,300,000
		\$517,200,000	\$1,004,500,000
Bond Proceeds	\$1,112,939,948	\$1,185,975,092	\$2,298,915,040
		\$1,215,289,092	\$2,328,229,040

1				
2	Total Nongeneral Fund			
3	Revenues			
4	Available for Appropriation	\$30,541,775,718	\$26,324,642,340	\$56,866,418,058
5			\$26,424,930,859	\$56,966,706,577
6				
7	TOTAL PROJECTED			
8	REVENUES	\$48,183,336,236	\$43,816,848,820	\$92,000,185,056
9			\$43,818,739,604	\$92,376,328,367

10 § 4. Nongeneral fund revenues which are not otherwise segregated pursuant to this act shall be segregated in accordance with
11 the acts respectively establishing them.

12 § 5. The sums herein appropriated are appropriated from the fund sources designated in the respective items of this act.

13 § 6. When used in this act the term:

14 A. "Current biennium" means the period from the first day of July two thousand twelve, through the thirtieth day of June two
15 thousand fourteen, inclusive.

16 B. "Previous biennium" means the period from the first day of July two thousand ten, through the thirtieth day of June two
17 thousand twelve, inclusive.

18 C. "Next biennium" means the period from the first day of July two thousand fourteen, through the thirtieth day of June two
19 thousand sixteen, inclusive.

20 D. "State agency" means a court, department, institution, office, board, council or other unit of state government located in the
21 legislative, judicial, or executive departments or group of independent agencies, or central appropriations, as shown in this act, and
22 which is designated in this act by title and a three-digit agency code.

23 E. "Nonstate agency" means an organization or entity as defined in § 2.2-1505 C, Code of Virginia.

24 F. "Authority" sets forth the general enabling statute, either state or federal, for the operation of the program for which
25 appropriations are shown.

26 G. "Discretionary" means there is no continuing statutory authority which infers or requires state funding for programs for
27 which the appropriations are shown.

28 H. "Appropriation" shall include both the funds authorized for expenditure and the corresponding level of full-time equivalent
29 employment.

30 I. "Sum sufficient" identifies an appropriation for which the Governor is authorized to exceed the amount shown in the
31 Appropriation Act if required to carry out the purpose for which the appropriation is made.

32 J. "Item Details" indicates that, except as provided in § 6 H above, the numbers shown under the columns labeled Item Details
33 are for information reference only.

34 K. Unless otherwise defined, terms used in this act dealing with budgeting, planning and related management actions are
35 defined in the instructions for preparation of the Executive Budget.

36 § 7. The total appropriations from all sources in this act have been allocated as follows:

37		BIENNIUM 2012-14		
38		General Fund	Nongeneral Fund	Total
39	OPERATING			
40	EXPENSES	\$35,102,138,453	\$50,859,698,273	\$85,961,836,726
41		\$34,853,037,110	\$51,135,831,127	\$85,988,868,237
42				
43	LEGISLATIVE			
44	DEPARTMENT	\$141,535,665	\$7,012,870	\$148,548,535
45				
46	JUDICIAL			
47	DEPARTMENT	\$847,261,486	\$65,810,386	\$913,071,872
48		\$848,261,486		\$914,071,872
49				

1	EXECUTIVE			
2	DEPARTMENT	\$34,111,941,302	\$49,526,121,691	\$83,638,062,993
3		\$33,861,839,959	\$49,796,759,163	\$83,658,599,122
4				
5	INDEPENDENT			
6	AGENCIES	\$1,400,000	\$1,260,753,326	\$1,262,153,326
7			\$1,266,248,708	\$1,267,648,708
8				
9	STATE GRANTS TO			
10	NONSTATE AGENCIES	\$0	\$0	\$0
11				
12	CAPITAL OUTLAY			
13	EXPENSES	\$20,050,000	\$2,502,646,508	\$2,522,696,508
14			\$2,526,387,295	\$2,546,437,295
15				
16	TOTAL	\$35,122,188,453	\$53,362,344,781	\$88,484,533,234
17		\$34,873,087,110	\$53,662,218,422	\$88,535,305,532
18				

19 § 8. This chapter shall be known and may be cited as the "2014 Amendments to the 2013 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	PART 1: OPERATING EXPENSES			
2	LEGISLATIVE DEPARTMENT			
3	1.	Not set out.		
4	2.	Not set out.		
5	3.	Not set out.		
6	4.	Not set out.		
7	5.	Not set out.		
8	6.	Not set out.		
9	7.	Not set out.		
10	8.	Not set out.		
11	9.	Not set out.		
12	10.	Not set out.		
13	11.	Not set out.		
14	12.	Not set out.		
15	13.	Not set out.		
16	14.	Not set out.		
17	15.	Not set out.		
18	16.	Not set out.		
19	17.	Not set out.		
20	18.	Not set out.		
21	19.	Not set out.		
22	20.	Not set out.		
23	21.	Not set out.		
24	22.	Not set out.		
25	23.	Not set out.		
26	24.	Not set out.		
27	25.	Not set out.		
28	26.	Not set out.		
29	27.	Not set out.		
30	28.	Not set out.		
31	29.	Not set out.		
32	30.	Not set out.		

ITEM 30.10.		Item Details(\$)		Appropriations(\$)		
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	30.10.	Not set out.				
2	30.20.	Not set out.				
3	30.30.	Not set out.				
4	30.40.	Not set out.				
5	31.	Not set out.				
6	32.	Not set out.				
7	33.	Not set out.				
8	34.	Not set out.				
9	TOTAL FOR LEGISLATIVE DEPARTMENT.....				\$72,989,956	\$75,558,579
10	General Fund Positions.....		577.50	578.50		
11	Nongeneral Fund Positions.....		29.50	29.50		
12	Position Level		607.00	608.00		
13	Fund Sources: General		\$69,483,521	\$72,052,144		
14	Special		\$3,253,328	\$3,253,328		
15	Trust and Agency		\$115,673	\$115,673		
16	Federal Trust.....		\$137,434	\$137,434		

ITEM 35.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	JUDICIAL DEPARTMENT			
2	§ 1-1. SUPREME COURT (111)			
3	35.	Not set out.		
4	36.	Not set out.		
5	37.	Not set out.		
6	38.	Not set out.		
7	39.	Not set out.		
8	40.	Not set out.		
9	41.	Not set out.		
10	Circuit Courts (113)			
11	42.	Pre-Trial, Trial, and Appellate Processes (32100).....		\$103,430,987
12				\$103,696,914
13		Trial Processes (32103)	\$44,195,507	\$44,461,434
14		Other Court Costs and Allowances (Criminal Fund)		
15		(32104)	\$59,235,480	\$59,235,480
16				\$59,308,911
17		Fund Sources: General	\$103,425,987	\$103,691,914
18				\$103,765,345
19		Special.....	\$5,000	\$5,000
20		Authority: Article VI, Section 1, Constitution of Virginia; Title 17.1, Chapter 5; § 19.2-163,		
21		Code of Virginia.		
22		A. Out of the amounts in this Item for Trial Processes shall be paid:		
23		1. The annual salaries of Circuit Court judges, each at \$158,134 from July 1, 2012, to		
24		November 24, 2012, \$158,134 from November 25, 2012, to November 24, 2013, and \$158,134		
25		from November 25, 2013, to June 30, 2014. Such salaries shall represent the total		
26		compensation from all sources for Circuit Court judges.		
27		2. Expenses necessarily incurred for the position of judge of the Circuit Court, including clerk		
28		hire not exceeding \$1,500 a year for each judge.		
29		3. The state's share of expenses incident to the prosecution of a petition for a writ of habeas		
30		corpus by an indigent petitioner, including payment of counsel fees as fixed by the Court; the		
31		expenses shall be paid upon receipt of an appropriate order from a Circuit Court.		
32		4. A circuit court judge shall only be reimbursed for mileage for commuting if the judge has to		
33		travel to a courthouse in a county or city other than the one in which the judge resides and the		
34		distance between the judge's residence and the courthouse is greater than 25 miles.		
35		B. The Chief Circuit Court Judge shall restrict the appointment of special justices to conduct		
36		involuntary mental commitment hearings to those unusual instances when no General District		
37		Court or Juvenile and Domestic Relations District Court Judge can be made available or when		
38		the volume of the hearings would require more than eight hours a week.		
39		C. There is hereby reappropriated the unexpended balance remaining at the close of business on		
40		June 30, 2012, in the appropriation made in Item 41, Chapter 890, Acts of Assembly of 2011,		
41		in the item detail Other Court Costs and Allowances (Criminal Fund) and the balance		
42		remaining in this item detail on June 30, 2013.		
43		D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall		

ITEM 42.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.			
2	E.1. General fund appropriations for Other Court Costs and Allowances (Criminal Fund) total			
3	\$110,956,463 the first year and \$111,354,063 \$112,354,063 the second year in this Item and			
4	Items 35, 41, 43, 44 and 45.			
5	2. The Chief Justice of the Supreme Court of Virginia shall determine how the amounts			
6	appropriated to Other Courts Costs and Allowances (Criminal Fund) will be allocated,			
7	consistent with statutory provisions in the Code of Virginia. Funds within these appropriations			
8	are to be used to fund fully the statutory caps on compensation applicable to attorneys			
9	appointed by the court to defend criminal charges. Should this appropriation not be sufficient			
10	to fund fully all of the statutory caps on compensation as established by § 19.2-163, Code of			
11	Virginia, that this appropriation shall be applied first to fully fund the statutory caps for the			
12	most serious noncapital felonies and then, should funds still remain in this appropriation, to the			
13	other statutory caps, in declining order of the severity of the charges to which each cap is			
14	applicable.			
15	3. Out of the amount appropriated from the general fund for Other Court Costs and Allowances			
16	(Criminal Fund) in this Item, there shall be transferred an amount not to exceed \$880,000 the			
17	first year and not to exceed \$880,000 the second year to the Criminal Injuries Compensation			
18	Fund, administered by the Virginia Workers' Compensation Commission, for the administration			
19	of the physical evidence recovery kit (PERK) program.			
20	4. Notwithstanding the provisions of § 19.2-163, Code of Virginia, the amount of compensation			
21	allowed to counsel appointed by the court to defend a felony charge that may be punishable by			
22	death shall be calculated on an hourly basis at a rate set by the Supreme Court of Virginia.			
23	F.1. For any hearing conducted pursuant to § 19.2-306, Code of Virginia, the circuit court shall			
24	have presented to it a sentencing revocation report prepared on a form designated by the			
25	Virginia Criminal Sentencing Commission indicating the condition or conditions of the			
26	suspended sentence, good behavior, or probation supervision that the defendant has allegedly			
27	violated.			
28	2. For any hearing conducted pursuant to § 19.2-306 in which the defendant is cited for			
29	violation of a condition or conditions other than a new criminal offense conviction, the court			
30	shall also have presented to it the applicable probation violation guideline worksheets			
31	established pursuant to Chapter 1042 of the Acts of Assembly 2003. The court shall review and			
32	consider the suitability of the discretionary probation violation guidelines. Before imposing			
33	sentence, the court shall state for the record that such review and consideration have been			
34	accomplished and shall make the completed worksheets a part of the record of the case and			
35	open for inspection. In hearings in which the court imposes a sentence that is either greater or			
36	less than that indicated by the discretionary probation violation guidelines, the court shall file			
37	with the record of the case a written explanation of such departure.			
38	3. Following any hearing conducted pursuant to § 19.2-306 and the entry of a final order, the			
39	clerk of the circuit court in which the hearing was held shall cause a copy of such order or			
40	orders, the original sentencing revocation report, any applicable probation violation guideline			
41	worksheets prepared in the case, and a copy of any departure explanation prepared pursuant to			
42	subsection F.2., to be forwarded to the Virginia Criminal Sentencing Commission within 30			
43	days.			
44	4. The failure to follow any or all of the provisions specified in F.1. through F.3 or the failure			
45	to follow any or all of these provisions in the prescribed manner shall not be reviewable on			
46	appeal or the basis of any other post-hearing relief.			
47	G. Mandated changes or improvements to court facilities pursuant to § 15.2-1643, Code of			
48	Virginia, or otherwise, including any new construction, shall be delayed at the request of the			
49	local governing body in which the court is located until June 30, 2014. The provisions of this			
50	item shall not apply to facilities that were subject to litigation on or before November 30,			
51	2008.			
52	Total for Circuit Courts		\$103,430,987	\$103,696,914
53				\$103,770,345

ITEM 42.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	General Fund Positions.....	164.00	165.00		
2	Position Level	164.00	165.00		
3	Fund Sources: General.....	\$103,425,987	\$103,691,914		
4			\$103,765,345		
5	Special.....	\$5,000	\$5,000		
6	General District Courts (114)				
7	43. Pre-Trial, Trial, and Appellate Processes (32100).....			\$98,614,237	\$98,079,646
8					\$98,354,456
9	Trial Processes (32103).....	\$80,550,627	\$80,016,036		
10	Other Court Costs and Allowances (Criminal Fund)				
11	(32104)	\$13,254,081	\$13,254,081		
12			\$13,528,891		
13	Involuntary Mental Commitments (32105).....	\$4,809,529	\$4,809,529		
14	Fund Sources: General.....	\$98,614,237	\$98,079,646		
15			\$98,354,456		
16	Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-137,				
17	19.2-163 and 37.1-67.1 et seq., Code of Virginia.				
18	A. Out of the amounts in this Item for Trial Processes shall be paid:				
19	1. The annual salaries of all General District Court judges, \$142,329 from July 1, 2012, to				
20	November 24, 2012, \$142,329 from November 25, 2012, to November 24, 2013, and \$142,329				
21	from November 25, 2013, to June 30, 2014. Such salary shall be 90 percent of the annual				
22	salary fixed by law for judges of the Circuit Courts and shall represent the total compensation				
23	for General District Court Judges and incorporate all supplements formerly paid by the various				
24	localities.				
25	2. The salaries of substitute judges and court personnel.				
26	B. There is hereby reappropriated the unexpended balances remaining at the close of business				
27	on June 30, 2012, in the appropriation made in Item 42, Chapter 890, Acts of Assembly of				
28	2011, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary				
29	Mental Commitments and the balances remaining in these item details on June 30, 2013.				
30	C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may				
31	be transferred between Items 42, 43, 44, and 304, as needed, to cover any deficits incurred for				
32	Involuntary Mental Commitments by the Supreme Court or the Department of Medical				
33	Assistance Services.				
34	D.1. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund)				
35	shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
36	2. The Committee on District Courts, in consultation with the Virginia Association of				
37	Commonwealth's Attorneys and the Virginia Indigent Defense Commission, shall develop				
38	policies and procedures to reduce the number of misdemeanor charges for which the				
39	Commonwealth will seek incarceration, thereby reducing expenditures through the Criminal				
40	Fund for court-appointed counsel or for public defenders. The Executive Secretary of the				
41	Supreme Court shall provide a report by October 30, 2013, to the Governor and to the				
42	Chairmen of the Senate and House Courts of Justice Committees, and the Chairmen of the				
43	Senate Finance and House Appropriations Committees on the implementation of these policies				
44	and procedures and their impact on Criminal Fund expenditures.				
45	E. Out of the amount appropriated from the general fund for Other Court Costs and				
46	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed				
47	\$40,000 the first year and not to exceed \$40,000 the second year to the Criminal Injuries				
48	Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the				
49	administration of the physical evidence recovery kit (PERK) program.				
50	F. A district court judge shall only be reimbursed for mileage for commuting if the judge has				

ITEM 43.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	to travel to a courthouse in a county or city other than the one in which the judge resides and				
2	the distance between the judge's residence and the courthouse is greater than 25 miles.				
3	G. Upon the retirement or separation from employment of any chief general district court clerks				
4	from the 7th judicial district or the 13th judicial district, any vacant chief clerk positions in				
5	excess of one chief clerk for each general district court shall be reallocated by the Committee				
6	on District Courts to district courts with the highest documented unmet staffing requirements.				
7	Total for General District Courts			\$98,614,237	\$98,079,646
8					\$98,354,456
9	General Fund Positions.....	1,068.10	1,056.10		
10	Position Level	1,068.10	1,056.10		
11	Fund Sources: General	\$98,614,237	\$98,079,646		
12			\$98,354,456		
13	Juvenile and Domestic Relations District Courts (115)				
14	44. Pre-Trial, Trial, and Appellate Processes (32100).....			\$81,585,156	\$82,594,333
15					\$83,115,702
16	Trial Processes (32103)	\$53,797,340	\$54,408,917		
17	Other Court Costs and Allowances (Criminal Fund)				
18	(32104)	\$27,472,248	\$27,869,848		
19			\$28,391,217		
20	Involuntary Mental Commitments (32105).....	\$315,568	\$315,568		
21	Fund Sources: General	\$81,585,156	\$82,594,333		
22			\$83,115,702		
23	Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-69.58,				
24	16.1-226 through 16.1-334, 19.2-163 and 37.1-67.1 et seq., Code of Virginia.				
25	A. Out of the amounts in this Item for Trial Processes shall be paid:				
26	1. The annual salaries of all full-time Juvenile and Domestic Relations District Court Judges,				
27	\$142,329 from July 1, 2012, to November 24, 2012, \$142,329 from November 25, 2012, to				
28	November 24, 2013, and \$142,329 from November 25, 2013, to June 30, 2014. Such salary				
29	shall be 90 percent of the annual salary fixed by law for judges of the Circuit Courts and shall				
30	represent the total compensation for Juvenile and Domestic Relations District Court Judges.				
31	2. The salaries of substitute judges and court personnel.				
32	B. There is hereby reappropriated the unexpended balances remaining at the close of business				
33	on June 30, 2012, in the appropriation made in Item 43, Chapter 890, Acts of Assembly of				
34	2011, in the Item details Other Court Costs and Allowances (Criminal Fund) and Involuntary				
35	Mental Commitments and the balances remaining in these item details on June 30, 2013.				
36	C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may				
37	be transferred between Items 43, 44, 45, and 304, as needed, to cover any deficits incurred for				
38	Involuntary Mental Commitments by the Supreme Court or the Department of Medical				
39	Assistance Services.				
40	D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall				
41	be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
42	E. Notwithstanding any other provision of law, when a Guardian ad Litem is appointed for a				
43	child by the Commonwealth, the juvenile and domestic relations district court or the circuit				
44	court, as the case may be, shall order the parent, parents, adoptive parent or adoptive parents of				
45	the child, or another party with a legitimate interest therein who has filed a petition with the				
46	court to reimburse the Commonwealth the costs of such services in an amount not to exceed				
47	the amount awarded the Guardian ad Litem by the court. If the court determines such party is				
48	unable to pay, the required reimbursement may be reduced or eliminated. In addition, it is the				
49	intent of the General Assembly that the Supreme Court actively administer the Guardian ad				

ITEM 44.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Litem program to ensure that payments made to Guardians ad Litem do not exceed that which			
2	is required. The Executive Secretary of the Supreme Court shall report August 1 and January 1			
3	of each year to the Chairmen of the House Appropriations and Senate Finance Committees on			
4	the amounts paid for Guardian ad Litem purposes, amounts reimbursed by parents and/or			
5	guardians, savings achieved, and management actions taken to further enhance savings under			
6	this program.			
7	F. Out of the amount appropriated from the general fund for Other Court Costs and Allowances			
8	(Criminal Fund) in this Item, there shall be transferred an amount not to exceed \$870,000 the			
9	first year and not to exceed \$870,000 the second year to the Criminal Injuries Compensation			
10	Fund, administered by the Virginia Workers' Compensation Commission for the administration			
11	of the physical evidence recovery kit (PERK) program.			
12	Total for Juvenile and Domestic Relations District			
13	Courts		\$81,585,156	\$82,594,333 \$83,115,702
14				
15	General Fund Positions.....	605.10	617.10	
16	Position Level	605.10	617.10	
17	Fund Sources: General.....	\$81,585,156	\$82,594,333 \$83,115,702	
18				
19	Combined District Courts (116)			
20	45. Pre-Trial, Trial, and Appellate Processes (32100).....			\$22,668,125
21				\$22,668,125 \$22,798,515
22	Trial Processes (32103)	\$14,508,614	\$14,508,614	
23	Other Court Costs and Allowances (Criminal Fund)			
24	(32104)	\$6,778,754	\$6,778,754 \$6,909,144	
25				
26	Involuntary Mental Commitments (32105).....	\$1,380,757	\$1,380,757	
27	Fund Sources: General.....	\$22,668,125	\$22,668,125 \$22,798,515	
28				
29	Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137,			
30	16.1-226 through 16.1-334, 19.2-163, and 37.1-67.1 et seq., Code of Virginia.			
31	A. Out of the amounts in this Item for Trial Processes shall be paid the salaries of substitute			
32	judges and court personnel.			
33	B. There is hereby reappropriated the unexpended balances remaining at the close of business			
34	on June 30, 2012, in the appropriation made in Item 44, Chapter 890, Acts of Assembly of			
35	2011, in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary			
36	Mental Commitments and the balances remaining in these item details on June 30, 2013.			
37	C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may			
38	be transferred between Items 43, 44, 45, and 304, as needed, to cover any deficits incurred for			
39	Involuntary Mental Commitments by the Supreme Court or the Department of Medical			
40	Assistance Services.			
41	D. The appropriation in this Item for Other Court Costs and Allowances shall be used to			
42	implement the provisions of § 8.01-384.1:1, Code of Virginia.			
43	E. Out of the amount appropriated from the general fund for Other Court Costs and			
44	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed			
45	\$95,000 the first year and not to exceed \$95,000 the second year to the Criminal Injuries			
46	Compensation Fund, administered by the Virginia Workers' Compensation Commission, for the			
47	administration of the physical evidence recovery kit (PERK) program.			
48	Total for Combined District Courts		\$22,668,125	\$22,668,125 \$22,798,515
49				

ITEM 45.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	General Fund Positions.....	204.55	204.55		
2	Position Level	204.55	204.55		
3	Fund Sources: General.....	\$22,668,125	\$22,668,125		
4			\$22,798,515		
5	46. Not set out.				
6	Grand Total for Supreme Court			\$385,890,764	\$386,392,376
7					\$387,392,376
8	General Fund Positions.....	2,705.71	2,706.71		
9	Nongeneral Fund Positions.....	6.00	6.00		
10	Position Level	2,711.71	2,712.71		
11	Fund Sources: General.....	\$375,157,246	\$375,658,858		
12			\$376,658,858		
13	Special.....	\$283,655	\$283,655		
14	Trust and Agency	\$25,000	\$25,000		
15	Dedicated Special Revenue.....	\$9,000,000	\$9,000,000		
16	Federal Trust.....	\$1,424,863	\$1,424,863		
17	47. Not set out.				
18	48. Not set out.				
19	49. Not set out.				
20	50. Not set out.				
21	51. Not set out.				
22	52. Not set out.				
23	§ 1-2. JUDICIAL DEPARTMENT REVERSION CLEARING ACCOUNT (104)				
24	53. Across the Board Reductions (71400).....			\$0	\$0
25	Authority: Discretionary Inclusion.				
26	A.1. Notwithstanding the provisions of §§ 16.1-69.6:1 or 17.1-507, Code of Virginia, the total				
27	number of authorized judges in any judicial district or circuit shall be reduced by a number				
28	equal to the number of judges retiring, dying or resigning from that district or circuit for any				
29	authorized judgeship which was vacant or became vacant on or after February 15, 2010, and				
30	before July 1, 2010, effective upon the resignation, death or retirement date of each such judge.				
31	2. Furthermore, notwithstanding the provisions of §§ 16.1-69.6:1 or 17.1-507, Code of Virginia,				
32	the total number of authorized judges in any judicial district or circuit shall be reduced by a				
33	number equal to the number of judges retiring, dying or resigning from that district or circuit				
34	on or after July 1, 2010, and on or before June 30, 2014, effective upon the resignation, death				
35	or retirement date of each such judge.				
36	3. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit				
37	court judgeship in the Second Judicial Circuit in which the retiring incumbent judge was a				
38	resident of Northampton or Accomack County.				
39	4. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit				
40	court judgeship in the Second Judicial Circuit in which the retiring incumbent judge was a				
41	resident of the City of Virginia Beach and retired prior to July 1, 2010.				
42	5. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit				
43	court judgeship in the Fifth Judicial Circuit in which the retiring incumbent judge retired prior				
44	to July 1, 2011.				

ITEM 53.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	6. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
2	court judgeship in the Sixth Judicial Circuit.			
3	7. Effective July 1, 2011, the provisions of this item shall not apply to any authorized circuit			
4	court judgeship in the Ninth Judicial Circuit in which the judgeship became vacant prior to			
5	July 1, 2010.			
6	8. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
7	court judgeship in the Tenth Judicial Circuit in which the retiring incumbent judge retired after			
8	January 1, 2011, but prior to July 1, 2011.			
9	9. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
10	court judgeship in the Eleventh Judicial Circuit in which the retiring incumbent judge retired			
11	after January 1, 2010, but prior to July 1, 2010.			
12	10. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
13	court judgeship in the Fourteenth Judicial Circuit in which the retiring incumbent judge retired			
14	after January 1, 2011, but prior to July 1, 2011.			
15	11. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
16	court judgeship in the Fifteenth Judicial Circuit in which the retiring incumbent judge retired			
17	prior to July 1, 2011.			
18	12. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
19	court judgeship in the Eighteenth Judicial Circuit.			
20	13. Effective July 1, 2011, the provisions of this item shall not apply to any authorized circuit			
21	court judgeship in the Twenty-fourth Judicial Circuit in which the retiring incumbent judge			
22	retired prior to July 1, 2010.			
23	14. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
24	court judgeship in the Twenty-sixth Judicial Circuit in which the retiring incumbent judge			
25	retired prior to July 1, 2011.			
26	15. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
27	court judgeship in the Twenty-seventh Judicial Circuit in which the retiring incumbent judge			
28	retired prior to July 1, 2010.			
29	16. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized circuit			
30	court judgeship in the Thirtieth Judicial Circuit in which the vacancy occurred prior to July 1,			
31	2011.			
32	17. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general			
33	district court judgeship in the Second Judicial District in which the retiring incumbent judge			
34	retired prior to July 1, 2010.			
35	18. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general			
36	district court judgeship in the Sixth Judicial District in which the retiring incumbent judge			
37	retired prior to July 1, 2010.			
38	19. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general			
39	district court judgeship in the Twelfth Judicial District in which the retiring incumbent judge			
40	retired prior to July 1, 2011.			
41	20. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized general			
42	district court judgeship in the Twentieth Judicial District in which the retiring incumbent judge			
43	retired after January 1, 2010, but prior to July 1, 2010.			
44	21. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized			
45	juvenile and domestic relations general district court judgeship in the Eleventh Judicial District			
46	in which the retiring incumbent judge retired prior to July 1, 2010.			
47	22. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized			
48	juvenile and domestic relations general district court judgeship in the Fifteenth Judicial District			

ITEM 53.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	in which the retiring incumbent judge retired prior to July 1, 2010.				
2	23. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized				
3	juvenile and domestic relations general district court judgeship in the Twenty-seventh Judicial				
4	District in which the retiring incumbent judge retired prior to July 1, 2010.				
5	24. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
6	court judgeship in the Sixth Judicial Circuit in which the retiring incumbent judge retired prior				
7	to July 1, 2012.				
8	25. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
9	court judgeship in the Ninth Judicial Circuit in which the retiring incumbent judge retired prior				
10	to July 1, 2012.				
11	26. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
12	court judgeship in the Twelfth Judicial Circuit in which the retiring incumbent judge retired				
13	prior to July 1, 2012.				
14	27. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
15	court judgeship in the Thirteenth Judicial Circuit in which the retiring incumbent judge retired				
16	prior to January 1, 2011.				
17	28. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
18	court judgeship in the Fourteenth Judicial Circuit in which the retiring incumbent judge retired				
19	prior to July 1, 2012.				
20	29. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
21	court judgeship in the Sixteenth Judicial Circuit in which the retiring incumbent judge retired				
22	prior to July 1, 2012.				
23	30. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
24	court judgeship in the Seventeenth Judicial Circuit in which the retiring incumbent judge retired				
25	prior to February 1, 2012.				
26	31. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
27	court judgeship in the Twenty-second Judicial Circuit in which the retiring incumbent judge				
28	retired after July 1, 2011 and prior to August 31, 2012.				
29	32. Effective July 1, 2012, the provisions of this item shall not apply to any authorized circuit				
30	court judgeship in the Twenty-eighth Judicial Circuit in which the retiring incumbent judge				
31	retired after January 1, 2012 and prior to July 1, 2012.				
32	33. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general				
33	district court judgeship in the First Judicial District in which the retiring incumbent judge				
34	retired after July 1, 2011 and prior to July 1, 2012.				
35	34. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general				
36	district court judgeship in the Sixth Judicial District in which the retiring incumbent judge				
37	retired after January 1, 2011 and prior to January 1, 2012.				
38	35. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general				
39	district court judgeship in the Twentieth Judicial District in which the retiring incumbent judge				
40	retired after April 1, 2012 and prior to July 1, 2012.				
41	36. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general				
42	district court judgeship in the Twenty-fifth Judicial District in which the retiring incumbent				
43	judge retired prior to January 1, 2009.				
44	37. Effective July 1, 2012, the provisions of this item shall not apply to any authorized general				
45	district court judgeship in the Thirty-first Judicial District in which the retiring incumbent judge				
46	retired prior to January 1, 2013.				
47	38. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile				
48	and domestic relations district court judgeship in the Second Judicial District which became				

ITEM 53.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	vacant after January 1, 2012 and prior to July 1, 2012.			
2	39. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile			
3	and domestic relations district court judgeship in the Ninth Judicial District in which the			
4	retiring incumbent judge retired prior to July 1, 2012.			
5	40. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile			
6	and domestic relations district court judgeship in the Tenth Judicial District in which the			
7	retiring incumbent judge retired prior to July 1, 2012.			
8	41. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile			
9	and domestic relations district court judgeship in the Twelfth Judicial District in which the			
10	retiring incumbent judge retired prior to July 1, 2012.			
11	42. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile			
12	and domestic relations district court judgeship in the Fourteenth Judicial District in which the			
13	retiring incumbent judge retired prior to July 1, 2010.			
14	43. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile			
15	and domestic relations district court judgeship in the Twenty-fourth Judicial District in which			
16	an incumbent judge died prior to January 1, 2012.			
17	44. Effective July 1, 2012, the provisions of this item shall not apply to any authorized juvenile			
18	and domestic relations district court judgeship in the Twenty-eighth Judicial District in which			
19	the retiring incumbent judge retired prior to July 1, 2012.			
20	45. Effective July 1, 2011, the provisions of this Item shall not apply to any authorized			
21	judgeship in which the vacancy occurred as a result of a judge being appointed to a judgeship			
22	on another Virginia court, provided such appointment is to another authorized judgeship which			
23	is funded as provided herein or by existing law.			
24	46. Effective August 1, 2012, the provisions of this Item shall not apply to any authorized			
25	circuit, general district, or juvenile and domestic relations court judgeship in which the vacancy			
26	occurred after August 1, 2012, and prior to December 1, 2012, and the incumbent judge would			
27	not have been subject to mandatory retirement on or before February 15, 2013.			
28	47. The State Comptroller shall revert to the general fund \$4,640,400 on or before June 30,			
29	2013 and \$3,902,508 on or before June 30, 2014 representing savings from vacant judgeships.			
30	48. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile			
31	and domestic relations district court judgeship in the Sixteenth Judicial District in which the			
32	retiring incumbent judge retired prior to February 1, 2013.			
33	49. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile			
34	and domestic relations district court judgeship in the Thirty-first Judicial District in which the			
35	retiring incumbent judge retired prior to July 1, 2013.			
36	50. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit			
37	court judgeship in the Fifth Judicial Circuit in which the retiring incumbent judge retired prior			
38	to January 1, 2013.			
39	51. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit			
40	court judgeship in the Fifteenth Judicial Circuit in which the retiring incumbent judge retired			
41	prior to May 1, 2013.			
42	52. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit			
43	court judgeship in the Twenty-second Judicial Circuit in which the retiring incumbent judge			
44	retired prior to January 1, 2013.			
45	53. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit			
46	court judgeship in the Twenty-fifth Judicial Circuit in which the retiring incumbent judge			
47	retired prior to January 1, 2013.			
48	54. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit			

ITEM 53.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1				
2	court judgeship in the Twenty-sixth Judicial Circuit in which the retiring incumbent judge retired prior to July 1, 2013.			
3				
4	55. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Second Judicial District in which the retiring incumbent judge retired prior to February 1, 2012.			
5				
6				
7	56. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Fourth Judicial District in which the retiring incumbent judge retired prior to February 1, 2012.			
8				
9				
10	57. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Eleventh Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.			
11				
12				
13	58. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Twelfth Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.			
14				
15				
16	59. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Fourteenth Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.			
17				
18				
19	60. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Fifteenth Judicial District in which the retiring incumbent judge retired prior to December 1, 2012.			
20				
21				
22	61. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Twenty-eighth Judicial District in which the retiring incumbent judge retired prior to February 1, 2013.			
23				
24				
25	62. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Twenty-ninth Judicial District in which the incumbent judge vacated the bench prior to September 1, 2012.			
26				
27				
28	63. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Second Circuit in which the retiring incumbent judge retired prior to January 1, 2012.			
29				
30				
31	64. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Nineteenth Circuit in which the retiring incumbent judge retired prior to August 1, 2012.			
32				
33				
34	65. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Twentieth Circuit in which the retiring incumbent judge retired prior to May 1, 2013.			
35				
36				
37	66. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general district court judgeship in the Seventeenth Judicial District in which the retiring incumbent judge retired prior to July 1, 2012.			
38				
39				
40	67. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile and domestic relations district court judgeship in the Twenty-First Judicial District in which the retiring incumbent judge retired prior to July 1, 2013.			
41				
42				
43	68. Effective January 1, 2014, the provisions of this item shall not apply to any authorized circuit court judgeship in the Third Circuit in which the retiring incumbent judge retired prior to January 1, 2013.			
44				
45				
46	69. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit court judgeship in the Fourth Circuit in which the retiring incumbent judge retired prior to May 1, 2012.			
47				
48				
	70. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit			

ITEM 53.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	court judgeship in the Twenty-Third Circuit in which the retiring incumbent judge retired prior			
2	to March 1, 2013.			
3	71. Effective July 1, 2013, the provisions of this item shall not apply to any authorized circuit			
4	court judgeship in the Twenty-Eighth Circuit in which the retiring incumbent judge retired prior			
5	to July 1, 2013.			
6	72. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general			
7	district court judgeship in the Thirteenth Judicial District in which the retiring incumbent judge			
8	retired prior to January 1, 2010.			
9	73. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general			
10	district court judgeship in the Fifteenth Judicial District in which the retiring incumbent judge			
11	retired prior to February 1, 2013.			
12	74. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general			
13	district court judgeship in the Sixteenth Judicial District in which the retiring incumbent judge			
14	retired prior to February 1, 2013.			
15	75. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general			
16	district court judgeship in the Nineteenth Judicial District in which the retiring incumbent judge			
17	retired prior to February 1, 2011.			
18	76. Effective July 1, 2013, the provisions of this item shall not apply to any authorized general			
19	district court judgeship in the Twenty-Seventh Judicial District in which the retiring incumbent			
20	judge retired prior to January 1, 2011.			
21	77. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile			
22	and domestic relations district court judgeship in the Fifteenth Judicial District in which the			
23	retiring incumbent judge retired prior to May 1, 2013.			
24	78. Effective July 1, 2013, the provisions of this item shall not apply to any authorized juvenile			
25	and domestic relations district court judgeship in the Twenty-Third Judicial District in which			
26	the retiring incumbent judge retired prior to July 1, 2013.			
27	B. On or before June 30, 2013, the Director of the Department of Planning and Budget shall			
28	authorize the reversion to the general fund of \$38,000, representing additional savings			
29	generated within the Indigent Defense Commission.			
30	C. On or before June 30, 2014, the Director of the Department of Planning and Budget shall			
31	authorize the reversion to the general fund of \$200,000, representing additional savings			
32	generated within the Indigent Defense Commission.			
33	<i>D. On or before June 30, 2014, the Director of the Department of Planning and Budget shall</i>			
34	<i>authorize the reversion to the general fund of \$175,000 from balances within the Virginia</i>			
35	<i>Criminal Sentencing Commission.</i>			
36	<i>E. On or before June 30, 2014, the Director of the Department of Planning and Budget shall</i>			
37	<i>authorize the reversion to the general fund of \$190,000 from balances within the Judicial</i>			
38	<i>Inquiry and Review Commission.</i>			
39	Total for Judicial Department Reversion Clearing			
40	Account.....		\$0	\$0
41	TOTAL FOR JUDICIAL DEPARTMENT		\$455,992,489	\$457,079,383
42				\$458,079,383
43	General Fund Positions.....	3,258.71	3,259.71	
44	Nongeneral Fund Positions.....	103.00	103.00	
45	Position Level	3,361.71	3,362.71	
46	Fund Sources: General	\$423,087,296	\$424,174,190	
47			\$425,174,190	
48	Special.....	\$9,690,178	\$9,690,178	

ITEM 53.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Trust and Agency	\$25,000	\$25,000		
2	Dedicated Special Revenue	\$21,765,152	\$21,765,152		
3	Federal Trust.....	\$1,424,863	\$1,424,863		

ITEM 54.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	EXECUTIVE DEPARTMENT			
2	EXECUTIVE OFFICES			
3	54.	Not set out.		
4	55.	Not set out.		
5	56.	Not set out.		
6	57.	Not set out.		
7	58.	Not set out.		
8	59.	Not set out.		
9	60.	Not set out.		
10	61.	Not set out.		
11	62.	Not set out.		
12	62.10.	Not set out.		
13	63.	Not set out.		
14	64.	Not set out.		
15	§ 1-3. OFFICE OF THE STATE INSPECTOR GENERAL (147)			
16	64.05.	Inspection, Monitoring, and Auditing Services (78700)...		\$1,400,000
17				\$6,176,536
18		Inspection and Compliance of Program Operations		\$6,181,232
19		(78701)	\$1,400,000	\$6,176,536
20				\$6,181,232
21		Fund Sources: General	\$1,400,000	\$4,155,222
22				\$4,159,918
23		Special	\$0	\$125,000
24		Commonwealth Transportation	\$0	\$1,896,314
25		Authority: Title 2.2, Chapter 3.2, Code of Virginia.		
26		A. Out of this appropriation shall be paid the annual salary of the State Inspector General,		
27		which shall be within the range of \$127,846 and \$170,352 from July 1, 2012 to June 30,		
28		2014.		
29		B. The Office of the State Inspector General shall be responsible for investigating the		
30		management and operations of state agencies and nonstate agencies to determine whether acts		
31		of fraud, waste, abuse, or corruption have been committed or are being committed by state		
32		officers or employees or any officers or employees of a nonstate agency, including any		
33		allegations of criminal acts affecting the operations of state agencies or nonstate agencies.		
34		However, no investigation of an elected official of the Commonwealth to determine whether a		
35		criminal violation has occurred, is occurring, or is about to occur under the provisions of		
36		§ 52-8.1 shall be initiated, undertaken, or continued except upon the request of the Governor,		
37		the Attorney General, or a grand jury.		
38		C. The Office of the State Inspector General shall be responsible for coordinating and		
39		recommending standards for those internal audit programs in existence as of July 1, 2012, and		
40		developing and maintaining other internal audit programs in state agencies and nonstate		
41		agencies as needed in order to ensure that the Commonwealth's assets are subject to appropriate		
42		internal management controls. The State Inspector General shall assess the condition of the		
43		accounting, financial, and administrative controls of state agencies and nonstate agencies.		

ITEM 64.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	D. The Office of the State Inspector General shall be responsible for providing timely			
2	notification to the appropriate attorney for the Commonwealth and law-enforcement agencies			
3	whenever the State Inspector General has reasonable grounds to believe there has been a			
4	violation of state criminal law.			
5	E. The Office of the State Inspector General shall be responsible for assisting citizens in			
6	understanding their rights and the processes available to them to express concerns regarding the			
7	activities of a state agency or nonstate agency or any officer or employee of the foregoing;			
8	F.1. The Office of the State Inspector General shall be responsible for development,			
9	coordination and management of a program to train internal auditors. The Office of the State			
10	Inspector General shall assist internal auditors of state agencies and institutions in receiving			
11	continued professional education as required by professional standards. The Office of the State			
12	Inspector General shall coordinate its efforts with state institutions of higher education and			
13	offer training programs to the internal auditors as well as coordinate any special training			
14	programs for the internal auditors.			
15	2. To fund the direct costs of hiring training instructors, the Office of the State Inspector			
16	General is authorized to collect fees from training participants to provide training events for			
17	internal auditors. A nongeneral fund appropriation of \$125,000 the second year is provided for			
18	use by the Office of the State Inspector General to facilitate the collection of payments from			
19	training participants for this purpose			
20	G. The State Inspector General shall review the organization structure, staffing levels, and			
21	missions of the Office of the State Inspector General, including the required numbers of			
22	auditors and investigators, the required numbers of support staff, and the appropriate division of			
23	responsibilities between the Department of Corrections and the Office of the State Inspector			
24	General for criminal investigations, internal operational reviews, and other studies and activities			
25	that are essential to the ongoing security of the Department of Corrections, and shall make			
26	recommendations as appropriate for the assignment of investigative staff resources in order to			
27	achieve the highest and best utilization of existing personnel resources. The State Inspector			
28	General shall provide copies of this report to the Governor and the Chairmen of the House			
29	Appropriations and Senate Finance Committees by September 1, 2013.			
30	Total for Office of the State Inspector General		\$1,400,000	\$6,176,536
31				\$6,181,232
32	General Fund Positions.....	6.00	24.00	
33	Nongeneral Fund Positions.....	0.00	16.00	
34	Position Level	6.00	40.00	
35	Fund Sources: General.....	\$1,400,000	\$4,155,222	
36			\$4,159,918	
37	Special.....	\$0	\$125,000	
38	Commonwealth Transportation	\$0	\$1,896,314	
39	65. Not set out.			
40	TOTAL FOR EXECUTIVE OFFICES.....		\$51,913,511	\$57,741,529
41				\$57,746,225
42	General Fund Positions.....	262.67	287.67	
43	Nongeneral Fund Positions.....	193.33	219.33	
44	Position Level	456.00	507.00	
45	Fund Sources: General.....	\$27,701,390	\$31,115,145	
46			\$31,119,841	
47	Special.....	\$14,489,561	\$14,981,061	
48	Commonwealth Transportation	\$143,205	\$2,039,519	
49	Federal Trust.....	\$9,579,355	\$9,605,804	

ITEM 66.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

1 **OFFICE OF ADMINISTRATION**

2 66. Not set out.

3 67. Not set out.

4 **§ 1-4. COMPENSATION BOARD (157)**

5 68. Not set out.

6 69.	Financial Assistance for Confinement of Inmates in			
7	Local and Regional Facilities (35600).....			\$56,223,725
8				\$50,115,331
9	Financial Assistance for Local Jail Per Diem (35601).....	\$29,236,337	\$25,642,213	
10	Financial Assistance for Regional Jail Per Diem			
11	(35604)	\$26,987,388	\$24,473,118	
12			\$28,973,118	
13	Fund Sources: General	\$56,223,725	\$50,115,331	
14			\$54,615,331	

15 Authority: §§ 53.1-83.1, 53.1-84 and 53.1-85, Code of Virginia.

16 A. In the event the appropriation in this Item proves to be insufficient to fund all of its
 17 provisions, any amount remaining as of June 1, 2013, and June 1, 2014, may be reallocated
 18 among localities on a pro rata basis according to such deficiency.

19 B. For the purposes of this Item, the following definitions shall be applicable:

20 1. Effective sentence—a convicted offender’s sentence as rendered by the court less any portion
 21 of the sentence suspended by the court.

22 2. Local responsible inmate—(a) any person arrested on a state warrant and incarcerated in a
 23 local correctional facility, as defined by § 53.1-1, Code of Virginia, prior to trial; (b) any
 24 person convicted of a misdemeanor offense and sentenced to a term in a local correctional
 25 facility; or (c) any person convicted of a felony offense and given an effective sentence of (i)
 26 twelve months or less or (ii) less than one year.

27 3. State responsible inmate—any person convicted of one or more felony offenses and (a) the
 28 sum of consecutive effective sentences for felonies, committed on or after January 1, 1995, is
 29 (i) more than 12 months or (ii) one year or more, or (b) the sum of consecutive effective
 30 sentences for felonies, committed before January 1, 1995, is more than two years.

31 C. The individual or entity responsible for operating any facility which receives funds from this
 32 Item may, if requested by the Department of Corrections, enter into an agreement with the
 33 department to accept the transfer of convicted felons, from other local facilities or from
 34 facilities operated by the Department of Corrections. In entering into any such agreements, or
 35 in effecting the transfer of offenders, the Department of Corrections shall consider the security
 36 requirements of transferred offenders and the capability of the local facility to maintain such
 37 offenders. For purposes of calculating the amount due each locality, all funds earned by the
 38 locality as a result of an agreement with the Department of Corrections shall be included as
 39 receipts from these appropriations.

40 D. Out of this appropriation, an amount not to exceed \$377,010 the first year and \$377,010 the
 41 second year from the general fund, is designated to be held in reserve for unbudgeted medical
 42 expenses incurred by local correctional facilities in the care of state responsible felons.

43 E. The following amounts shall be paid out of this appropriation to compensate localities for
 44 the cost of maintaining prisoners in local correctional facilities, as defined by § 53.1-1, Code of
 45 Virginia, or if the prisoner is not housed in a local correctional facility, in an alternative to
 46 incarceration program operated by, or under the authority of, the sheriff or jail board:

47 1. For local responsible inmates—\$4 per inmate day, or, if the inmate is housed and

ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	maintained in a jail farm not under the control of the sheriff, the rate shall be \$18 per inmate			
2	day.			
3	2. For state responsible inmates—\$12 per inmate day.			
4	F. For the payment specified in paragraph E 1 of this Item for prisoners in alternative			
5	punishment or alternative to incarceration programs:			
6	1. Such payment is intended to be made for prisoners that would otherwise be housed in a			
7	local correctional facility. It is not intended for prisoners that would otherwise be sentenced to			
8	community service or placed on probation.			
9	2. No such payment shall be made unless the program has been approved by the Department of			
10	Corrections or the Department of Criminal Justice Services. Alternative punishment or			
11	alternative to incarceration programs, however, may include supervised work experience,			
12	treatment, and electronic monitoring programs.			
13	G.1. Except as provided for in paragraph G 2, and notwithstanding any other provisions of this			
14	Item, the Compensation Board shall provide payment to any locality with an average daily jail			
15	population of under ten in FY 1995 an inmate per diem rate of \$22 per day for local			
16	responsible inmates and \$28 per day for state responsible inmates held in these jails in lieu of			
17	personal service costs for corrections' officers.			
18	2. Any locality covered by the provisions of this paragraph shall be exempt from the provisions			
19	thereof provided that the locally elected sheriff, with the assistance of the Compensation Board,			
20	enters into good faith negotiations to house his prisoners in an existing local or regional jail. In			
21	establishing the per diem rate and capital contribution, if any, to be charged to such locality by			
22	a local or regional jail, the Compensation Board and the local sheriff or regional jail authority			
23	shall consider the operating support and capital contribution made by the Commonwealth, as			
24	required by §§ 15.2-1613, 15.2-1615.1, 53.1-80, and 53.1-81, Code of Virginia. The			
25	Compensation Board shall report periodically to the Chairmen of the House Appropriations and			
26	Senate Finance Committees on the progress of these negotiations and may withhold the			
27	exemption granted by this paragraph if, in the board's opinion, the local sheriff fails to			
28	negotiate in good faith.			
29	H.1. The Compensation Board shall recover the state-funded costs associated with housing			
30	federal inmates, District of Columbia inmates or contract inmates from other states. The			
31	Compensation Board shall determine, by individual jail, the amount to be recovered by the			
32	Commonwealth by multiplying the jail's current inmate days for this population by the			
33	proportion of the jail's per inmate day salary funds provided by the Commonwealth, as			
34	identified in the most recent Jail Cost Report prepared by the Compensation Board. Beginning			
35	July 1, 2009, the Compensation Board shall determine, by individual jail, the amount to be			
36	recovered by the Commonwealth by multiplying the jail's current inmate days for this			
37	population by the proportion of the jail's per inmate day operating costs provided by the			
38	Commonwealth, excluding payments otherwise provided for in this Item, as identified in the			
39	most recent Jail Cost Report prepared by the Compensation Board. If a jail is not included in			
40	the most recent Jail Cost Report, the Compensation Board shall use the statewide average of			
41	per inmate day salary funds provided by the Commonwealth.			
42	2. The Compensation Board shall deduct the amount to be recovered by the Commonwealth			
43	from the facility's next quarterly per diem payment for state-responsible and local-responsible			
44	inmates. Should the next quarterly per diem payment owed the locality not be sufficient against			
45	which to net the total quarterly recovery amount, the locality shall remit the remaining amount			
46	not recovered to the Compensation Board.			
47	3. Any local or regional jail which receives funding from the Compensation Board shall give			
48	priority to the housing of local-responsible, state-responsible, and state contract inmates, in that			
49	order, as provided in paragraph H 1.			
50	4. The Compensation Board shall not provide any inmate per diem payments to any local or			
51	regional jail which holds federal inmates in excess of the number of beds contracted for with			
52	the Department of Corrections, unless the Director, Department of Corrections, certifies to the			
53	Chairman of the Compensation Board that a) such contract beds are not required; b) the facility			
54	has operational capacity built under contract with the federal government; c) the facility has			

ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
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ITEM 69.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	enroll eligible local-responsible offenders in Medicaid. The Compensation Board, with any			
2	necessary assistance from the Departments of Medical Assistance Services and Social Services,			
3	shall provide a report on the number of local-responsible offenders who could be enrolled in			
4	Medicaid to the Chairmen of the House Appropriations and Senate Finance Committees by			
5	November 1, 2013.			
6	70.	Not set out.		
7	71.	Not set out.		
8	72.	Not set out.		
9	73.	Not set out.		
10	74.	Not set out.		
11	75.	Administrative and Support Services (79900).....		\$3,191,928
12				\$3,237,627
13		General Management and Direction (79901).....	\$2,069,587	\$2,257,499
14				\$2,259,922
15		Information Technology Services (79902).....	\$1,040,518	\$898,305
16		Training Services (79925)	\$81,823	\$81,823
17		Fund Sources: General	\$3,191,928	\$3,237,627
18				\$3,240,050
19	Authority: Title 2.2-1839; Title 15.2, Chapter 16, Articles 2, 3, 4 and 6.1; Title 17.1, Chapter			
20	2, Article 7, Code of Virginia.			
21	A.1. In determining the salary of any officer specified in Items 68, 70, 71, 72, 73 and 74 of this			
22	act, the Compensation Board shall use the greater of the most recent actual United States			
23	census count or the most recent provisional population estimate from the United States Bureau			
24	of the Census or the Weldon Cooper Center for Public Service of the University of Virginia			
25	available when fixing the officer's annual budget and shall adjust such population estimate,			
26	where applicable, for any annexation or consolidation order by a court when such order			
27	becomes effective. There shall be no reduction in salary by reason of a decline in population			
28	during the terms in which the incumbent remains in office.			
29	2. In determining the salary of any officer specified in Items 68, 70, 71, 72, 73 and 74 of this			
30	act, nothing herein contained shall prevent the governing body of any county or city from			
31	supplementing the salary of such officer in such county or city for the provisions of Chapter			
32	822, 2012 Acts of Assembly or for additional services not required by general law; provided,			
33	however, that any such supplemental salary shall be paid wholly by such county or city.			
34	3. Any officer whose salary is specified in Items 68, 70, 71, 72, 73 and 74 of this act shall			
35	provide reasonable access to his work place, files, records, and computer network as may be			
36	requested by his duly elected successor after the successor has been certified.			
37	B.1. Notwithstanding any other provision of law, the Compensation Board shall authorize and			
38	fund permanent positions for the locally elected constitutional officers, subject to appropriation			
39	by the General Assembly, including the principal officer, at the following levels:			
40		FY 2013	FY 2014	
41	Sheriffs	11,039		
42			11,051	
43	Partially Funded: Jail Medical, Treatment, and			
44	Classification and Records Positions	750		
45			753	
46	Commissioners of the Revenue	846		846
47	Treasurers	861		861
48	Directors of Finance	383		383
49	Commonwealth's Attorneys	1,266		1,266
50	Clerks of the Circuit Court	1,144		1,144
51	TOTAL	16,289		

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1		16,304		
2	2. The Compensation Board is authorized to provide funding for 549 temporary positions the			
3	first year and 549 temporary positions the second year.			
4	3. The board is authorized to adjust the expenses and other allowances for such officers to			
5	maintain approved permanent and temporary manpower levels.			
6	4. Paragraphs B 1 and B 2 of this Item shall not apply to the clerks of the circuit courts and			
7	their employees specified in § 17.1-288, Code of Virginia, or those under contract pursuant to			
8	§ 17.1-290, Code of Virginia.			
9	C.1. Reimbursement by the Compensation Board for the use of vehicles purchased or leased			
10	with public funds used in the discharge of official duties shall be at a rate equal to that			
11	approved by the Joint Legislative Audit and Review Commission for Central Garage Car Pool			
12	services. No vehicle purchased or leased with public funds on or after July 1, 2002, shall			
13	display lettering on the exterior of the vehicle that includes the name of the incumbent sheriff.			
14	2. Reimbursement by the Compensation Board for the use of personal vehicles in the discharge			
15	of official duties shall be at a rate equal to that established in § 4-5.04 e 2. of this act. All such			
16	requests for reimbursement shall be accompanied by a certification that a publicly owned or			
17	leased vehicle was unavailable for use.			
18	D. The Compensation Board is directed to examine the current level of crowding of inmates in			
19	local jails among the several localities and to reallocate or reduce temporary positions among			
20	local jails as may be required, consistent with the provisions of this act.			
21	E. Any new positions established in Item 75 of this act shall be allocated by the Compensation			
22	Board upon request of the constitutional officers in accordance with staffing standards and			
23	ranking methodologies approved by the Compensation Board to fulfill the requirements of any			
24	court order occurring from proceedings under § 15.2-1636.8, Code of Virginia, in accordance			
25	with the provisions of Item 68 of this act.			
26	F. Any funds appropriated in this act for performance pay increases for designated deputies or			
27	employees of constitutional officers shall be allocated by the Compensation Board upon			
28	certification of the constitutional officer that the performance pay plan for that office meets the			
29	minimum standards for such plans as set by the Compensation Board. Nothing herein, and			
30	nothing in any performance pay plan set by the Compensation Board or adopted by a			
31	constitutional officer, shall change the status of employees or deputies of constitutional officers			
32	from employees at will or create a property or contractual right to employment. Such deputies			
33	and employees shall continue to be employees at will who serve at the pleasure of the			
34	constitutional officers.			
35	G. The Compensation Board shall apply the current fiscal stress factor, as determined by the			
36	Commission on Local Government, to any general fund amounts approved by the board for the			
37	purchase, lease or lease purchase of equipment for constitutional officers. In the case of			
38	equipment requests from regional jail superintendents and regional special prosecutors, the			
39	highest stress factor of a member jurisdiction will be used.			
40	H. The Compensation Board shall not approve or commit additional funds for the operational			
41	cost, including salaries, for any local or regional jail construction, renovation, or expansion			
42	project which was not approved for reimbursement by the State Board of Corrections prior to			
43	January 1, 1996, unless: (1) the Secretary of Public Safety certifies that such additional funding			
44	results in an actual cost savings to the Commonwealth or (2) an exception has been granted as			
45	provided for in Item 386 of this act.			
46	I. Subject to appropriations by the General Assembly for this purpose, the Compensation Board			
47	may provide funding for executive management, lawful employment practices, and jail			
48	management training for constitutional officers, their employees, and regional jail			
49	superintendents.			
50	J. Any local or regional jail that receives funding from the Compensation Board shall report			
51	inmate populations to the Compensation Board, through the local inmate data system, no less			
52	frequently than weekly. Each local or regional jail that receives funding from the Compensation			

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Board shall use the Virginia Crime Codes (VCC) in identifying and describing offenses for			
2	persons arrested and/or detained in local and regional jails in Virginia.			
3	K.1. The Compensation Board shall provide the Chairmen of the Senate Finance and House			
4	Appropriations Committees and the Secretaries of Finance and Administration with an annual			
5	report, on December 1 of each year, of jail revenues and expenditures for all local and regional			
6	jails and jail farms which receive funds from the Compensation Board. Information provided to			
7	the Compensation Board is to include an audited statement of revenues and expenses for			
8	inmate canteen accounts, telephone commission funds, inmate medical co-payment funds, any			
9	other fees collected from inmates and investment/interest monies for inclusion in the report.			
10	2. Local and regional jails and jail farms and local governments receiving funds from the			
11	Compensation Board shall, as a condition of receiving such funds, provide such information as			
12	may be required by the Compensation Board, necessary to prepare the annual jail cost report.			
13	3. If any sheriff, superintendent, county administrator, or city manager fails to send such			
14	information within five working days after the information should be forwarded, the Chairman			
15	of the Compensation Board shall notify the sheriff, superintendent, county administrator or city			
16	manager of such failure. If the information is not provided within ten working days from that			
17	date, then the chairman shall cause the information to be prepared from the books of the city,			
18	county, or regional jail and shall certify the cost thereof to the State Comptroller. The State			
19	Comptroller shall issue his warrant on the state treasury for that amount, deducting the same			
20	from any funds that may be due the sheriff or regional jail from the Commonwealth.			
21	L. In the event of the transition of a city to town status pursuant to the provisions of Chapter			
22	41 (§ 15.2-4100 et seq.) of Title 15.2, Code of Virginia, or the consolidation of a city and a			
23	county into a single city pursuant to the provisions of Chapter 35 (§ 15.2-3500 et seq.) of Title			
24	15.2, Code of Virginia, subsequent to July 1, 1999, the Compensation Board shall provide			
25	funding from Items 68, 71, 72, 73 and 74 of this act, consistent with the requirements of			
26	§ 15.2-1302, Code of Virginia. Notwithstanding the provisions of paragraph E of this Item, any			
27	positions in the constitutional offices of the former city or former county which are available			
28	for reallocation as a result of the transition or consolidation shall be first reallocated in			
29	accordance with Compensation Board staffing standards to the constitutional officers in the			
30	county in which the town is situated or to the consolidated city, without regard to the			
31	Compensation Board's priority of need ranking for reallocated positions. The salary and fringe			
32	benefit costs for these positions shall be deducted from any amounts due the county or to the			
33	consolidated city, as provided in § 15.2-1302, Code of Virginia.			
34	M. Notwithstanding any other provisions of § 15.2-1605, Code of Virginia, the Compensation			
35	Board shall provide no reimbursement for accumulated vacation time for employees of			
36	Constitutional Officers.			
37	N. The Compensation Board is hereby authorized to deduct, from reimbursements made each			
38	year to localities out of the amounts in Items 68, 70, 71, 72, 73 and 74 of this act, an amount			
39	equal to 100 percent of each locality's share of the insurance premium paid by the			
40	Compensation Board on behalf of the constitutional offices, directors of finance, and regional			
41	jails.			
42	O. Effective July 1, 2007, the Compensation Board is authorized to withhold reimbursements			
43	due the locality for sheriff and jail expenses upon notification from the Superintendent of State			
44	Police that there is reason to believe that crime data reported by a locality to the Department of			
45	State Police in accordance with § 52-28, Code of Virginia, is missing, incomplete or incorrect.			
46	Upon subsequent notification by the Superintendent that the data is accurate, the Compensation			
47	Board shall make reimbursement of withheld funding due the locality when such corrections			
48	are made within the same fiscal year that funds have been withheld.			
49	P. Notwithstanding the provisions of § 51.1-1403 A, Code of Virginia, the Compensation Board			
50	is hereby authorized to deduct, from reimbursements made each year to localities out of the			
51	amounts in Items 68, 70, 71, 72, 73 and 74 of this act, an amount equal to each locality's			
52	retiree health premium paid by the Compensation Board on behalf of the constitutional offices,			
53	directors of finance, and regional jails.			
54	Q.1. Compensation Board payments of, or reimbursements for, the employer paid contribution			
55	to the Virginia Retirement System, or any system offering like benefits, shall not exceed the			

ITEM 75.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Commonwealth's proportionate share of the following, whichever is less: (a) the actual			
2	retirement rate for the local constitutional officer's office or regional correctional facility as set			
3	by the Board of the Virginia Retirement System or (b) the employer rate established for the			
4	general classified workforce of the Commonwealth covered under and payable to the Virginia			
5	Retirement System.			
6	2. The rate specified in paragraph Q.1. shall exclude the cost of any early retirement program			
7	implemented by the Commonwealth.			
8	3. Any employer paid contribution costs for rates exceeding those specified in paragraph Q.1.			
9	shall be borne by the employer.			
10	4. The benefits rate reimbursed by the Compensation Board to localities and regional jails shall			
11	not exceed the rate identified for fiscal year 2011 in Chapter 890, Item 469, paragraph I.1.			
12	R.1. Effective July 1, 2013 the Career Development Programs operated by the Compensation			
13	Board within the Constitutional Offices shall be reinstated and individuals may be included in			
14	the programs within amounts appropriated for such programs.			
15	2. The funding identified in paragraphs R.3., R.4., R.5. and R.6. of this Item shall be used to			
16	support individuals that have not been provided Career Development Program salary			
17	adjustments even though they met all required program criteria.			
18	3. Included in this appropriation is \$639,878 the first year and \$703,866 the second year from			
19	the general fund to support the Sheriffs' Career Development Program and the Master Deputy			
20	Program. The Department of Planning and Budget shall transfer these amounts to Item 68 of			
21	this act.			
22	4. Included in this appropriation is \$71,083 the first year and \$78,191 the second year from the			
23	general fund to support the Career Development Programs for commissioners and deputy			
24	commissioners of revenue. The Department of Planning and Budget shall transfer these			
25	amounts to Item 71 of this act.			
26	5. Included in this appropriation is \$150,612 the first year and \$165,673 the second year from			
27	the general fund to support the Career Prosecutor Career Development Program for			
28	Commonwealth's attorneys. The Department of Planning and Budget shall transfer these			
29	amounts to Item 72 of this act.			
30	6. Included in this appropriation is \$112,346 the first year and \$72,204 the second year from			
31	the general fund to support the Career Development Programs for treasurers and deputy			
32	treasurers. The Department of Planning and Budget shall transfer these amounts to Item 74 of			
33	this act.			
34	S. Localities shall not utilize Compensation Board funding to supplant local funds provided for			
35	the salaries of constitutional officers and their employees under the provisions of Chapter 822,			
36	2012 Acts of Assembly, who were affected members in service on June 30, 2012.			
37	Total for Compensation Board.....		\$629,540,978	\$626,470,871
38				\$630,973,294
39	General Fund Positions.....	20.00	20.00	
40	Nongeneral Fund Positions.....	1.00	1.00	
41	Position Level	21.00	21.00	
42	Fund Sources: General.....	\$613,540,266	\$610,470,159	
43			\$614,972,582	
44	Trust and Agency	\$8,000,712	\$8,000,712	
45	Dedicated Special Revenue.....	\$8,000,000	\$8,000,000	
46	76.	Not set out.		
47	77.	Not set out.		
48	78.	Not set out.		

ITEM 79.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1 79.	Not set out.			
2 80.	Not set out.			
3 81.	Not set out.			
4 82.	Not set out.			
5	§ 1-5. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)			
6 83.	Personnel Management Services (70400)		\$11,027,911	\$12,414,382
7				\$12,422,763
8	Agency Human Resource Services (70401)	\$3,045,331	\$3,651,770	
9			\$3,660,151	
10	Equal Employment Services (70403).....	\$936,062	\$936,062	
11	Health Benefits Services (70406).....	\$3,474,960	\$3,374,960	
12	Employee Dispute Resolution Services (70416)	\$0	\$882,892	
13	State Employee Program Services (70417)	\$1,679,296	\$1,679,296	
14	State Employee Workers' Compensation Services			
15	(70418)	\$1,358,969	\$1,358,969	
16	Administrative and Support Services (70419).....	\$533,293	\$530,433	
17	Fund Sources: General	\$3,609,587	\$4,684,046	
18			\$4,692,427	
19	Special.....	\$6,059,355	\$6,371,367	
20	Trust and Agency	\$1,358,969	\$1,358,969	
21	Authority: Title 2.2, Chapters 12, 28, and 29, Code of Virginia.			
22	A. The department shall report any proposed changes in premiums, benefits, carriers, or			
23	provider networks to the Governor and the Chairmen of the House Appropriations and Senate			
24	Finance Committees at least sixty days prior to implementation.			
25	B.1. The Department of Human Resource Management shall operate a human resource service			
26	center to support the human resource needs of those agencies identified by the Secretary of			
27	Administration in consultation with the Department of Planning and Budget. The agencies so			
28	identified shall cooperate with the Department of Human Resource Management by transferring			
29	such records and functions as may be required.			
30	2. The Department of Human Resource Management shall recover the cost of the human			
31	resource service center's services in a manner determined by the Director, Department of			
32	Planning and Budget and the State Comptroller.			
33	3. Nothing in this paragraph shall prohibit additional agencies from using the services of the			
34	center; however, these additional agencies' use of the human resource service center shall be			
35	subject to approval by the affected cabinet secretary and the Secretary of Administration.			
36	C. The institutions of higher education shall be exempt from the centralized advertising			
37	requirements identified in Executive Order 73 (01).			
38	D.1. To ensure fair and equitable performance reviews, the Department of Human Resource			
39	Management, within available resources, is directed to provide performance management			
40	training to agencies and institutions of higher education with classified employees.			
41	2. Agency heads in the Executive Department are directed to require appropriate performance			
42	management training for all agency supervisors and managers.			
43	E.1. The Department of Human Resource Management shall take into account the claims			
44	experience of each agency and institution when setting premiums for the workers' compensation			
45	program.			
46	2. All financial obligations of the Commonwealth to the Virginia Workers' Compensation			
47	Commission for payroll taxes on behalf of the state employees' workers' compensation			
48	program are satisfied in full through calendar year 2009.			

ITEM 83.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	F. The Department of Human Resource Management shall report to the Governor and			
2	Chairmen of the House Appropriations and Senate Finance Committees by September 1, 2013,			
3	on its recommended workers' compensation premiums for state agencies for the following			
4	biennium. This report shall also include the basis for the department's recommendations, the			
5	number and amount of workers' compensation settlements concluded in the previous fiscal year,			
6	and the impact of those settlements on the workers' compensation program's reserves.			
7	G. The Department of Human Resource Management shall report to the Governor and			
8	Chairmen of the House Appropriations and Senate Finance Committees, by October 15 of each			
9	year, on the renewal cost of the state employee health insurance program premiums that will go			
10	into effect on July 1 of the following year. This report shall include the impact of the renewal			
11	cost on employee and employer premiums and a valuation of liabilities as required by Other			
12	Post Employment Benefits reporting standards.			
13	H. Included in these amounts is \$606,439 in the second year for the implementation of an			
14	automated time, attendance and leave system. The Department of Human Resource			
15	Management shall report on the status of an automated time, attendance and leave (TAL)			
16	application for use by executive branch agencies to the Chairmen of the House Appropriations			
17	and Senate Finance Committees by October 15, 2013.			
18	I. Out of this appropriation, \$100,000 from the general fund in the first year is included for			
19	the Department of Human Resource Management to conduct an actuarial review of the impact			
20	of including of employees, and their dependents, of local governments including local school			
21	divisions in the state employee health benefits plan in a manner consistent with the provisions			
22	of House Bill 1356 of the 2013 General Assembly session as it was introduced. This			
23	Department shall report its findings and recommendations to the Chairmen of the House			
24	Appropriations and Senate Finance Committees no later than October 15, 2013.			
25	J. The Department of Human Resource Management shall develop and distribute instructions			
26	and guidelines to all executive department agencies for the provision of an annual statement of			
27	total compensation for each classified employee. The statement should account for the full cost			
28	to the Commonwealth and the employee of cash compensation as well as Social Security,			
29	Medicare, retirement, deferred compensation, health insurance, life insurance, and any other			
30	benefits. The Director, Department of Human Resources Management, shall ensure that all			
31	executive department agencies provide this notice to each employee. The Department of			
32	Accounts and the Virginia Retirement System shall provide assistance upon request. Further,			
33	the Director of the Department of Human Resources Management shall provide instructions and			
34	guidelines for the development notices of total compensation to all independent, legislative, and			
35	judicial agencies, and institutions of higher education for preparation of annual statements to			
36	their employees			
37				
38	Total for Department of Human Resource Management..		\$11,027,911	\$12,414,382
39				\$12,422,763
40	General Fund Positions.....	48.50	58.00	
41	Nongeneral Fund Positions.....	39.50	46.00	
42	Position Level	88.00	104.00	
43	Fund Sources: General.....	\$3,609,587	\$4,684,046	
44			\$4,692,427	
45	Special.....	\$6,059,355	\$6,371,367	
46	Trust and Agency	\$1,358,969	\$1,358,969	
47	84.	Not set out.		
48	Grand Total for Department of Human Resource			
49	Management		\$301,027,911	\$302,414,382
50				\$302,422,763
51	General Fund Positions.....	48.50	58.00	
52	Nongeneral Fund Positions.....	39.50	46.00	
53	Position Level	88.00	104.00	

ITEM 84.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General	\$3,609,587	\$4,684,046		
2			\$4,692,427		
3	Special	\$6,059,355	\$6,371,367		
4	Enterprise	\$290,000,000	\$290,000,000		
5	Trust and Agency	\$1,358,969	\$1,358,969		
6	85. Not set out.				
7	§ 1-6. DEPARTMENT OF MINORITY BUSINESS ENTERPRISE (232)				
8	86. Economic Development Services (53400)			\$2,096,312	\$2,072,822
9					\$2,072,874
10	Minority Business Enterprise Procurement Reporting				
11	and Coordination (53406)	\$625,116	\$625,116		
12			\$625,168		
13	Minority Business Enterprise Outreach (53407)	\$913,676	\$913,128		
14	Minority Business Enterprise Certification (53414)	\$494,739	\$494,743		
15	Capital Access Fund for Disadvantaged Businesses				
16	(53417)	\$62,781	\$39,835		
17	Fund Sources: General	\$573,650	\$550,160		
18			\$550,212		
19	Commonwealth Transportation	\$1,522,662	\$1,522,662		
20	Authority: Title 2.2, Chapter 14; Title 56, Chapter 57, Article 3, Code of Virginia.				
21	The Department of Minority Business Enterprise, in conjunction with the Department of				
22	General Services, the Virginia Employment Commission, and the Virginia Department of				
23	Transportation, is authorized to conduct analyses of the availability of minority business				
24	enterprises in Virginia and the utilization of such businesses by the Commonwealth of Virginia,				
25	localities, or private industry in the acquisition of goods and services. The department also is				
26	authorized to receive and accept from the United States government, or any agency thereof, and				
27	from any other source, private or public, any and all gifts, grants, allotments, bequests or				
28	devises of any nature that would assist the department in conducting such analyses or otherwise				
29	strengthen its services to minority business enterprises. The Director, Department of Planning				
30	and Budget, is authorized to establish a nongeneral fund appropriation for the purposes of				
31	expending revenues that may be received for this effort.				
32	Total for Department of Minority Business Enterprise.....			\$2,096,312	\$2,072,822
33					\$2,072,874
34	General Fund Positions.....	0.50	0.50		
35	Nongeneral Fund Positions.....	27.50	27.50		
36	Position Level	28.00	28.00		
37	Fund Sources: General	\$573,650	\$550,160		
38			\$550,212		
39	Commonwealth Transportation	\$1,522,662	\$1,522,662		
40	§ 1-7. STATE BOARD OF ELECTIONS (132)				
41	87. Electoral Services (72300)			\$7,587,817	\$7,060,622
42					\$7,064,722
43	Electoral Uniformity, Legality, and Quality Assurance				
44	Services (72302)	\$1,562,248	\$1,708,498		
45	Statewide Voter Registration System Services (72304)	\$2,699,456	\$2,398,915		
46	Campaign Finance Disclosure Administration Services				
47	(72309)	\$241,903	\$241,903		
48	Election Administration Services (72310)	\$1,634,236	\$1,357,626		
49	Voter Services (72311)	\$660,336	\$660,336		
50	Administrative Services (72312)	\$789,638	\$693,344		
51			\$697,444		

ITEM 87.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General.....	\$2,994,557	\$2,716,052		
2			\$2,720,152		
3	Special.....	\$116,250	\$116,250		
4	Trust and Agency	\$4,139,740	\$4,139,740		
5	Federal Trust.....	\$337,270	\$88,580		
6	Authority: Title 24.2, Chapter 1, Code of Virginia.				
7	A. It is the intention of the General Assembly that all local precincts, other than central				
8	absentee precincts established under § 24.2-712, Code of Virginia will use electronic pollbooks				
9	for elections held beginning in November, 2010.				
10	B. Any locality using paper pollbooks for elections held beginning in November, 2010, shall be				
11	responsible for entering voting credit as provided in § 24.2-668. Additionally, any locality				
12	using paper pollbooks for elections held after November, 2010 may be required to reimburse				
13	the State Board of Elections for state costs associated with providing paper pollbooks.				
14	C. Municipalities will pay all expenses associated with May elections after June 30, 2009,				
15	including those costs incurred by the State Board of Elections.				
16	D. The State Board of Elections shall by regulation provide for an administrative fee up to \$25				
17	for each non-electronic report filed with the Board under § 24.2-947.5. The regulation shall				
18	provide for waiver of the fee based upon indigence.				
19	E. All unpaid charges and civil penalties assessed under Title 24.2 shall be subject to interest,				
20	the administrative collection fee and late penalties authorized in the Virginia Debt Collection				
21	Act, Chapter 48 of Title 2.2, § 2.2-4800 et seq.				
22	F. Included in the appropriation for Statewide Voter Registration System Services is \$166,250				
23	from the general fund in the second year for the purchase of equipment required to implement				
24	voter registration photo identification requirements pursuant to Senate Bill 1256 of the 2013				
25	Session of the General Assembly. It is the intent of the General Assembly that registration				
26	cards containing the voter's photograph and signature be provided free to any eligible voter				
27	upon request to the general registrar. The State Board shall be responsible for procuring this				
28	equipment in a cost effective manner and providing any necessary equipment to each local				
29	registrar.				
30	88. Not set out.				
31	Total for State Board of Elections.....			\$13,111,603	\$12,521,046
32					\$12,525,146
33	General Fund Positions.....	30.00	30.00		
34	Nongeneral Fund Positions.....	7.00	7.00		
35	Position Level	37.00	37.00		
36	Fund Sources: General.....	\$8,518,343	\$8,176,476		
37			\$8,180,576		
38	Special.....	\$116,250	\$116,250		
39	Trust and Agency	\$4,139,740	\$4,139,740		
40	Federal Trust.....	\$337,270	\$88,580		
41	TOTAL FOR OFFICE OF ADMINISTRATION.....			\$1,007,950,230	\$1,004,686,999
42					\$1,009,201,955
43	General Fund Positions.....	376.50	370.50		
44	Nongeneral Fund Positions.....	483.00	489.00		
45	Position Level	859.50	859.50		
46	Fund Sources: General.....	\$648,195,568	\$644,717,476		
47			\$649,232,432		
48	Special.....	\$12,967,021	\$12,967,021		
49	Commonwealth Transportation.....	\$1,522,662	\$1,522,662		
50	Enterprise	\$315,582,432	\$316,072,432		

ITEM 88.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Trust and Agency	\$13,499,421	\$13,499,421		
2	Dedicated Special Revenue	\$8,000,000	\$8,000,000		
3	Federal Trust.....	\$8,183,126	\$7,907,987		

ITEM 89.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	OFFICE OF AGRICULTURE AND FORESTRY			
2	89.	Not set out.		
3	90.	Not set out.		
4	91.	Not set out.		
5	92.	Not set out.		
6	93.	Not set out.		
7	94.	Not set out.		
8	95.	Not set out.		
9	96.	Not set out.		
10	97.	Not set out.		
11	98.	Not set out.		
12	99.	Not set out.		
13	100.	Not set out.		
14	101.	Not set out.		
15	§ 1-8. DEPARTMENT OF FORESTRY (411)			
16	102.	Forest Management (50100).....		\$37,081,956
17		Reforestation Incentives to Private Forest Land Owners		\$27,660,741
18		(50102)	\$2,104,502	\$2,354,502
19		Forest Conservation, Wildfire & Watershed Services		
20		(50103)	\$31,578,841	\$21,907,626
21		Tree Restoration and Improvement, Nurseries &		
22		State-Owned Forest Lands (50104).....	\$2,723,613	\$2,723,613
23		Financial Assistance for Forest Land Management		
24		(50105)	\$675,000	\$675,000
25		Fund Sources: General	\$14,907,209	\$15,025,902
26		Special	\$7,061,919	\$7,359,871
27		Trust and Agency	\$100,000	\$102,830
28		Dedicated Special Revenue	\$10,052,060	\$211,370
29		Federal Trust.....	\$4,960,768	\$4,960,768
30		Authority: Title 10.1, Chapter 11, and Title 58.1, Chapter 32, Article 4, Code of Virginia.		
31		A. The State Forester is hereby authorized to utilize any unobligated balances in the fire		
32		suppression fund authorized by § 10.1-1124, Code of Virginia, for the purpose of acquiring		
33		replacement equipment for forestry management and protection operations.		
34		B. In the event that budgeted amounts for forest fire suppression are insufficient to meet forest		
35		fire suppression demands, such amounts as may be necessary for this purpose may be		
36		transferred from Item 469 of this act to the Department of Forestry, with the approval of the		
37		Director, Department of Planning and Budget.		
38		C. This appropriation includes annual membership dues to the Southeast Interstate Forest Fire		
39		Protection Compact, \$1,000 the first year and \$1,000 the second year from nongeneral funds.		
40		D. The department shall provide technical assistance and project supervision in the aerial		
41		spraying of herbicides on timberland on landowner property. In addition to recovering the		
42		direct cost associated with the spraying contract, the department may charge an administrative		

ITEM 102.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	fee for this service.			
2	E. The Department of Forestry, in cooperation with the Department of Corrections, shall			
3	increase the use of inmate labor for routine and special work projects in state forests.			
4	F. The department shall report by December 15 of each year on the progress of implementing			
5	the silvicultural water quality laws in Virginia. The report shall be submitted to the Chairmen			
6	of the House Appropriations and Senate Finance Committees.			
7	G. The appropriation in Reforestation Incentives to Private Forest Land Owners include			
8	\$697,570 the first year and \$947,570 the second year from the general fund for the			
9	Reforestation of Timberlands Program. This appropriation shall be deemed sufficient to meet			
10	the provisions of Titles 10.1 and 58.1, Code of Virginia. Out of this appropriation, up to			
11	\$240,000 \$92,500 over the biennium from the general fund may be used for replacement of the			
12	Department of Forestry's accounts receivable fiscal system.			
13	H. Out of this appropriation, \$464,398 the first year and \$394,605 the second year from the			
14	general fund is included for the purchase of forest fire protection equipment through the state's			
15	master equipment lease purchase program.			
16	I. The department is authorized to enter into an agreement with a private entity for a pilot			
17	program to place a communication tower on department-owned property that is designed to			
18	blend with the surrounding landscape to the greatest extent practicable. Notwithstanding any			
19	other provision of law, any revenues received from such an agreement shall be retained by the			
20	department and used for forest land management.			
21	J. The department is authorized to sell property located at the following: 564 Planters Road,			
22	Lawrenceville, Virginia, 23868; 2010 Sandy Hook Road, Goochland, Virginia, 23063; and, 717			
23	East Third Street, Farmville, Virginia, 23901. Notwithstanding any other provision of law, the			
24	net proceeds of these transactions, estimated at \$498,500, shall be retained by the department,			
25	deposited into a nongeneral fund account, and used for costs incurred replacing current			
26	information technology equipment with technology and equipment appropriate to the			
27	department's operational needs.			
28	K.1.a. There is hereby created in the state treasury a special nonreverting fund to be known as			
29	the Virginia State Forest Mitigation and Acquisition Fund, which shall be administered by the			
30	Department of Forestry. The fund shall be established on the books of the Comptroller. All			
31	amounts appropriated and such other funds as may be made available to the fund from any			
32	other source, public or private, shall be paid into the state treasury and credited to the fund.			
33	Interest earned on moneys in the fund shall remain in the fund and be credited to it. Any			
34	moneys remaining in the fund, including interest thereon, at the end of each fiscal year shall			
35	not revert to the general fund but shall remain in the fund. Moneys in the fund shall be used			
36	solely for the i) long term management and stewardship of any mitigation plan, and ii)			
37	acquisition of additional state forest lands or conservation easements to be administered by the			
38	Department of Forestry.			
39	b. There is hereby created in the state treasury a special nonreverting fund to be known as the			
40	Long Term Mitigation Fund, a subfund of the Virginia State Forest Mitigation and Acquisition			
41	Fund which shall be administered by the Department of Forestry. The subfund shall be			
42	established on the books of the Comptroller. All amounts appropriated and such other funds as			
43	may be made available to the subfund from any other source, public or private, shall be paid			
44	into the state treasury and credited to the subfund. Interest earned on moneys in the subfund			
45	shall remain in the subfund and be credited to it. Any moneys remaining in the subfund,			
46	including interest thereon, at the end of each fiscal year shall not revert to the general fund but			
47	shall remain in the subfund. Moneys in the subfund shall be used solely for the long term			
48	management and stewardship of any mitigation plan administered by the Department of			
49	Forestry.			
50	2.a. Included in this appropriation is a An amount estimated at \$9,840,690 in the first year			
51	from dedicated special revenue, to shall be deposited into the Virginia State Forest Mitigation			
52	Acquisition Fund, contingent upon ratification of a stream mitigation purchase and sale			
53	agreement between the Department of Forestry and Henrico County. This amount represents			
54	the proceeds from the stream mitigation transaction, which is based upon the Cumberland State			
55	Forest Stream Buffer Preservation Stewardship Plan. Such agreement shall be limited to fulfill			

ITEM 102.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	no more than 75 percent of the required stream credits for the Cobbs Creek Reservoir project.			
2	All additional required credits shall be acquired from other sources. With the exception of the			
3	amounts prescribed in paragraph K.2.b of this item, these funds shall be used solely for forest			
4	land or conservation easement acquisition.			
5	b. Out of these amounts, a minimum of seven percent, or such amount as agreed to by the			
6	parties in the purchase and sale agreement shall be deposited into the Long Term Mitigation			
7	Fund, and shall be used only for long term management in accordance with the terms of the			
8	final mitigation plan, as approved by the U.S. Army Corps of Engineers, the State Water			
9	Control Board, and any other applicable authorities.			
10	3. For any such future mitigation projects, no state forest land shall be used to provide			
11	compensatory mitigation for wetland or stream impacts of any public or private project until			
12	such time as due consideration has been given to the availability of mitigation credits available			
13	from private sources. State forest land means all sites, roadways, game food patches, ponds,			
14	lakes, streams, rivers, beaches, and lakes to which the Department of Forestry holds title for			
15	use, development, and administration.			
16	Total for Department of Forestry		\$37,081,956	\$27,660,741
17	General Fund Positions.....	177.39	173.59	
18	Nongeneral Fund Positions.....	112.61	113.41	
19	Position Level	290.00	287.00	
20	Fund Sources: General.....	\$14,907,209	\$15,025,902	
21	Special.....	\$7,061,919	\$7,359,871	
22	Trust and Agency	\$100,000	\$102,830	
23	Dedicated Special Revenue.....	\$10,052,060	\$211,370	
24	Federal Trust.....	\$4,960,768	\$4,960,768	
25	103. Not set out.			
26	TOTAL FOR OFFICE OF AGRICULTURE AND			
27	FORESTRY.....		\$96,971,831	\$87,492,392
28	General Fund Positions.....	486.39	490.59	
29	Nongeneral Fund Positions.....	312.61	303.41	
30	Position Level	799.00	794.00	
31	Fund Sources: General.....	\$45,757,231	\$46,484,200	
32	Special.....	\$13,660,843	\$13,292,295	
33	Trust and Agency	\$5,492,954	\$5,495,784	
34	Dedicated Special Revenue.....	\$18,665,480	\$8,824,790	
35	Federal Trust.....	\$13,395,323	\$13,395,323	

ITEM 104.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	OFFICE OF COMMERCE AND TRADE				
2	§ 1-9. SECRETARY OF COMMERCE AND TRADE (192)				
3	104.	Not set out.			
4	Economic Development Incentive Payments (312)				
5	105.	Economic Development Services (53400).....		\$54,986,745	\$56,833,955
6					\$57,506,455
7		Financial Assistance for Economic Development			
8		(53410)	\$54,986,745	\$56,833,955	
9				\$57,506,455	
10		Fund Sources: General	\$54,451,745	\$56,458,955	
11				\$56,331,455	
12		Dedicated Special Revenue	\$535,000	\$375,000	
13				\$1,175,000	
14		Authority: Discretionary Inclusion.			
15		A.1. Out of the amounts in this Item, \$11,811,055 the first year and \$11,811,055 the second			
16		year from the general fund shall be deposited to the Governor’s Development Opportunity			
17		Fund, as established in § 2.2-115, Code of Virginia. Such funds shall be used at the discretion			
18		of the Governor, subject to prior consultation with the Chairmen of the House Appropriations			
19		and Senate Finance Committees, to attract economic development prospects to locate or expand			
20		in Virginia. If the Governor, pursuant to the provisions of § 2.2-115, E.1., Code of Virginia,			
21		determines that a project is of regional or statewide interest and elects to waive the requirement			
22		for a local matching contribution, such action shall be included in the report on expenditures			
23		from the Governor’s Development Opportunity Fund required by § 2.2-115, F., Code of			
24		Virginia. Such report shall include an explanation on the jobs anticipated to be created, the			
25		capital investment made for the project, and why the waiver was provided.			
26		2. The Governor may allocate these funds as grants or loans to political subdivisions. Loans			
27		shall be approved by the Governor and made in accordance with procedures established by the			
28		Virginia Economic Development Partnership and approved by the State Comptroller. Loans			
29		shall be interest-free unless otherwise determined by the Governor and shall be repaid to the			
30		general fund of the state treasury. The Governor may establish the interest rate to be charged,			
31		otherwise, any interest charged shall be at market rates as determined by the State Treasurer			
32		and shall be indicative of the duration of the loan. The Virginia Economic Development			
33		Partnership shall be responsible for monitoring repayment of such loans and reporting the			
34		receivables to the State Comptroller as required.			
35		3. Funds may be used for public and private utility extension or capacity development on and			
36		off site; road, rail, or other transportation access costs beyond the funding capability of existing			
37		programs; site acquisition; grading, drainage, paving, and other activity required to prepare a			
38		site for construction; construction or build-out of publicly-owned buildings; grants or loans to			
39		an industrial development authority, housing and redevelopment authority, or other political			
40		subdivision pursuant to their duties or powers; training; or anything else permitted by law.			
41		4. Consideration should be given to economic development projects that 1) are in areas of high			
42		unemployment; 2) link commercial development along existing transportation/transit corridors			
43		within regions; and 3) are located near existing public infrastructure.			
44		5. It is the intent of the General Assembly that the Virginia Economic Development Partnership			
45		shall work with localities awarded grants from the Governor’s Development Opportunity Fund			
46		to recover such moneys when the economic development projects fail to meet minimal			
47		agreed-upon capital investment and job creation targets. All such recoveries shall be deposited			
48		and credited to the Governor’s Development Opportunity Fund.			
49		6. Up to \$5,000,000 of previously awarded funds and funds repaid by political subdivisions or			
50		business beneficiaries and deposited to the Governor’s Development Opportunity Fund may be			
51		used to assist Prince George County with site improvements related to the location of a major			

ITEM 105.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	aerospace engine manufacturer to the Commonwealth.			
2	7. Any funds appropriated in Item 105, paragraph B. 6, Chapter 781, Acts of Assembly of			
3	2009, to offset training expenses for a major automotive employer operating a diesel assembly			
4	and test facility in the City of Newport News, contingent upon such employer having entered			
5	into a performance agreement with the Virginia Economic Development Partnership describing			
6	the employer's commitments regarding job creation and retention, remaining on June 30, 2012,			
7	shall be carried forward and available for expenditure. The funds shall be administered in a			
8	manner similar to existing training grant programs permitted under § 2.2-902, Code of			
9	Virginia. The major automotive employer shall certify to the Secretary of Commerce and			
10	Trade that it has retained at least 500 jobs in the Commonwealth and has taken actions to			
11	increase employment by at least 250 new full-time jobs in the Commonwealth.			
12	B. Out of the appropriation for this Item, \$5,400,000 the first year and \$5,400,000 the second			
13	year from the general fund shall be deposited to the Semiconductor Memory or Logic Wafer			
14	Manufacturing Performance Grant Fund to be used to pay semiconductor memory or logic			
15	wafer manufacturing performance grants in accordance with § 59.1-284.14.1, Code of Virginia.			
16	C.1. Out of the appropriation for this Item, \$2,492,329 the first year and \$3,872,539			
17	\$3,745,039 the second year from the general fund shall be deposited to the Investment			
18	Performance Grant subfund of the Virginia Investment Partnership Grant Fund to be used to			
19	pay investment performance grants in accordance with § 2.2-5101, Code of Virginia. In the			
20	first year, \$160,000 from the Investment Performance Grant subfund of the Virginia Investment			
21	Partnership Grant Fund is hereby appropriated and shall be used to pay investment performance			
22	grants in accordance with § 2.2-5101, Code of Virginia.			
23	2. Consideration should be given to economic development projects that 1) are in areas of high			
24	unemployment; 2) link commercial development along existing transportation/transit corridors			
25	within regions; and 3) are located near existing public infrastructure.			
26	D.1. Out of the appropriation for this Item, \$5,000,000 the first year and \$5,000,000 the second			
27	year from the general fund shall be deposited to the Major Eligible Employer Grant subfund of			
28	the Virginia Investment Partnership Grant Fund to be used to pay investment performance			
29	grants in accordance with § 2.2-5102, Code of Virginia.			
30	2. Consideration should be given to economic development projects that 1) are in areas of high			
31	unemployment; 2) link commercial development along existing transportation/transit corridors			
32	within regions; and 3) are located near existing public infrastructure.			
33	E. Out of the appropriation for this Item, \$3,000,000 the first year and \$3,000,000 the second			
34	year from the general fund and an amount estimated at \$375,000 the first year and \$375,000			
35	the second year from nongeneral funds shall be deposited to the Governor's Motion Picture			
36	Opportunity Fund, as established in § 2.2-2320, Code of Virginia. These nongeneral fund			
37	revenues shall be deposited to the fund from revenues generated by the digital media fee			
38	established pursuant to § 58.1-1731, et seq., Code of Virginia. Such funds shall be used at the			
39	discretion of the Governor to attract film industry production activity to the Commonwealth.			
40	F. Out of the appropriation for this Item, \$1,000,000 the first year from the general fund shall			
41	be used to pay grants in accordance with § 2.2-2240.1, Code of Virginia. It is the intent of the			
42	General Assembly to fulfill the commitment made to provide incentive payments for the			
43	location of a research related entity in accordance with the time frames set out in § 2.2-2240.1			
44	D, Code of Virginia.			
45	G. Out of the appropriation for this Item, \$9,273,000 the first year and \$10,400,000 the second			
46	year from the general fund shall be used in support of the location of an aerospace engine			
47	facility in Prince George County. In accordance with a memorandum of understanding between			
48	the Commonwealth and the aerospace engine manufacturer, the funds may be used for chaired			
49	professorships, research, community college programs, graduate student and internship			
50	endowments, workforce training, project management, and training grants in accordance with			
51	§ 59.1-284.22, Code of Virginia. The Director, Department of Planning and Budget shall			
52	transfer these funds to the impacted state agencies and institutions upon request to the Director,			
53	Department of Planning and Budget by the respective state agency or institution.			
54	H.1. Out of the appropriation for this Item, \$800,000 the first year and \$1,300,000 the second			

ITEM 105.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	year from the general fund shall be deposited to the Virginia Economic Development Incentive			
2	Grant subfund of the Virginia Investment Partnership Grant Fund to be used to pay investment			
3	performance grants in accordance with § 2.2-5102.1, Code of Virginia. <i>In the second year,</i>			
4	<i>\$800,000 from the Virginia Economic Development Incentive Grant subfund of the Virginia</i>			
5	<i>Investment Partnership Grant Fund is hereby appropriated and shall be used to pay investment</i>			
6	<i>performance grants in accordance with § 2.2-5102.1, Code of Virginia.</i>			
7	2. Consideration should be given to economic development projects that 1) are in areas of high			
8	unemployment; 2) link commercial development along existing transportation/transit corridors			
9	within regions; and 3) are located near existing public infrastructure.			
10	I. Out of the appropriation for this Item, \$5,000,000 the first year and \$5,000,000 the second			
11	year from the general fund shall be deposited to the Advanced Shipbuilding Training Facility			
12	Fund to be used to pay grants in accordance with § 59.1-284.23, F., Code of Virginia.			
13	J. Out of the appropriation for Item 470 K.1. of House Bill 1300, Special Session I, 2012			
14	Session of the General Assembly, \$2,000,000 the first year shall be deposited to the site			
15	planning fund created pursuant to § 2.2-2240.2, Code of Virginia, to assist political			
16	subdivisions in the performance of site and site development work for prospective Major			
17	Employment and Investment (MEI) Projects, as defined in § 2.2-2260, Code of Virginia or in			
18	the performance of site and site development work in communities that are not			
19	tobacco-dependent communities eligible for assistance from the Tobacco Indemnification and			
20	Community Revitalization Commission, to accommodate a project anticipated to have a capital			
21	investment in real and tangible personal property exceeding \$50,000,000, create more than 100			
22	full-time jobs, and likely have a substantial direct and indirect economic impact on surrounding			
23	communities. Grants allocated from this appropriation shall be approved by the Governor and			
24	made in accordance with procedures and guidelines established by the Virginia Economic			
25	Development Partnership. The guidelines and procedures shall give consideration in order to (i)			
26	ensure geographical representation of awards, (ii) limit the amount of annual recipients, (iii)			
27	identify strategic targets and select sites that are compatible with the strategic targets, and (iv)			
28	promote regional revenue sharing. This appropriation is contingent upon the conditions			
29	established in Item 470 K. 5. of House Bill 1300, Special Session I, 2012 Session of the			
30	General Assembly.			
31	K. Out of the appropriation for Item 470 K.1. of House Bill 1300, Special Session I, 2012			
32	Session of the General Assembly, \$2,000,000 the second year shall be provided to the			
33	Commonwealth Center for Advanced Manufacturing for workforce development. Upon request			
34	filed with the Director, Department of Planning and Budget, by the Commonwealth Center for			
35	Advanced Manufacturing, the director is authorized to provide these funds to the center. This			
36	appropriation is contingent upon the conditions established in Item 470 K. 5. of House Bill			
37	1300, Special Session I, 2012 Session of the General Assembly.			
38	L. Out of the appropriation for this Item, \$8,000,000 the first year and \$8,000,000 the second			
39	year from the general fund, shall be utilized for the purposes set forth in Chapter 816 and			
40	Chapter 874, 2011 Acts of Assembly, as follows: \$3,200,000 the first year and \$3,200,000 the			
41	second year shall be deposited into the Center for Innovative Technology's GAP Funds and			
42	\$4,800,000 the first year and \$4,800,000 the second year shall be deposited into the			
43	Commonwealth Research Commercialization Fund created pursuant to § 2.2-2233.1, Code of			
44	Virginia. Of the amounts provided for the Commonwealth Research Commercialization Fund,			
45	up to \$1,500,000 the first year and \$1,500,000 the second year shall be used for a Small			
46	Business Innovation Research Matching Fund Program for Virginia-based technology			
47	businesses and, for matching funds for recipients of federal Small Business Technology			
48	Transfer (STTR) awards for Virginia-based small businesses. Any monies from these amounts			
49	that have not been allocated at the end of each fiscal year shall not revert to the general fund			
50	but shall be distributed for other purposes designated by the Research and Technology			
51	Investment Advisory Committee and aligned with the Research and Technology Roadmap.			
52	Businesses meeting the following criteria shall be eligible to apply for an award to be			
53	administered by the Research and Technology Investment Advisory Committee:			
54	1. The applicant has received an STTR award targeted at the development of qualified research			
55	or technologies;			
56	2. At least 51 percent of the applicant's employees reside in Virginia; and			

ITEM 105.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	3. At least 51 percent of the applicant's property is located in Virginia.			
2	Applicants shall be eligible for matching grants of up to \$100,000 for Phase I awards and up to			
3	\$500,000 for Phase II awards. All applicants shall be required to submit a commercialization			
4	plan with their application. Any unused funds shall not revert to the general fund but shall			
5	remain in the Commonwealth Research and Commercialization Fund. Notwithstanding the			
6	provisions of § 2.2-2233.1 D.6 unused funding from the Fund shall be awarded as originally			
7	intended by the Research and Technology Investment Advisory Committee and only reallocated			
8	if sufficient demand does not exist for the original allocation.			
9	M.1. Out of the appropriation for this Item, \$2,500,000 the first year and \$2,500,000 the			
10	second year from the general fund shall be provided for a non-stock corporation research			
11	consortium initially comprised of the University of Virginia, Virginia Commonwealth			
12	University, Virginia Polytechnic Institute and State University, George Mason University and			
13	the Eastern Virginia Medical School. The consortium will contract with private entities,			
14	foundations and other governmental sources to capture and perform research in the biosciences.			
15	Initial exclusive focus will be around the Virginia core strength areas of Bio-Informatics and			
16	Medical Informatics, Point of Care Diagnostics and Drug Discovery and Delivery. The funding			
17	to be provided for research under this Item must be matched at least dollar-for-dollar by			
18	funding provided by such private entities, foundations and other governmental sources. The			
19	Director, Department of Planning and Budget, is authorized to provide these funds to the			
20	non-stock corporation research consortium referenced in this paragraph upon request filed with			
21	the Director, Department of Planning and Budget by the non-stock corporation research			
22	consortium.			
23	2. Other publicly-supported institutions of higher education in the Commonwealth may choose			
24	to join the consortium <i>as participating institutions</i> . Participation in the consortium by the five			
25	founding institutions and by other <i>participating</i> institutions choosing to join will require a cash			
26	contribution from each institution in each of the first and second years of year of participation			
27	of at least \$50,000, or a larger amount to be determined by the consortium.			
28	3. No research will be funded by the consortium unless at least two of the participating			
29	institutions, <i>including the five founding institutions and any other institutions choosing to join</i> ,			
30	are actively and significantly involved in collaborating on the research. No research will be			
31	funded by the consortium unless the research topic has been vetted by a scientific advisory			
32	board and holds potential for high impact near-term success in generating other sponsored			
33	research, creating spin-off companies or otherwise creating new jobs. The consortium will set			
34	guidelines to disburse research funds based on advisory board findings. The consortium will			
35	have near-term sustainability as a goal, along with corporate-sponsored research gains, new			
36	Virginia company start-ups, and job creation milestones.			
37	4. Of these funds, up to \$250,000 the first year and \$250,000 the second year may be used to			
38	pay the administrative, promotional and legal costs of establishing and administering the			
39	consortium, including the creation of intellectual property protocols, and the publication of			
40	research results.			
41	5. The Virginia Economic Development Partnership, in consultation with the publicly-supported			
42	institutions of higher education in the Commonwealth participating in the consortium, shall			
43	provide to the Governor, and the Chairmen of the Senate Finance and House Appropriations			
44	committees, by November 1 of each year a written report summarizing the activities of the			
45	consortium, including, but not limited to, a summary of how any funds disbursed to the			
46	consortium during the previous fiscal year were spent, and the consortium's progress during the			
47	fiscal year in expanding upon existing research opportunities and stimulating new research			
48	opportunities in the Commonwealth.			
49	N.1. Out of this appropriation, \$175,361 the first year and \$175,361 the second year from the			
50	general fund shall be provided to the Virginia-Israel Advisory Board.			
51	2. The Virginia-Israel Advisory Board shall seek prior approval of all travel and related			
52	expenditures from the Secretary of Commerce and Trade.			
53	3. The Virginia-Israel Advisory Board shall report by January 15 of each year to the Chairmen			
54	of the Senate Finance and House Appropriations Committees on the board's activities and			
55	expenditure of state funds.			

ITEM 105.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Total for Economic Development Incentive Payments			\$54,986,745	\$56,833,955
2					\$57,506,455
3	Fund Sources: General	\$54,451,745	\$56,458,955		
4			\$56,331,455		
5	Dedicated Special Revenue	\$535,000	\$375,000		
6			\$1,175,000		
7	Grand Total for Secretary of Commerce and Trade			\$55,618,466	\$57,466,368
8					\$58,138,868
9	General Fund Positions	7.00	7.00		
10	Position Level	7.00	7.00		
11	Fund Sources: General	\$55,083,466	\$57,091,368		
12			\$56,963,868		
13	Dedicated Special Revenue	\$535,000	\$375,000		
14			\$1,175,000		
15	106. Not set out.				
16	§ 1-10. DEPARTMENT OF BUSINESS ASSISTANCE (325)				
17	107. Economic Development Services (53400)			\$13,329,505	\$13,140,670
18					\$13,144,574
19	Virginia Jobs Investment Program (53403)	\$7,867,220	\$7,713,643		
20	Business Information Services (53418)	\$1,445,299	\$1,411,681		
21	Administrative Services (53422)	\$703,660	\$702,020		
22			\$705,924		
23	Financial Services for Economic Development (53423)...	\$3,313,326	\$3,313,326		
24	Fund Sources: General	\$11,670,375	\$11,481,540		
25			\$11,485,444		
26	Special	\$883,192	\$883,192		
27	Dedicated Special Revenue	\$775,938	\$775,938		
28	Authority: Title 2.2, Chapter 9; Chapter 22, Article 7; and Chapter 24, Article 7, Code of				
29	Virginia.				
30	A.1. Out of this appropriation, \$7,867,220 the first year and \$7,713,643 the second year from				
31	the general fund is provided for the Virginia Jobs Investment Program at the Department of				
32	Business Assistance. Of this amount, \$1,570,628 the first year and \$1,413,829 the second year				
33	may be used for operating expenses. The remaining \$6,296,592 the first year and \$6,299,814				
34	the second year shall be available for eligible businesses. Except as provided for in				
35	§ 2.2-904.2, beginning in the second year, the appropriation provided for the Virginia Jobs				
36	Investment Program for eligible businesses shall be deposited to the Virginia Jobs Investment				
37	Program Fund, pursuant to § 2.2-903.1 D., Code of Virginia. It is the intent of the General				
38	Assembly that a minimum of 10 percent of the amounts provided for the Virginia Jobs				
39	Investment Program each year shall be transferred to the Small Business Jobs Grant Fund				
40	established pursuant to § 2.2-904.2, Code of Virginia, and shall only be used for the purposes				
41	of that section.				
42	2. Periodically, the agency shall report to the Governor and the Secretary of Commerce and				
43	Trade the expenditures of the Small Business Jobs Grant Fund and anticipated needs for small				
44	business development in order to monitor the effective use of funds and provide additional				
45	funding as needed for small businesses.				
46	3. Any moneys remaining in the Virginia Jobs Investment Program Fund at the end of fiscal				
47	years 2013 and 2014 shall not revert to the general fund.				
48	B.1. The Virginia Small Business Financing Authority is authorized to withdraw revenues of up				
49	to \$50,000 the first year and \$50,000 the second year from the accrued interest balances of the				
50	Virginia Small Business Growth Fund in order to cover the costs of administering the Virginia				

ITEM 107.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Capital Access Program.			
2	2. Also included in this appropriation is \$154,196 the first year and \$154,196 the second year			
3	from the general fund to support the operating expenses of the Virginia Small Business			
4	Financing Authority.			
5	3. To meet changing financing needs of small businesses, the Executive Director, Virginia			
6	Small Business Financing Authority, with the approval of the Director, Department of Business			
7	Assistance, may transfer moneys between funds managed by the authority. These include the			
8	Virginia Small Business Growth Fund (§ 2.2-2310, Code of Virginia); the Virginia Export Fund			
9	(§ 2.2-2309, Code of Virginia); and the Insurance or Guarantee Fund (§ 2.2-2290, Code of			
10	Virginia). The Executive Director, Virginia Small Business Financing Authority, shall report,			
11	by fund, the transfers made by January 1 of each year to the Chairmen of the Senate Finance			
12	and House Appropriations Committees.			
13	4. The Virginia Small Business Financing Authority is authorized to insure additional loans for			
14	eligible small businesses, pursuant to § 2.2-2290, Code of Virginia, up to an aggregate amount			
15	not to exceed four times the principal amount in the Insurance or Guarantee Fund, or up to an			
16	aggregate amount of \$15,000,000, whichever is less. In the event that the authority is called			
17	upon to pay on guaranties of loans of more than 10 percent of the aggregate amount of all			
18	outstanding insured loans, the authority shall not insure any further loans and shall immediately			
19	notify the Governor and the Chairmen of the House Appropriations and Senate Finance			
20	Committees. Pursuant to § 4-1.03.5 of this act, the Director, Department of Planning and			
21	Budget, is authorized to transfer a sum sufficient to the Insurance or Guarantee Fund in the			
22	event the amount in the fund falls below the amount needed to honor any guarantee.			
23	5. For the I-95 HOV/HOT Lanes project as evidenced by the Comprehensive Agreement			
24	approved pursuant to the Public-Private Transportation Act of 1995, the maximum fee and/or			
25	premium charged by the Virginia Small Business Financing Authority pursuant to §§ 2.2-2291			
26	and 2.2-2285, Code of Virginia, for acting as the conduit issuer for any bond financing is not			
27	to exceed \$25,000 per annum.			
28	C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the			
29	general fund is provided to support the Business One-Stop Program at the Department of			
30	Business Assistance.			
31	D. Out of this appropriation, \$875,464 the first year and \$911,681 the second year from the			
32	general fund is provided for the business information services operating expenses.			
33	E. Out of this appropriation, \$682,487 the first year and \$682,652 the second year from the			
34	general fund is provided for agency administration.			
35	F. Out of this appropriation, \$1,500,000 the first year and \$1,500,000 the second year from the			
36	general fund is provided to establish the Small Business Investment Grant Fund, pursuant to			
37	the provisions of Senate Bill 344, 2012 Session of the General Assembly.			
38	Total for Department of Business Assistance.....		\$13,329,505	\$13,140,670
39				\$13,144,574
40	General Fund Positions.....	34.00	34.00	
41	Nongeneral Fund Positions.....	7.00	7.00	
42	Position Level	41.00	41.00	
43	Fund Sources: General.....	\$11,670,375	\$11,481,540	
44			\$11,485,444	
45	Special.....	\$883,192	\$883,192	
46	Dedicated Special Revenue.....	\$775,938	\$775,938	
47	§ 1-11. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (165)			
48	108.	Not set out.		
49	109.	Community Development Services (53300).....		\$45,529,173
50				\$45,790,328
				\$46,491,948

ITEM 109.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Community Development and Revitalization (53301).....	\$5,021,549	\$13,096,678		
2	Financial Assistance for Regional Cooperation (53303)...	\$2,104,076	\$2,104,076		
3	Financial Assistance for Community Development				
4	(53305)	\$38,403,548	\$30,589,574		
5			\$31,291,194		
6	Fund Sources: General	\$16,521,161	\$18,282,316		
7			\$18,983,936		
8	Special	\$212,012	\$212,012		
9	Dedicated Special Revenue	\$2,000,000	\$500,000		
10	Federal Trust.....	\$26,796,000	\$26,796,000		
11	Authority: Title 15.2, Chapter 13, Article 3 and Chapter 42; Title 36, Chapters 8, 10 and 11;				
12	and Title 59.1, Chapter 22, Code of Virginia.				
13	A. This appropriation includes annual membership dues to the Appalachian Regional				
14	Commission, \$351,930 the first year and \$351,930 the second year, from the general fund.				
15	These dues are payable from the amounts for Community Development and Revitalization.				
16	B. The department and local program administrators shall make every reasonable effort to				
17	provide participants basic financial counseling to enhance their ability to benefit from the				
18	Indoor Plumbing Program and to foster their movement to economic self-sufficiency.				
19	C. Out of the amounts for Community Development Services shall be paid from the general				
20	fund in four equal quarterly installments each year:				
21	1. To the Lenowisco Planning District Commission, \$75,971 the first year and \$75,971 the				
22	second year, which includes \$38,610 the first year and \$38,610 the second year for				
23	responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia,				
24	and the Virginia Coalfield Economic Development Authority.				
25	2. To the Cumberland Plateau Planning District Commission, \$75,971 the first year and				
26	\$75,971 the second year, which includes \$42,390 the first year and \$42,390 the second year for				
27	responsibilities originally undertaken and continued pursuant to § 15.2-4207, Code of Virginia,				
28	and the Virginia Coalfield Economic Development Authority.				
29	3. To the Mount Rogers Planning District Commission, \$75,971 the first year and \$75,971 the				
30	second year.				
31	4. To the New River Valley Planning District Commission, \$75,971 the first year and \$75,971				
32	the second year.				
33	5. To the Roanoke Valley-Alleghany Regional Commission, \$75,971 the first year and \$75,971				
34	the second year.				
35	6. To the Central Shenandoah Planning District Commission, \$75,971 the first year and				
36	\$75,971 the second year.				
37	7. To the Northern Shenandoah Valley Regional Commission, \$75,971 the first year and				
38	\$75,971 the second year.				
39	8. To the Northern Virginia Regional Commission, \$151,943 the first year and \$151,943 the				
40	second year.				
41	9. To the Rappahannock-Rapidan Regional Commission, \$75,971 the first year and \$75,971 the				
42	second year.				
43	10. To the Thomas Jefferson Planning District Commission, \$75,971 the first year and \$75,971				
44	the second year.				
45	11. To the Region 2000 Local Government Council, \$75,971 the first year and \$75,971 the				
46	second year.				
47	12. To the West Piedmont Planning District Commission, \$75,971 the first year and \$75,971				

ITEM 109.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
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ITEM 109.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2. All moneys of the FMA, from whatever source derived, shall be paid to the treasurer of the			
2	FMA. The Auditor of Public Accounts or his legally authorized representatives, shall annually			
3	examine the accounts of the books of the FMA.			
4	3. Employees of the FMA shall be eligible for membership in the Virginia Retirement System			
5	and participation in all of the health and related insurance and other benefits, including			
6	premium conversion and flexible benefits, available to state employees as provided by law.			
7	4. For the purposes of § 2.2-2708, the board of trustees of the Fort Monroe Authority created			
8	pursuant to § 15.2-7301 shall be deemed a state public body and may meet by electronic			
9	communication means in accordance with the requirements set forth in § 2.2-3708. Electronic			
10	communication shall mean the same as that term is defined in § 2.2-3701.			
11	5. Notwithstanding any other provision of law or agreement, the amount paid from all sources			
12	of funds by the Fort Monroe Authority to the City of Hampton pursuant to § 2.2-2342, Code of			
13	Virginia, shall not exceed \$562,540 in FY 2013 and \$983,960 in FY 2014.			
14	I. Included in this appropriation is \$2,000,000 the first year and \$500,000 the second year from			
15	the Water Quality Improvement Fund for grants to communities located outside the Chesapeake			
16	Bay watershed for: 1) the construction of mandated water quality improvement facilities at			
17	publicly owned treatment works for projects that would otherwise result in a financial hardship			
18	for the residential users of the facilities; 2) the design and construction of managed on-site			
19	community wastewater treatment systems in isolated areas that cannot be addressed through			
20	active treatment facilities; and 3) planning grants to develop regional or county wide			
21	wastewater treatment strategies in areas that have not previously completed planning and			
22	engineering studies. Priority will be given to the elimination of straight piping of household			
23	wastewater into the Commonwealth's waterways. The department shall leverage the			
24	appropriation with other state moneys, federal grants or loans, local contributions, and private			
25	or nonprofit resources.			
26	J. Out of the amounts in this Item, \$1,000,000 the first year and \$2,000,000 the second year			
27	from the general fund shall be deposited to the Virginia Removal or Rehabilitation of Derelict			
28	Structures Fund to support industrial site revitalization.			
29	K. Out of the amounts in this Item, \$500,000 the first year and \$500,000 the second year from			
30	the general fund shall be provided for the Virginia Main Street Program. This amount shall be			
31	in addition to other appropriations for this activity.			
32	L. Out of the amounts in this item, \$50,000 the second year from the general fund shall be			
33	provided to the City of Falls Church for a community revitalization effort for the Tinner Hill			
34	Historic Park and Creative Cauldron.			
35	M. Out of the amounts in this item, \$250,000 the second year from the general fund shall be			
36	provided to the Town of Abingdon to support detailed planning of construction of an academic			
37	medical facility.			
38	110.	Not set out.		
39	111.	Not set out.		
40	112.	Not set out.		
41	113.	Not set out.		
42	Total for Department of Housing and Community			
43	Development.....		\$107,169,943	\$115,091,474
44				\$115,793,094
45	General Fund Positions.....		55.90	55.90
46	Nongeneral Fund Positions.....		51.10	51.10
47	Position Level		107.00	107.00
48	Fund Sources: General.....		\$47,722,330	\$57,143,861
49				\$57,845,481

ITEM 113.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Special.....	\$3,089,834		\$3,089,834
2	Dedicated Special Revenue.....	\$2,400,000		\$900,000
3	Federal Trust.....	\$53,957,779		\$53,957,779
4	114. Not set out.			
5	115. Not set out.			
6	116. Not set out.			
7	117. Not set out.			
8	118. Not set out.			
9	119. Not set out.			
10	120. Not set out.			
11	121. Not set out.			
12	122. Not set out.			
13	123. Not set out.			
14	124. Not set out.			
15	125. Not set out.			
16	126. Not set out.			
17	§ 1-12. VIRGINIA RACING COMMISSION (405)			
18	127. Not set out.			
19	128. Regulation of Horse Racing and Pari-Mutuel Betting			
20	(55800)		\$1,917,726	\$1,917,726
21				\$1,650,728
22	License and Regulate Horse Racing and Pari-Mutuel			
23	Wagering (55801)	\$1,917,726	\$1,917,726	
24				\$1,650,728
25	Fund Sources: Special.....	\$1,917,726	\$1,917,726	
26				\$1,650,728
27	Authority: Title 59.1, Chapter 29, Code of Virginia.			
28	A. Out of this appropriation, the members of the Virginia Racing Commission shall receive			
29	compensation and reimbursement for their reasonable expenses in the performance of their			
30	duties, as provided in § 2.2-2104, Code of Virginia.			
31	B. Notwithstanding the provisions of § 59.1-392, Code of Virginia, up to \$255,000 the first			
32	year and \$255,000 the second year shall be transferred to Virginia Polytechnic Institute and			
33	State University to support the Virginia-Maryland Regional College of Veterinary Medicine.			
34	C. Any revenues received during the biennium and which are due to the commission pursuant			
35	to § 59.1-364 et seq., Code of Virginia, shall be used first to fund the operating expenses of the			
36	commission as appropriated in this Item. Any change in operating expenses as herein			
37	appropriated requires the approval of the Department of Planning and Budget. Any revenues in			
38	excess of amounts required for commission operations as appropriated under the provisions of			
39	this act and amounts payable to specific entities pursuant to § 59.1-392 and appropriated in			
40	paragraphs B and D of this Item, shall revert to the general fund.			
41	D. Out of these amounts, the obligations set out in § 59.1-392 D. 5., D. 6., G. 5., G. 6., K. 3.,			
42	K. 4., K. 5., N. 3., N. 4., and N. 5., Code of Virginia, shall be fully funded.			

ITEM 128.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	E. In the event revenues exceed the appropriated amounts in this Item, the Virginia Racing				
2	Commission is authorized to seek an administrative appropriation, up to \$700,000, from the				
3	Director, Department of Planning and Budget, to develop programs or award grants for the				
4	promotion and marketing, sustenance and growth of the Virginia horse industry, including				
5	horse breeding. In no event, however, shall any funds be expended for that purpose that would				
6	cause the reversion to the general fund required by Paragraph C above to fall below \$734,356				
7	the first year and \$734,356 \$184,356 the second year.				
8	Total for Virginia Racing Commission.....			\$3,417,726	\$3,417,726
9					\$3,150,728
10	Nongeneral Fund Positions.....	10.00	10.00		
11	Position Level	10.00	10.00		
12	Fund Sources: Special.....	\$3,417,726	\$3,417,726		
13				\$3,150,728	
14	129. Not set out.				
15	TOTAL FOR OFFICE OF COMMERCE AND			\$1,012,100,500	\$912,100,919
16	TRADE.....				\$913,211,945
17					
18	General Fund Positions.....	364.44	370.44		
19	Nongeneral Fund Positions.....	1,294.56	1,298.56		
20	Position Level	1,659.00	1,669.00		
21	Fund Sources: General.....	\$170,794,886	\$182,738,390		
22			\$183,316,414		
23	Special.....	\$34,024,553	\$23,283,850		
24			\$23,016,852		
25	Trust and Agency	\$706,961,829	\$607,186,203		
26	Dedicated Special Revenue	\$26,293,396	\$24,732,502		
27			\$25,532,502		
28	Federal Trust.....	\$74,025,836	\$74,159,974		

ITEM 130.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

OFFICE OF EDUCATION

130. Not set out.

§ 1-13. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)

131.	Instructional Services (18100).....			\$18,235,009	\$18,559,953
	Public Education Instructional Services (18101).....	\$9,880,173	\$9,984,926		
	Program Administration and Assistance for				
	Instructional Services (18102).....	\$6,775,334	\$6,995,525		
	Adult Education and Literacy (18104).....	\$1,579,502	\$1,579,502		
	Fund Sources: General.....	\$5,346,019	\$5,670,963		
	Special.....	\$300,000	\$300,000		
	Commonwealth Transportation.....	\$243,919	\$243,919		
	Trust and Agency.....	\$5,000	\$5,000		
	Federal Trust.....	\$12,340,071	\$12,340,071		

Authority: Public Education Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L.108-447, P.L. 102-305, Federal Code.

Program Administration and Assistance for Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, P.L. 102-305, Federal Code.

Compliance and Monitoring of Instructional Services: Title 22.1, Chapter 13, Code of Virginia; P.L. 107-110, P.L. 105-332, P.L. 108-447, Federal Code.

Adult Education and Literacy: §§ 2.2-2670, 22.1-223-226, 22.1-253.13:1, 22.1-254.2, Code of Virginia; P.L. 105-220, Federal Code.

A. The Superintendent of Public Instruction is encouraged to implement school/community team training.

B. The Superintendent of Public Instruction shall provide direction and technical assistance to local school divisions in the revision of their Vocational Education curriculum and instructional practices.

C. The Superintendent of Public Instruction, in cooperation with the Commissioner of Social Services, shall encourage local departments of social services and local school divisions to work together to develop cooperative arrangements for the use of school resources, especially computer labs, for the purpose of training Temporary Assistance for Needy Families (TANF) recipients for the workforce.

D. Notwithstanding § 4-1.04 a 3 of this act, the Superintendent of Public Instruction may apply for grant funding to be used by local school divisions consistent with the provisions of Chapter 447, 1999 Acts of Assembly. The nongeneral fund appropriation for this agency shall be adjusted by the amount of the proceeds of any such grant awards.

E. Out of the amounts for Public Education Instructional Services, \$100,000 the first year and \$100,000 the second year from the general fund is provided for the Career Pathways Program.

F. 1. Out of the appropriations in this item, \$1,500,000 the first year and \$1,500,000 the second year from the general fund is provided to support students and teachers pursuing information technology industry certifications through an information technology academy model. The funding is provided for the information technology academy model and shall be used to provide outreach, training, instructional resources, industry recognized certification opportunities for teachers and students enrolled in Virginia public high schools and regional career and technical education programs, and information technology curriculum resources for use by students' parents.

2. The funds provided in this initiative shall be used to support the following priority objectives: a) increase the percentage of students enrolled in career and technical education courses who receive instruction in the information technology academy program leading to an

ITEM 131.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	increased number of students achieving industry recognized certifications in information				
2	technology; b) increase the number of high schools and regional career and technical education				
3	programs that receive the training and technical support to be ready to implement the				
4	information technology academy model leading to increased statewide implementation and use;				
5	c) increase the number of teachers teaching targeted career and technical education courses and				
6	other high school teachers who receive training in the information technology academy program				
7	and in industry recognized certifications leading to an increased number of teachers achieving				
8	industry recognized certifications in information technology; and, d) support implementation of				
9	the information technology academy program in school divisions in Southside and Southwest				
10	Virginia so that implementation in those regions is at least comparable to implementation in				
11	other regions of Virginia.				
12	G. Out of this appropriation, \$220,191 the second year from the general fund is provided to				
13	establish the Virginia Center for Excellence in Teaching. The Department of Education will				
14	solicit competitive proposals for funding from institutions of higher education to create and				
15	operate the Center. The Center will offer a series of residential summer professional				
16	development academies for exemplary teachers. The curriculum developed for the academies				
17	will incorporate national issues, current research, and trends in education aligned with the focus				
18	areas of instructional supervision, strategies for school improvement, addressing the learning				
19	needs of diverse populations, assessment practices and use of data to drive instructional				
20	decision making, grant utilization and partnership opportunities, and community outreach. The				
21	Center will incorporate experiential learning through exploration of case studies on educational				
22	policy and instructional leadership. To be eligible to attend the Center, teachers must meet the				
23	following criteria: 1) hold a teaching license issued by the Virginia Department of Education;				
24	2) have a minimum of 5 years of successful teaching experience; 3) a consistent record of				
25	effective instruction; and 4) demonstrated leadership ability; and 5) <i>teach in a public school</i>				
26	<i>division in Virginia.</i> The institution of higher education selected to create and operate the				
27	Center will be responsible for the selection of teachers to attend the academies.				
28	132.	Special Education and Student Services (18200).....		\$12,825,359	\$13,102,359
29		Special Education Instructional Services (18201).....	\$8,000,000	\$8,000,000	
30		Special Education Administration and Assistance			
31		Services (18202).....	\$510,001	\$510,001	
32		Special Education Compliance and Monitoring Services			
33		(18203).....	\$2,528,393	\$2,528,393	
34		Student Assistance and Guidance Services (18204).....	\$1,786,965	\$2,063,965	
35		Fund Sources: General.....	\$0	\$277,000	
36		Special.....	\$120,000	\$120,000	
37		Federal Trust.....	\$12,705,359	\$12,705,359	
38		Authority: Special Education Instructional Services: §§ 22.1-213 through 22.1-221,			
39		22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L.			
40		108-446, Federal Code.			
41		Special Education Administration and Assistance Services: §§ 22.1-253.13:1 through			
42		22.1-253.13:8, Code of Virginia; P.L. 108-446, Federal Code.			
43		Special Education Compliance and Monitoring Services: §§ 22.1-213 through 22.1-221,			
44		22.1-253.13:1 through 22.1-253.13:8, 22.1-319 through 22.1-332, Code of Virginia; P.L.			
45		108-446, Federal Code.			
46		Student Assistance and Guidance Services: Title 22.1, Chapters 1, 13, 14, 16; §§ 22.1-16.2,			
47		22.1-17.1, 22.1-17.2, 22.1-199.4, 22.1-206, 22.1-207.1, 22.1-208.01, 22.1-209.1, 22.1-209.2,			
48		Code of Virginia; P.L. 107-110 and P.L. 108-446, Federal Code.			
49		A. The Department of Education, in collaboration with the Office of Comprehensive Services,			
50		shall provide training to local staff serving on Family Assessment and Planning Teams and			
51		Community Policy and Management Teams. Training shall include, but need not be limited to,			
52		the federal and state requirements pertaining to the provision of the special education services			
53		funded under § 2.2-5211, Code of Virginia. The training shall also include written guidance			
54		concerning which services remain the financial responsibility of the local school divisions. In			
55		addition, the Department of Education shall provide ongoing local oversight of its federal and			
56		state requirements related to the provision of services funded under § 2.2-5211, Code of			

ITEM 132.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Virginia.				
2	B. The Board of Education shall consider the caseload standards for speech-language				
3	pathologists as part of its review of the Standards of Quality, pursuant to § 22.1-18.01, Code of				
4	Virginia.				
5	C. The Board of Education shall consider the inclusion of instructional positions needed for				
6	blind and visually impaired students enrolled in public schools and shall consider developing a				
7	caseload requirement for these instructional positions as part of its review of the Standards of				
8	Quality, pursuant to § 22.1-18.01, Code of Virginia.				
9	D. Out of this appropriation, \$277,000 the second year from the general fund is provided to the				
10	Department of Education to develop and conduct statewide training for public school teachers				
11	and administrators on implementation of a <i>positive behavioral intervention and supports</i>				
12	<i>program</i> a effective schoolwide discipline system that reduces disruptive behavior in the				
13	classroom.				
14	133. Not set out.				
15	134. Not set out.				
16	135. Not set out.				
17	136. Not set out.				
18	137. Administrative and Support Services (19900).....			\$16,341,391	\$16,786,615
19	General Management and Direction (19901).....	\$3,740,818	\$3,729,238		
20	Information Technology Services (19902).....	\$8,204,065	\$8,667,063		
21	Accounting and Budgeting Services (19903).....	\$2,940,942	\$2,934,748		
22	Policy, Planning, and Evaluation Services (19929).....	\$1,455,566	\$1,455,566		
23	Fund Sources: General.....	\$13,884,701	\$14,329,925		
24	Special.....	\$1,806,690	\$1,806,690		
25	Federal Trust.....	\$650,000	\$650,000		
26	Authority: Article VIII, Sections 2, 4, 5, 6, 8, Constitution of Virginia; Title 2.2, Chapters 10,				
27	12, 29, 30, 31, and 32; Title 22.1, 22.1-8 through 20, 22.1-21 through 24; Title 51.1, Chapters				
28	4, 5, 6.1, and 11; Title 60.2, Chapters 60.2-100, 60.2-106; Title 65.2, Chapters 1, 6, and 9,				
29	Code of Virginia; P.L. 108-446, P.L. 107-110, Federal Code.				
30	A. Out of this appropriation, \$90,500 the first year and \$90,500 the second year from the				
31	general fund is designated to support annual membership dues to the Education Commission of				
32	the States.				
33	In addition, \$5,000 the first year and \$5,000 the second year from the general fund is				
34	designated to pay registration and travel expenses of citizens appointed as either Virginia				
35	commissioners for the Education Commission of the States or to the Southern Regional				
36	Education Board.				
37	B. Out of this appropriation, \$9,000 the first year and \$9,000 the second year from the general				
38	fund, is designated to support annual membership dues to the Southern Regional Education				
39	Board.				
40	C. Out of this appropriation \$70,000 the first year and \$70,000 the second year from the				
41	general fund is provided for the fees and travel expenses associated with the Interstate Compact				
42	on Educational Opportunity for Military Children, established pursuant to Chapter 187, of the				
43	2009 Acts of Assembly.				
44	D. The Department of Education is authorized to collect proceeds from the sale of educational				
45	resources it has developed, such as technology applications, on-line course content,				
46	assessments, and other educational content, to out-of-state individuals or entities and to in-state,				
47	for-profit entities. The Department of Education is further authorized to deposit such proceeds				
48	in a non-reverting special fund account established in its financial records for this purpose. <i>Net</i>				
49	p Proceeds from such sales shall be expended by the Department of Education to further				

ITEM 137.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	develop existing educational resources or to create new educational resources for the benefit of				
2	the commonwealth's public schools and which may also be sold under the provisions of this				
3	paragraph. Proceeds from the sale of any educational resources sold under the provisions of				
4	this paragraph that were developed using general funds shall be deposited to the general fund				
5	until the general fund cost of development is recovered. The Secretary of Administration shall				
6	authorize any licensing agreements executed by the Department of Education pursuant to this				
7	paragraph.				
8	E. Out of this appropriation, \$100,812 the first year and \$200,812 the second year from the				
9	general fund is provided to support the Innovative Education Technical Advisory Group to				
10	assist new applicants seeking to establish charter, college laboratory, or virtual schools, or				
11	other instructional delivery or school governance models in Virginia.				
12	F. Out of this appropriation, \$277,000 the first year and \$138,500 the second year from the				
13	general fund shall be used to provide performance evaluation training to teachers, principals,				
14	division superintendents, and other affected school division personnel in support of the				
15	transition from continuing employment contracts to annual employment contracts for teachers				
16	and principals.				
17	Total for Department of Education, Central Office				
18	Operations.....			\$93,735,120	\$94,932,511
19	General Fund Positions.....	136.00	136.00		
20	Nongeneral Fund Positions.....	178.50	178.50		
21	Position Level	314.50	314.50		
22	Fund Sources: General	\$51,178,037	\$52,375,428		
23	Special.....	\$4,462,690	\$4,462,690		
24	Commonwealth Transportation	\$243,919	\$243,919		
25	Trust and Agency	\$279,663	\$279,663		
26	Federal Trust.....	\$37,570,811	\$37,570,811		
27	Direct Aid to Public Education (197)				
28	138. Financial Assistance for Educational, Cultural,				
29	Community, and Artistic Affairs (14300).....			\$9,982,652	\$11,330,677
30	Financial Assistance for Supplemental Education				
31	(14304)	\$9,982,652	\$11,330,677		
32	Fund Sources: General	\$9,982,652	\$11,330,677		
33	Authority: Discretionary Inclusion.				
34	A. Out of this appropriation, the Department of Education shall provide \$373,776 the first year				
35	and \$373,776 the second year from the general fund for the Jobs for Virginia Graduates				
36	initiative.				
37	B. Out of this appropriation, the Department of Education shall provide \$124,011 the first year				
38	and \$124,011 the second year from the general fund for the Southwest Virginia Public				
39	Education Consortium at the University of Virginia's College at Wise. An additional \$71,849				
40	the first year and \$71,849 the second year from the general fund is provided to the Consortium				
41	to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and				
42	expand the program to the twelve school divisions in Southwest Virginia.				
43	C. This appropriation includes \$58,905 the first year and \$58,905 the second year from the				
44	general fund for the Southside Virginia Regional Technology Consortium to expand the				
45	research and development phase of a technology linkage.				
46	D. An additional state payment of \$145,896 the first year and \$145,896 the second year from				
47	the general fund is provided as a Small School Division Assistance grant for the City of				
48	Norton. To receive these funds, the local school board shall certify to the Superintendent of				
49	Public Instruction that its division has entered into one or more educational, administrative or				
50	support service cost-sharing arrangements with another local school division.				

ITEM 138.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	E. Out of this appropriation, \$298,021 the first year and \$298,021 the second year from the			
2	general fund shall be allocated for the Career and Technical Education Resource Center to			
3	provide vocational curriculum and resource instructional materials free of charge to all school			
4	divisions.			
5	F. It is the intent of the General Assembly that the Department of Education provide bonuses			
6	from state funds to classroom teachers in Virginia's public schools who hold certification from			
7	the National Board of Professional Teaching Standards. Such bonuses shall be \$5,000 the first			
8	year of the certificate and \$2,500 annually thereafter for the life of the certificate. This			
9	appropriation includes an amount estimated at \$5,100,000 the first year and \$5,310,000 the			
10	second year from the general fund for the purpose of paying these bonuses. By October 15 of			
11	each year, school divisions shall notify the Department of Education of the number of			
12	classroom teachers under contract for that school year that hold such certification.			
13	G.1.a. This appropriation includes \$708,000 the first year from the general fund for the			
14	Virginia Teaching Scholarship Loan Program. These scholarships shall be for undergraduate			
15	students at or beyond the sophomore year in college with a cumulative grade point average of			
16	at least 2.7 who are nominated by their college and students at the graduate level and who			
17	meet the criteria and qualifications, pursuant to § 22.1-290.01, Code of Virginia. Awards shall			
18	be made to students who are enrolled full-time or part-time in approved undergraduate or			
19	graduate teacher education programs for (i) critical teacher shortage disciplines, such as special			
20	education, chemistry, physics, earth and space science, foreign languages, or technology			
21	education or (ii) as students meeting the qualifications in § 22.1-290.01, Code of Virginia, who			
22	have been identified by a local school board to teach in any discipline or at any grade level in			
23	which the school board has determined that a shortage of teachers exists; however, such			
24	persons shall meet the qualifications for awards granted pursuant to this item; or (iii) those			
25	students seeking degrees in Career and Technical education. Minority students may be enrolled			
26	in any content area for teacher preparation and male students may be enrolled in any approved			
27	elementary or middle school teacher preparation program; therefore, this provision shall satisfy			
28	the requirements for the Diversity in Teaching Initiative and Fund, pursuant to Chapters 570,			
29	597, 623, 645, and 719 of the Acts of Assembly of 2000. Scholarship recipients may fulfill the			
30	teaching obligation by accepting a teaching position (i) in one of the critical teacher shortage			
31	disciplines; or (ii) regardless of teaching discipline, in a school with a high concentration of			
32	students eligible for free or reduced price lunch; or (iii) in any discipline or at grade levels			
33	with a shortage of teachers; or (iv) in a rural or urban region of the state with a teacher			
34	shortage. For the purposes of this item, "critical teacher shortage area and discipline" means			
35	subject areas and grade levels identified by the Board of Education in which the demand for			
36	classroom teachers exceeds the supply of teachers, as defined in the Board of Education's			
37	Regulations Governing the Determination of Critical Teacher Shortage Areas. Scholarship			
38	amounts are based on \$3,720 per year for full-time students, and shall be prorated for part-time			
39	students based on the number of credit hours. The Board of Education is authorized to recover			
40	total funds awarded as scholarships or the appropriate proportion thereof in the event that			
41	scholarship recipients fail to honor the stipulated teaching obligation. The Department of			
42	Education shall report annually on the critical shortage teaching areas in Virginia.			
43	b. This appropriation includes \$708,000 the second year from the general fund for the Virginia			
44	Teaching Scholarship Loan Program. These scholarships shall be for undergraduate students at			
45	or beyond the sophomore year in college with a cumulative grade point average of at least 2.7,			
46	who were in the top 10 percent of their high school class, who are nominated by their college			
47	and students at the graduate level, and who meet the criteria and qualifications, pursuant to			
48	§ 22.1-290.01, Code of Virginia. Awards shall be made to students who are enrolled full-time			
49	or part-time in approved undergraduate or graduate teacher education programs for (i) critical			
50	teacher shortage disciplines, such as special education, chemistry, physics, earth and space			
51	science, foreign languages, or technology education or (ii) as students meeting the qualifications			
52	in § 22.1-290.01, Code of Virginia, who have been identified by a local school board to teach			
53	in any discipline or at any grade level in which the school board has determined that a			
54	shortage of teachers exists; however, such persons shall meet the qualifications for awards			
55	granted pursuant to this item; or (iii) those students seeking degrees in Career and Technical			
56	education. Minority students may be enrolled in any content area for teacher preparation and			
57	male students may be enrolled in any approved elementary or middle school teacher			
58	preparation program; therefore, this provision shall satisfy the requirements for the Diversity in			
59	Teaching Initiative and Fund, pursuant to Chapters 570, 597, 623, 645, and 719 of the Acts of			
60	Assembly of 2000. Scholarship recipients may fulfill the teaching obligation by accepting a			
61	teaching position (i) in one of the critical teacher shortage disciplines; or (ii) regardless of			

ITEM 138.		Item Details(\$)		Appropriations(\$)	
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1	teaching discipline, in a school with a high concentration of students eligible for free or				
2	reduced price lunch; or (iii) in any discipline or at grade levels with a shortage of teachers; or				
3	(iv) in a rural or urban region of the state with a teacher shortage. For the purposes of this				
4	item, "critical teacher shortage area and discipline" means subject areas and grade levels				
5	identified by the Board of Education in which the demand for classroom teachers exceeds the				
6	supply of teachers, as defined in the Board of Education's Regulations Governing the				
7	Determination of Critical Teacher Shortage Areas. Scholarship amounts are based on \$10,000				
8	per year for full-time students, and shall be prorated for part-time students based on the number				
9	of credit hours. The Board of Education is authorized to recover total funds awarded as				
10	scholarships or the appropriate proportion thereof in the event that scholarship recipients fail to				
11	honor the stipulated teaching obligation. The Department of Education shall report annually on				
12	the critical shortage teaching areas in Virginia.				
13	2. The Department of Education shall make payments on behalf of the scholarship recipients				
14	directly to the Virginia institution of higher education where the scholarship recipient is				
15	enrolled full-time or part-time in an approved undergraduate or graduate teacher education				
16	program.				
17	3. The Board of Education is authorized to recover total funds awarded as scholarships, or the				
18	appropriate portion thereof, in the event that scholarship recipients fail to honor the stipulated				
19	teaching obligation. Any funds collected by the Board on behalf of this program shall revert to				
20	the general fund on June 30 each year. Such reversion shall be the net of any administrative or				
21	legal fees associated with the collection of these funds.				
22	H. Out of the amounts for this Item, shall be provided \$31,003 the first year and \$31,003 the				
23	second year from the general fund for the Virginia Career Education Foundation.				
24	I. Out of this appropriation, \$212,500 the first year and \$212,500 the second year from the				
25	general fund shall be distributed to the Greater Richmond Area Scholarship Program,				
26	Incorporated (GRASP) to provide students and families in need access to financial aid,				
27	scholarships, and counseling to maximize educational opportunities for students.				
28	J. Out of this appropriation, the Department of Education shall provide \$525,000 the first year				
29	and \$525,000 the second year from the general fund to Communities in Schools.				
30	K. This appropriation includes \$100,000 the first year and \$100,000 the second year from the				
31	general fund for the Superintendent of Public Education to award supplemental grants to				
32	charter schools.				
33	L. Out of this appropriation, \$80,000 the first year from the general fund is provided for				
34	one-time planning and implementation grants to support the establishment of Governor's Health				
35	Sciences Academies. In spring 2012, the Department of Education will solicit competitive				
36	proposals for funding from school divisions in each of the eight superintendents' planning				
37	regions. The Department of Education will award eight planning grants of \$5,000 each during				
38	the first semester of the 2012-2013 school year to support the program development process.				
39	Upon approval by the Board of Education to implement an Academy in the second half of FY				
40	2013, the Department of Education will award eight implementation grants of \$5,000 to each of				
41	the approved Academies.				
42	M. This appropriation includes \$203,691 the first year and \$543,176 the second year from the				
43	general fund to support implementation of the Youth Development Academy pilot program for				
44	rising 9th and 10th grade students. The local applicant(s) selected to conduct a pilot academy,				
45	in consultation with the Department of Education, will develop the curriculum and content for				
46	the pilot academy to include a focus on civics education, financial literacy, community service,				
47	preventive health, character education, and leadership skills. Each of the eight superintendents'				
48	planning regions will be invited to apply to host a pilot academy the first year and each of the				
49	eight regional superintendent regions will host an academy the second year. The Department of				
50	Education will make the final determination on which regions will implement a pilot academy				
51	based on the proposals received the first year and which division or divisions in the case of a				
52	joint application, in each of the eight regions will host an academy the second year.				
53	N. Out of this appropriation, \$500,000 the first year and \$808,000 the second year from the				
54	general fund is provided to fund a pilot initiative to attract, recruit, and retain high-quality				
55	diverse individuals to teach science, technology, engineering, or mathematics (STEM) subjects				

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1	in Virginia's middle and high schools. A teacher with up to three years of teaching experience			
2	employed full-time in a Virginia school division who has been issued a five-year Virginia			
3	teaching license with an endorsement in Middle Education 6-8: Mathematic,			
4	Mathematics-Algebra-I, mathematics, Middle Education 6-8: Science, Biology, Chemistry, Earth			
5	and Space Science, physics, or technology education and assigned to a teaching position in a			
6	corresponding STEM subject area is eligible to receive a \$5,000 initial incentive award after			
7	the completion of the first, second, or third year of teaching with a satisfactory performance			
8	evaluation and a signed contract <i>in the same school division</i> for the following school year. A			
9	teacher, holding one or more of the aforementioned endorsements and assigned to a teaching			
10	position in a corresponding STEM subject area and regardless of teaching experience, who is			
11	reassigned from a fully accredited school in a Virginia school division to a hard-to-staff school			
12	or a school that is not fully accredited and receives a satisfactory performance evaluation and a			
13	signed contract <i>in the same school division</i> for the following year is also eligible to receive an			
14	initial incentive award of \$5,000. An additional \$1,000 incentive award may be granted for			
15	each year the eligible teacher receives a satisfactory evaluation and teaches a qualifying STEM			
16	subject in which the teacher has an endorsement for up to three years in a Virginia school			
17	division following the year in which the teacher receives the initial incentive award. The			
18	maximum incentive award for each eligible teacher is \$8,000. Funding will be awarded on a			
19	first-come, first-served basis with preference to teachers assigned to teach in hard-to-staff			
20	schools or low-performing schools not fully accredited.			
21	O. This appropriation includes \$200,000 the first year from the general fund to support the			
22	feasibility of establishing the Virginia Science, Technology, Engineering, and Applied			
23	Mathematics (STEAM) Academy.			
24	P. Out of this appropriation, the Department of Education shall provide \$350,000 the first year			
25	and \$425,000 the second year from the general fund for Project Discovery. These funds are			
26	towards the cost of the program in Abingdon, Accomack/Northampton, Alexandria, Amherst,			
27	Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland,			
28	Danville/Pittsylvania, Fairfax, Franklin/Patrick, Goochland/Powhatan, Lynchburg, Newport			
29	News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell,			
30	Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery.			
31	The Department of Education shall determine the Project Discovery funding distributions to			
32	each community action agency. The contract with Project Discovery should specify the			
33	allocations to each local program and require the submission of a financial and budget report			
34	and program evaluation performance measures. Allocations shall be on a per pupil basis.			
35	Q. Out of this appropriation, \$175,000 the first year and \$87,500 the second year from the			
36	general fund is provided for a pilot program in one public local school division for a College			
37	Readiness Center as selected by the Superintendent of Public Instruction from submitted			
38	proposals. The Center would provide an extended school calendar in grades six through eight			
39	for selected students. The goals of the program shall be to increase the number of students			
40	who attain a college degree without the need for remedial services at the college level. The			
41	local school division shall provide an evaluation of initial outcomes related to the Center by			
42	June 30, 2013.			
43	R. Out of this appropriation, the Department of Education shall provide \$425,000 the first year			
44	and \$225,000 the second year from the general fund for the Virginia Student Training and			
45	Refurbishment Program.			
46	S. Out of this appropriation, \$300,000 the first year and \$400,000 the second year from the			
47	general fund is provided to establish a comprehensive pilot initiative to recruit students to			
48	major in the fields of mathematics and science to help alleviate the shortage of qualified			
49	teachers in these fields.			
50	T. Out of this appropriation, \$341,040 the second year from the general fund is provided to			
51	expand the number of schools implementing an effective school-wide discipline system —a			
52	<i>positive behavioral interventions and supports program</i> that reduces disruptive behavior in the			
53	classroom. Any school division which desires to apply for this competitive grant must submit			
54	a proposal to the Department of Education by August 1, 2013. The proposal must define			
55	student outcome objectives including, but not limited to, reductions in disciplinary referrals and			
56	out-of-school suspension rates. In making the competitive grant awards, the Department of			
57	Education shall give priority to school divisions proposing to serve schools identified by the			
58	Department as having high suspension rates. School divisions currently implementing Effective			

ITEM 138.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	School-wide Discipline in one or more schools shall be eligible to apply for grants to support				
2	expansion of the program to additional schools. No funds awarded to a school division under				
3	this grant may be used to supplant funding for schools already implementing the program.				
4	U. Out of this appropriation, \$412,500 the second year from the general fund is provided for				
5	planning grants of no more than \$50,000 each for local school divisions pursuing the creation				
6	of new year-round school programs for divisions or individual schools in support of the				
7	findings from the 2012 JLARC review. School divisions must submit applications to the				
8	Department of Education by August 1, 2013. Applications shall include evidence of				
9	commitment to pursue implementation in the 2014-15 school year. If balances exist, existing				
10	extended school year programs may be eligible to apply for remaining funds.				
11	V. Out of this appropriation, \$129,500 the second year from the general fund is provided for				
12	the Fairfax and Loudoun school divisions to support the development of a STEM model				
13	program for pre-kindergarten and kindergarten students. Each developed model will focus on				
14	enhancing the children's learning experiences through the arts.				
15	139.	State Education Assistance Programs (17800)		\$5,805,208,720	\$5,932,601,606
16					\$5,910,678,333
17		Standards of Quality for Public Education (SOQ)			
18		(17801)	\$5,178,177,305	\$5,261,418,866	
19		<i>Standards of Quality for Public Education (Soq)</i>			
20		<i>(17801)</i>		\$5,200,206,627	
21		Financial Incentive Programs for Public Education			
22		(17802)	\$72,087,786	\$150,861,610	
23				\$137,851,224	
24		Financial Assistance for Categorical Programs (17803)...	\$55,483,629	\$58,321,130	
25				\$55,420,482	
26		Distribution of Lottery Funds (17805).....	\$499,460,000	\$462,000,000	
27				\$517,200,000	
28		Fund Sources: General	\$5,162,194,292	\$5,331,142,893	
29				\$5,256,519,620	
30		Special	\$895,000	\$895,000	
31		Commonwealth Transportation	\$2,173,000	\$2,173,000	
32		Trust and Agency	\$639,946,428	\$598,390,713	
33				\$651,090,713	
34		Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section 2,			
35		Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ 22.1-176 through 22.1-198,			
36		22.1-199.1, 22.1-199.2, 22.1-213 through 22.1-221, 22.1-227 through 22.1-237, 22.1-253.13:1			
37		through 22.1-253.13:8, 22.1-254.01, Code of Virginia; Title 51.1, Chapters 1, 5, 6.2, 7, and 14,			
38		Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L. 94-142, as			
39		amended; P.L. 98-524, as amended, Federal Code.			
40		Financial Incentive Programs for Public Education (17802): §§ 22.1-24, 22.1-289.1 through			
41		22.1-318, Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended; P.L. 89-642, as			
42		amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended, Federal Code.			
43		Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of 1677			
44		between Virginia and the Indians; §§ 22.1-3.4, 22.1-101, 22.1-108, 22.1-199 through			
45		22.1-212.2:3, 22.1-213 through 22.1-221, 22.1-223 through 22.1-237, 22.1-254, Code of			
46		Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended; P.L.			
47		94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as amended; P.L.			
48		98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73, as amended; P.L.			
49		105-220, as amended, Federal Code.			
50		Distribution of Lottery Funds (17805): §§ 58.1-4022 and 58.1-4022.1, Code of Virginia			
51	Appropriation Detail of Education				
52	Assistance Programs (17800)				
53					
54	Standards of Quality (17801)	FY 2013	FY 2014		
55	Basic Aid	\$2,922,926,071	\$2,898,507,568		

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1			\$2,926,926,187	
2	Sales Tax	\$1,211,600,000	\$1,257,500,000	
3			\$1,219,700,000	
4	Textbooks	\$0	\$45,846,044	
5			\$0	
6	Vocational Education	\$53,785,080	\$53,823,405	
7			\$53,873,016	
8	Gifted Education	\$32,083,080	\$32,245,796	
9			\$32,299,221	
10	Special Education	\$362,234,349	\$366,787,264	
11			\$367,217,196	
12	Prevention, Intervention, and			
13	Remediation	\$85,106,596	\$85,280,308	
14			\$85,370,938	
15	Remedial Summer School (split funded)	\$15,329,431	\$23,435,017	
16			\$11,712,116	
17	VRS Retirement (includes RHCC)	\$302,492,718	\$304,272,866	
18			\$304,754,993	
19	Social Security	\$181,217,441	\$182,252,781	
20			\$182,538,742	
21	Group Life	\$11,402,539	\$11,467,817	
22			\$11,486,365	
23	Total	\$5,178,177,305	\$5,261,418,866	
24			\$5,195,878,774	
25	Incentive Programs (17802)			
26	Governor's School	\$14,382,635	\$14,958,873	
27			\$14,626,609	
28	Governor's School Planning and Startup/ Expansion Grants	\$100,000	\$100,000	
29	Governor's School Planning Grant - Hampton Roads Site	\$100,000	\$0	
30	Clinical Faculty	\$318,750	\$318,750	
31	Career Switcher Mentoring Grants	\$279,983	\$279,983	
32	Special Education Endorsement Program	\$600,000	\$600,000	
33	Special Education - Vocational Education	\$200,089	\$200,089	
34	Virginia Workplace Readiness Skills Assessment	\$308,655	\$308,655	
35	EpiPen Grants	\$200,000	\$0	
36	Additional Assistance with Retirement, Inflation and Preschool Costs	\$55,000,000	\$55,000,000	
37	Performance Pay Incentive	\$597,673	\$0	
38	Compensation Supplement	\$0	\$70,164,391	
39			\$60,963,418	
40	Early Reading Specialists Initiative	\$0	\$1,430,868	
41			\$956,068	
42	Strategic Compensation Grants Initiative	\$0	\$7,500,000	
43			\$4,497,651	
44	Total	\$72,087,785	\$150,861,609	
45			\$137,851,224	
46	Categorical Programs (17803)			
47	Adult Education	\$1,051,800	\$1,051,800	
48	Adult Literacy	\$2,480,000	\$2,480,000	
49	Virtual Virginia	\$4,347,808	\$4,347,808	
50	American Indian Treaty Commitment	\$61,531	\$63,446	
51			\$45,094	
52	School Lunch Program	\$5,801,932	\$5,801,932	
53	Special Education - Homebound	\$5,224,513	\$5,605,452	
54			\$5,372,903	
55	Special Education - Jails	\$3,544,117	\$3,815,919	
56			\$3,414,375	
57	Special Education - State Operated Programs	\$32,971,928	\$35,154,773	
58			\$32,906,570	
59				
60				
61				
62				
63				
64				

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Total	\$55,483,629	\$58,321,130	
2			\$55,420,482	
3				
4	Lottery (17805)			
5	Foster Care	\$9,016,406	\$9,413,338	
6		\$78,734,853	\$8,962,411	
7	At-Risk Add-On		\$78,626,984	
8			\$78,687,071	
9	Virginia Preschool Initiative	\$64,953,097	\$68,569,714	
10			\$67,424,295	
11	Early Reading Intervention	\$15,332,606	\$14,972,241	
12			\$17,482,065	
13	Mentor Teacher	\$1,000,000	\$1,000,000	
14	K-3 Primary Class Size Reduction	\$102,671,654	\$106,431,479	
15			\$103,971,881	
16	School Breakfast Program	\$3,693,543	\$3,837,586	
17			\$3,612,556	
18	SOL Algebra Readiness	\$11,173,155	\$11,352,196	
19			\$11,394,145	
20	Regional Alternative Education	\$7,802,104	\$8,061,000	
21			\$8,048,710	
22	ISAEP	\$2,247,581	\$2,247,581	
23	Special Education - Regional Tuition	\$72,429,258	\$77,703,941	
24			\$77,774,168	
25	Career and Technical Education -			
26	Categorical	\$10,400,829	\$10,400,829	
27	Project Graduation	\$2,774,478	\$2,774,478	
28	Virginia Teacher Corps (NCLB/EFAL)	\$415,000	\$415,000	
29	Race to GED (NCLB/EFAL)	\$2,485,988	\$2,410,988	
30	Path to Industry Certification			
31	(NCLB/EFAL)	\$1,065,133	\$1,331,464	
32	Supplemental Basic Aid	\$892,395	\$878,076	
33			\$903,152	
34	English as a Second Language	\$44,675,649	\$45,863,224	
35			\$45,258,661	
36	Textbooks (split funded)	\$61,262,666	\$15,709,881	
37			\$61,660,423	
38	Remedial Summer School (split funded)	\$6,433,605	\$0	
39			\$11,440,121	
40	Total	\$499,460,000	\$462,000,000	
41			\$517,200,000	
42	Technology - VPSA	\$59,846,000	\$59,612,000	
43			\$64,316,100	
44	Security Equipment - VPSA		\$6,000,000	

45

46 Payments out of the above amounts shall be subject to the following conditions:

47 **A. Definitions**

48 1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school
49 division's average daily membership for grades K-12 including (1) handicapped students ages
50 5-21 and (2) students for whom English is a second language who entered school for the first
51 time after reaching their twelfth birthday, and who have not reached twenty-two years of age
52 on or before August 1 of the school year, for the first seven (7) months (or equivalent period)
53 of the school year through March 31 in which state funds are distributed from this
54 appropriation. Preschool and postgraduate students shall not be included in March 31 ADM.

55 a. School divisions shall take a count of September 30 fall membership and report this
56 information to the Department of Education no later than October 15 of each year.

57 b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to the
58 Department of Education shall be calculated using March 31 ADM unadjusted for half-day

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	kindergarten programs, estimated at 1,221,485.85 the first year and 1,228,510.35 1,230,128.95			
2	the second year.			
3	c. March 31 ADM adjusted for half-day kindergarten at 85 percent of March 31 ADM, is			
4	estimated at 1,220,774.28 the first year and 1,227,769.61 the second year.			
5	d. Students who are either (i) enrolled in a nonpublic school or (ii) receiving home instruction			
6	pursuant to § 22.1-254.1 and who are enrolled in a public school on less than a full-time basis			
7	in any mathematics, science, English, history, social science, vocational education, health			
8	education or physical education, fine arts or foreign language course, or receiving special			
9	education services required by a student's individualized education plan, shall be counted in the			
10	funded fall membership and March 31 ADM of the responsible school division. Each course			
11	shall be counted as 0.25, up to a cap of 0.5 of a student.			
12	e. Students enrolled in an Individualized Student Alternative Education Program (ISAEP)			
13	pursuant to § 22.1-254 D shall be counted in the March 31 Average Daily Membership of the			
14	responsible school division. School divisions shall report these students separately in their			
15	March 31 reports of Average Daily Membership.			
16	2. "Standards of Quality" - Operations standards for grades kindergarten through 12 as			
17	prescribed by the Board of Education subject to revision by the General Assembly.			
18	3.a. "Basic Operation Cost" - The cost per pupil, including provision for the number of			
19	instructional personnel required by the Standards of Quality for each school division with a			
20	minimum ratio of 51 professional personnel for each 1,000 pupils or proportionate number			
21	thereof, in March 31 ADM for the same fiscal year for which the costs are computed, and			
22	including provision for driver, gifted, occupational-vocational, and special education, library			
23	materials and other teaching materials, teacher sick leave, general administration, division			
24	superintendents' salaries, free textbooks (including those for free and reduced price lunch			
25	pupils), school nurses, operation and maintenance of school plant, transportation of pupils,			
26	instructional television, professional and staff improvement, remedial work, fixed charges and			
27	other costs in programs not funded by other state and/or federal aid.			
28	b. The state and local shares of funding resulting from the support cost calculation for school			
29	nurses shall be specifically identified as such and reported to school divisions annually. School			
30	divisions may spend these funds for licensed school nurse positions employed by the school			
31	division or for licensed nurses contracted by the local school division to provide school health			
32	services.			
33	4.a. "Composite Index of Local Ability-to-Pay" - An index figure computed for each locality.			
34	The composite index is the sum of 2/3 of the index of wealth per pupil in unadjusted March			
35	31 ADM reported for the first seven (7) months of the 2009-2010 school year and 1/3 of the			
36	index of wealth per capita (population estimates for 2009 as determined by the Weldon Cooper			
37	Center for Public Service of the University of Virginia) multiplied by the local nominal share			
38	of the costs of the Standards of Quality of 0.45 in each year. The indices of wealth are			
39	determined by combining the following constituent index elements with the indicated			
40	weighting: (1) true values of real estate and public service corporations as reported by the State			
41	Department of Taxation for the calendar year 2009 - 50 percent; (2) adjusted gross income for			
42	the calendar year 2009 as reported by the State Department of Taxation - 40 percent; (3) the			
43	sales for the calendar year 2009 which are subject to the state general sales and use tax, as			
44	reported by the State Department of Taxation - 10 percent. Each constituent index element for			
45	a locality is its sum per March 31 ADM, or per capita, expressed as a percentage of the state			
46	average per March 31 ADM, or per capita, for the same element. A locality whose composite			
47	index exceeds 0.8000 shall be considered as having an index of 0.8000 for purposes of			
48	distributing all payments based on the composite index of local ability-to-pay. Each constituent			
49	index element for a locality used to determine the composite index of local ability-to-pay for			
50	the current biennium shall be the latest available data for the specified official base year			
51	provided to the Department of Education by the responsible source agencies no later than			
52	November 15, 2011.			
53	b. For any locality whose total calendar year 2009 Virginia Adjusted Gross Income is			
54	comprised of at least 3 percent or more by nonresidents of Virginia, such nonresident income			
55	shall be excluded in computing the composite index of ability-to-pay. The Department of			
56	Education shall compute the composite index for such localities by using adjusted gross income			

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	data which exclude nonresident income, but shall not adjust the composite index of any other			
2	localities. The Department of Taxation shall furnish to the Department of Education such data			
3	as are necessary to implement this provision.			
4	c.1) In the event that two or more school divisions become one school division, whether by			
5	consolidation of only the school divisions or by consolidation of the local governments, which			
6	shall include the transition of a city to town status, all state payments from this item adjusted			
7	by the composite index of local ability to pay to such resulting division or interest rates on			
8	approved Literary Fund loans shall be made on the basis of a composite index established by			
9	the Board of Education, which shall equal the <i>composite index</i> no lower than the lowest nor			
10	higher than the highest composite index of any of the individual school divisions involved in			
11	such consolidation. In addition, the local share of state payments adjusted by the composite			
12	index shall also be based on the same composite index of any of the individual school			
13	divisions involved in such consolidation. This index shall remain in effect for a period of no			
14	less than five nor more than fifteen years, unless a lower composite index is calculated for the			
15	combined division through the process for computing an index figure as set forth above. The			
16	Governor shall approve the composite index determined by the Board of Education prior to			
17	disbursement of funds under such index. The department shall report to the Chairmen of the			
18	House Appropriations and Senate Finance Committees the composite indices approved by the			
19	Governor and the board in the event this provision is implemented.			
20	2) In the case of the consolidation of Clifton Forge and Alleghany County school divisions, the			
21	fifteen year period for the application of a new composite index shall apply beginning with the			
22	fiscal year that starts on July 1, 2004. Notwithstanding the provisions of paragraph c.1) the			
23	composite index established by the Board of Education shall equal the lowest composite index			
24	that was in effect prior to July 1, 2004, of any individual localities involved in such			
25	consolidation, and this index shall remain in effect for a period of fifteen years, unless a lower			
26	composite index is calculated for the combined division through the process for computing an			
27	index as set forth above.			
28	3) Pursuant to paragraph c.1) above, if the composite index of a consolidated school division is			
29	reduced during the course of the fifteen year period to a level that would entitle the school			
30	division to a lower interest rate for a Literary Fund loan than it received when the loan was			
31	originally released, the Board of Education shall reduce the interest rate of such loan for the			
32	remainder of the period of the loan. Such reduction shall be based on the interest rate that			
33	would apply at the time of such adjustment. This rate shall remain in effect for the duration of			
34	the loan and shall apply only to those years remaining to be paid.			
35	4) In the case of the consolidation of Bedford County and Bedford City school divisions, the			
36	fifteen year period for the application of a new composite shall apply beginning with the fiscal			
37	year that starts on July 1, 2013. Notwithstanding the provisions of paragraph c.1) the			
38	composite index established by the Board of Education shall equal the lowest composite index			
39	that was in effect prior to July 1, 2013, of any individual localities involved in such			
40	consolidation, and this index shall remain in effect for a period of fifteen years, unless a lower			
41	composite index is calculated for the combined division through the process for computing an			
42	index as set forth above.			
43	5) Bedford County Public Schools shall undergo a School Efficiency Review pursuant to Item			
44	271, 4.a. Such review shall include division administration; human resources; finance;			
45	purchasing; educational service delivery costs, including school size; special education;			
46	facilities; transportation; technology management; and food service.			
47	6) JLARC is hereby directed, with assistance from the Commission on Local Government, to			
48	analyze and make recommendations going forward regarding the most effective balance			
49	between the costs of incentives for government and school consolidations with the expected			
50	resulting savings and operational benefits, and how best to structure such state incentives to			
51	achieve both clarity for localities as well as justification that incentives are adequate, but not			
52	more than necessary. JLARC shall complete its study and submit a final report no later than			
53	October 1, 2014.			
54	d. When it is determined that a substantial error exists in a constituent index element, the			
55	Department of Education will make adjustments in funding for the current school year only in			
56	the division where the error occurred. The composite index of any other locality shall not be			
57	changed as a result of the adjustment. No adjustment during the biennium will be made as a			

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	result of updating of data used in a constituent index element.			
2	e. In the event that any school division consolidates two or more small schools, the division			
3	shall continue to receive Standards of Quality funding and provide for the required local			
4	expenditure for a period of five years as if the schools had not been consolidated. Small			
5	schools are defined as any elementary, middle, or high school with enrollment below 200, 300			
6	and 400 students, respectively.			
7	5. "Required Local Expenditure for the Standards of Quality" - The locality's share based on			
8	the composite index of local ability-to-pay of the cost required by all the Standards of Quality			
9	minus its estimated revenues from the state sales and use tax dedicated to public education and			
10	those sales tax revenues transferred to the general fund from the Public Education Standards of			
11	Quality/Local Real Estate Property Tax Relief Fund and appropriated in this Item, both of			
12	which are returned on the basis of the latest yearly estimate of school age population provided			
13	by the Weldon Cooper Center for Public Service, as specified in this Item, collected by the			
14	Department of Education and distributed to school divisions in the fiscal year in which the			
15	school year begins.			
16	6. "Required Local Match" - The locality's required share of program cost based on the			
17	composite index of local ability-to-pay for all Lottery and Incentive programs, where required,			
18	in which the school division has elected to participate in a fiscal year.			
19	7. "Planning District Eight" - The nine localities which comprise Planning District Eight are			
20	Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria City,			
21	Fairfax City, Falls Church City, Manassas City, and Manassas Park City.			
22	8. "State Share of the Standards of Quality" - The state share of the Standards of Quality			
23	(SOQ) shall be equal to the total funded SOQ cost for a school division less the school			
24	division's estimated revenues from the state sales and use tax dedicated to public education			
25	based on the latest yearly estimate of school age population provided by the Weldon Cooper			
26	Center for Public Service, adjusted for the state's share of the composite index of local ability			
27	to pay.			
28	9. In the event that the general fund appropriations in this item are not sufficient to meet the			
29	entitlements payable to school divisions pursuant to the provisions of this Item, the Department			
30	of Education is authorized to transfer any available general fund funds between these Items to			
31	address such insufficiencies. If the total general fund appropriations after such transfers remain			
32	insufficient to meet the entitlements of any program funded with general fund dollars, the			
33	Department of Education is authorized to prorate such shortfall proportionately across all of the			
34	school divisions participating in any program where such shortfall occurred. In addition, the			
35	Department of Education is authorized each year to temporarily suspend textbook payments			
36	made to school divisions from Lottery funds to ensure that any shortfall in Lottery revenue can			
37	be accounted for in the remaining textbook payments to be made for the year.			
38	10. The Department of Education is directed to apply a cap on inflation rates in the same			
39	manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school			
40	divisions during the biennial rebenchmarking process.			
41	11. Notwithstanding any other provision in statute or in this Item, the Department of Education			
42	is directed to combine the end-of-year Average Daily Membership (ADM) for those school			
43	divisions who have partnered together as a fiscal agent division and a contractual division for			
44	the purposes of calculating prevailing costs included in the Standards of Quality (SOQ).			
45	12. Notwithstanding any other provision in statute or in this Item, the Department of Education			
46	is directed to include zeros in the linear weighted average calculation of support non-personal			
47	costs for the purpose of calculating prevailing costs included in the Standards of Quality			
48	(SOQ).			
49	13. Notwithstanding any other provision in statute or in this Item, the Department of Education			
50	is directed to eliminate the corresponding and appropriate object code(s) related to reported			
51	travel expenditures included the linear weighted average non-personal cost calculations for the			
52	purpose of calculating prevailing costs included in the Standards of Quality (SOQ).			
53	14. Notwithstanding any other provision in statute or in this Item, the Department of Education			

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1	is directed to eliminate the corresponding and appropriate object code(s) related to reported			
2	leases and rental and facility expenditures included the linear weighted average non-personal			
3	cost calculations for the purpose of calculating prevailing costs included in the Standards of			
4	Quality (SOQ).			
5	15. Notwithstanding any other provision in statute or in this Item, the Department of Education			
6	is directed to fund transportation costs using a 15 year replacement schedule, which is the			
7	national standard guideline, for school bus replacement schedule for the purpose of calculating			
8	funded transportation costs included in the Standards of Quality (SOQ).			
9	16. To provide temporary flexibility, notwithstanding any other provision in statute or in this			
10	Item, school divisions may elect to increase the teacher to pupil staffing ratios in kindergarten			
11	through grade 7 and English classes for grades 6 through twelve by one additional student; the			
12	teacher to pupil staffing ratio requirements for Elementary Resource teachers, Prevention,			
13	Intervention and Remediation, English as a Second Language, Gifted and Talented, Career and			
14	Technical funded programs (other than on Career and Technical courses where school divisions			
15	will have to maintain a maximum class size based on federal Occupational Safety & Health			
16	Administration safety requirements) are waived; and the instructional and support technology			
17	positions, librarians and guidance counselors staffing ratios for new hires are waived.			
18	17. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1 of the Code			
19	of Virginia, any school division that was granted a waiver regarding the opening date of the			
20	school year for the 2011-12 school year under the good cause requirements shall continue to be			
21	granted a waiver for the 2012-13 school year and the 2013-2014 school year.			
22	B. General Conditions			
23	1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for			
24	instructional staff members to the employer's cost for a number not exceeding the number of			
25	instructional positions required by the Standards of Quality for each school division and for			
26	their salaries at the statewide prevailing salary levels as printed below.			
27	Instructional Position	First Year Salary	Second Year Salary	
28	Elementary Teachers	\$45,118	\$45,118	
29	Elementary Assistant Principals	\$63,824	\$63,824	
30	Elementary Principals	\$78,510	\$78,510	
31	Secondary Teachers	\$47,267	\$47,267	
32	Secondary Assistant Principals	\$67,824	\$67,824	
33	Secondary Principals	\$86,464	\$86,464	
34	Instructional Aides	\$16,223	\$16,223	
35	a.1) Payment by the state to a local school division shall be based on the state share of fringe			
36	benefit costs of 55 percent of the employer's cost distributed on the basis of the composite			
37	index.			
38	2) A locality whose composite index exceeds 0.8000 shall be considered as having an index of			
39	0.8000 for purposes of distributing fringe benefit funds under this provision.			
40	3) The state payment to each school division for retirement, social security, and group life			
41	insurance costs for non-instructional personnel is included in and distributed through Basic Aid.			
42	b. Payments to school divisions from this Item shall be calculated using March 31 Average			
43	Daily Membership adjusted for half-day kindergarten programs.			
44	c. Payments for health insurance fringe benefits are included in and distributed through Basic			
45	Aid.			
46	2. Each locality shall offer a school program for all its eligible pupils which is acceptable to			
47	the Department of Education as conforming to the Standards of Quality program requirements.			
48	3. In the event the statewide number of pupils in March 31 ADM results in a state share of			
49	cost exceeding the general fund appropriation in this Item, the locality's state share of Basic			
50	Aid shall be reduced proportionately so that this general fund appropriation will not be			
51	exceeded. In addition, the required local share of Basic Aid shall also be reduced			

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1	proportionately to the reduction in the state's share.			
2	4. The Department of Education shall make equitable adjustments in the computation of indices			
3	of wealth and in other state-funded accounts for localities affected by annexation, unless a court			
4	of competent jurisdiction makes such adjustments. However, only the indices of wealth and			
5	other state-funded accounts of localities party to the annexation will be adjusted.			
6	5. In the event that the actual revenues from the state sales and use tax dedicated to public			
7	education and those sales tax revenues transferred to the general fund from the Public			
8	Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated in			
9	this Item (both of which are returned on the basis of the latest yearly estimate of school age			
10	population provided by the Weldon Cooper Center for Public Service) for sales in the fiscal			
11	year in which the school year begins are different from the number estimated as the basis for			
12	this appropriation, the estimated state sales and use tax revenues shall not be adjusted.			
13	6. This appropriation shall be apportioned to the public schools with guidelines established by			
14	the Department of Education consistent with legislative intent as expressed in this act.			
15	7.a. Appropriations of state funds in this Item include the number of positions required by the			
16	Standards of Quality. This Item includes a minimum of 51 professional instructional positions			
17	and aide positions (C 2); Education of the Gifted, 1.0 professional instructional position (C 3);			
18	Occupational-Vocational Education Payments and Special Education Payments; a minimum of			
19	6.0 professional instructional positions and aide positions (C 4 and C 5) for each 1,000 pupils			
20	in March 31 ADM each year in support of the current Standards of Quality. Funding in			
21	support of one hour of additional instruction per day based on the percent of students eligible			
22	for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending			
23	upon a school division's combined failure rate on the English and Math Standards of Learning,			
24	is included in Remedial Education Payments (C 8).			
25	b. No actions provided in this section signify any intent of the General Assembly to mandate			
26	an increase in the number of instructional personnel per 1,000 students above the numbers			
27	explicitly stated in the preceding paragraph.			
28	c. Appropriations in this Item include programs supported in part by transfers to the general			
29	fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief			
30	Fund pursuant to Part 3 of this Act. These transfers combined together with other			
31	appropriations from the general fund in this Item funds the state's share of the following			
32	revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly			
33	of 2004: five elementary resource teachers per 1,000 students; one support technology position			
34	per 1,000 students; one instructional technology position per 1,000 students; and a full daily			
35	planning period for teachers at the middle and high school levels in order to relieve the			
36	financial pressure these education programs place on local real estate taxes.			
37	d. To provide flexibility, school divisions may use the state and local funds for instructional			
38	technology resource teachers required by the Standards of Quality to employ a data coordinator			
39	position, an instructional technology resource teacher position, or a data			
40	coordinator/instructional resource teacher blended position. The data coordinator position is			
41	intended to serve as a resource to principals and classroom teachers in the area of data analysis			
42	and interpretation for instructional and school improvement purposes, as well as for overall data			
43	management and administration of state assessments. School divisions using these SOQ funds			
44	in this manner shall only employ instructional personnel licensed by the Board of Education.			
45	e. To provide flexibility in the provision of reading intervention services, school divisions may			
46	use the state Early Reading Intervention initiative funding provided from the Lottery Proceeds			
47	Fund and the required local matching funds to employ reading specialists to provide the			
48	required reading intervention services. School divisions using the Early Reading Intervention			
49	Initiative funds in this manner shall only employ instructional personnel licensed by the Board			
50	of Education.			
51	f. To provide flexibility in the provision of mathematics intervention services, school divisions			
52	may use the state Standards of Learning Algebra Readiness initiative funding provided from the			
53	Lottery Proceeds Fund and the required local matching funds to employ mathematics teacher			
54	specialists to provide the required mathematics intervention services. School divisions using			
55	the Standards of Learning Algebra Readiness initiative funding in this manner shall only			

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1	employ instructional personnel licensed by the Board of Education.			
2	8.a.1) Pursuant to § 22.1-97, Code of Virginia, the Department of Education is required to			
3	make calculations at the start of the school year to ensure that school divisions have			
4	appropriated adequate funds to support their estimated required local expenditure for the			
5	corresponding state fiscal year. In an effort to reduce the administrative burden on school			
6	divisions resulting from state data collections, such as the one needed to make the			
7	aforementioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining to the			
8	adequacy of estimated required local expenditures, shall be satisfied by signed certification by			
9	each division superintendent at the beginning of each school year that sufficient local funds			
10	have been budgeted to meet all state required local effort and required local match amounts.			
11	This provision shall only apply to calculations required of the Department of Education related			
12	to estimated required local expenditures and shall not pertain to the calculations associated with			
13	actual required local expenditures after the close of the school year.			
14	2) The Department of Education shall also make calculations after the close of the school year			
15	to verify that the required local effort level, based on actual March 31 Average Daily			
16	Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of Education			
17	shall report annually, no later than the first day of the General Assembly session, to the House			
18	Committees on Education and Appropriations and the Senate Committees on Finance and			
19	Education and Health, the results of such calculations made after the close of the school year			
20	and the degree to which each school division has met, failed to meet, or surpassed its required			
21	local expenditure. The Department of Education shall specify the calculations to determine if a			
22	school division has expended its required local expenditure for the Standards of Quality. This			
23	calculation may include but is not limited to the following calculations:			
24	b. The total expenditures for operation, defined as total expenditures less all capital outlays,			
25	expenditures for debt service, facilities, non-regular day school programs (such as adult			
26	education, preschool, and non-local education programs), and any transfers to regional programs			
27	will be calculated.			
28	c. The following state funds will be deducted from the amount calculated in paragraph a.			
29	above: revenues from the state sales and use tax (returned on the basis of the latest yearly			
30	estimate of school age population provided by the Weldon Cooper Center for Public Service, as			
31	specified in this Item) for sales in the fiscal year in which the school year begins; total receipts			
32	from state funds (except state funds for non-regular day school programs and state funds used			
33	for capital or debt service purposes); and the state share of any balances carried forward from			
34	the previous fiscal year. Any qualifying state funds that remain unspent at the end of the fiscal			
35	year will be added to the amount calculated in paragraph a. above.			
36	d. Federal funds, and any federal funds carried forward from the previous fiscal year, will also			
37	be deducted from the amount calculated in paragraph a above. Any federal funds that remain			
38	unspent at the end of the fiscal year and any capital expenditures paid from federal funds will			
39	be added to the amount calculated in paragraph a. above.			
40	e. Tuition receipts, receipts from payments from other cities or counties, and fund transfers will			
41	also be deducted from the amount calculated in paragraph a, then			
42	f. The final amount calculated as described above must be equal to or greater than the required			
43	local expenditure defined in paragraph A. 5.			
44	g. The Department of Education shall collect the data necessary to perform the calculations of			
45	required local expenditure as required by this section.			
46	h. A locality whose expenditure in fact exceeds the required amount from local funds may not			
47	reduce its expenditures unless it first complies with all of the Standards of Quality.			
48	9.a. Any required local matching funds which a locality, as of the end of a school year, has not			
49	expended, pursuant to this Item, for the Standards of Quality shall be paid by the locality into			
50	the general fund of the state treasury. Such payments shall be made not later than the end of			
51	the school year following that in which the under expenditure occurs.			
52	b. Whenever the Department of Education has recovered funds as defined in the preceding			
53	paragraph a, the Secretary of Education is authorized to repay to the locality affected by that			

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1	action, seventy-five percent (75%) of those funds upon his determination that:			
2	1) The local school board agrees to include the funds in its June 30 ending balance for the year			
3	following that in which the under expenditure occurs;			
4	2) The local governing body agrees to reappropriate the funds as a supplemental appropriation			
5	to the approved budget for the second year following that in which the under expenditure			
6	occurs, in an appropriate category as requested by the local school board, for the direct benefit			
7	of the students;			
8	3) The local school board agrees to expend these funds, over and above the funds required to			
9	meet the required local expenditure for the second year following that in which the under			
10	expenditure occurs, for a special project, the details of which must be furnished to the			
11	Department of Education for review and approval;			
12	4) The local school board agrees to submit quarterly reports to the Department of Education on			
13	the use of funds provided through this project award; and			
14	5) The local governing body and the local school board agree that the project award will be			
15	cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of			
16	the second year following that in which the under expenditure occurs.			
17	c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient,			
18	not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding			
19	paragraph a.			
20	10. The Department of Education shall specify the manner for collecting the required			
21	information and the method for determining if a school division has expended the local funds			
22	required to support the actual local match based on all Lottery and Incentive programs in			
23	which the school division has elected to participate. Unless specifically stated otherwise in this			
24	Item, school divisions electing to participate in any Lottery or Incentive program that requires a			
25	local funding match in order to receive state funding, shall certify to the Department of			
26	Education its intent to participate in each program by July 1 each fiscal year in a manner			
27	prescribed by the Department of Education. As part of this certification process, each division			
28	superintendent must also certify that adequate local funds have been appropriated, above the			
29	required local effort for the Standards of Quality, to support the projected required local match			
30	based on the Lottery and Incentive programs in which the school division has elected to			
31	participate. State funding for such program(s) shall not be made until such time that the school			
32	division can certify that sufficient local funding has been appropriated to meet required local			
33	match. The Department of Education shall make calculations after the close of the fiscal year			
34	to verify that the required local match was met based on the state funds that were received.			
35	11. Any sum of local matching funds for Lottery and Incentive program which a locality has			
36	not expended as of the end of a fiscal year in support of the required local match pursuant to			
37	this Item shall be paid by the locality into the general fund of the state treasury unless the			
38	carryover of those unspent funds is specifically permitted by other provisions of this act. Such			
39	payments shall be made no later than the end of the school year following that in which the			
40	under expenditure occurred.			
41	12. The Superintendent of Public Instruction shall provide a report annually, no later than the			
42	first day of the General Assembly session, on the status of teacher salaries, by local school			
43	division, to the Governor and the Chairmen of the Senate Finance and House Appropriations			
44	Committees. In addition to information on average salaries by school division and statewide			
45	comparisons with other states, the report shall also include information on starting salaries by			
46	school division and average teacher salaries by school.			
47	13. All state and local matching funds required by the programs in this Item shall be			
48	appropriated to the budget of the local school board.			
49	14. By November 15 of each year, the Department of Planning and Budget, in cooperation with			
50	the Department of Education, shall prepare and submit a preliminary forecast of Standards of			
51	Quality expenditures, based upon the most current data available, to the Chairmen of the House			
52	Appropriations and Senate Finance Committees. In odd-numbered years, the forecast for the			
53	current and subsequent two fiscal years shall be provided. In even-numbered years, the forecast			

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1	for the current and subsequent fiscal year shall be provided. The forecast shall detail the				
2	projected March 31 Average Daily Membership and the resulting impact on the education				
3	budget.				
4	15. School divisions may choose to use state payments provided for Standards of Quality				
5	Prevention, Intervention, and Remediation in both years as a block grant for remediation				
6	purposes, without restrictions or reporting requirements, other than reporting necessary as a				
7	basis for determining funding for the program.				
8	16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall				
9	provide guidelines for the distribution and expenditure of general fund appropriations and such				
10	additional federal, private and other funds as may be made available to aid in the establishment				
11	and maintenance of the public schools.				
12	17. At the Department of Education's option, fees for audio-visual services may be deducted				
13	from state Basic Aid payments for individual local school divisions.				
14	18. For distributions not otherwise specified, the Department of Education, at its option, may				
15	use prior year data to calculate actual disbursements to individual localities.				
16	19. Payments for accounts related to the Standards of Quality made to localities for public				
17	education from the general fund, as provided herein, shall be payable in twenty-four				
18	semi-monthly installments at the middle and end of each month.				
19	20. Notwithstanding §22.1-638 D., Code of Virginia, and other language in this item, the				
20	Department of Education shall, for purposes of calculating the state and local shares of the				
21	Standards of Quality, apportion state sales and use tax dedicated to public education and those				
22	sales tax revenues transferred to the general fund from the Public Education Standards of				
23	Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the July 1,				
24	2010, estimate of school age population provided by the Weldon Cooper Center for Public				
25	Service and, in the second year, based on the July 1, 2011, estimate of school age population				
26	provided by the Weldon Cooper Center for Public Service.				
27	Notwithstanding §22.1-638 D., Code of Virginia, and other language in this item, the State				
28	Comptroller shall distribute the state sales and use tax revenues dedicated to public education				
29	and those sales tax revenues transferred to the general fund from the Public Education				
30	Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based on the				
31	July 1, 2010, estimate of school age population provided by the Weldon Cooper Center for				
32	Public Service and, in the second year, based on the July 1, 2011, estimate of school age				
33	population provided by the Weldon Cooper Center for Public Service.				
34	21. The school divisions within the Tobacco Region, as defined by the Tobacco				
35	Indemnification and Community Revitalization Commission, shall jointly explore ways to				
36	maximize their collective expenditure reimbursement totals for all eligible E-Rate funding.				
37	22. This Item includes appropriations totaling an estimated \$499,460,000 the first year and				
38	\$462,000,000 \$517,200,000 the second year from the revenues deposited to the Lottery Proceeds				
39	Fund. These amounts are appropriated for distribution to counties, cities, and towns to support				
40	public education programs pursuant to Article X, Section 7-A Constitution of Virginia. Any				
41	county, city, or town which accepts a distribution from this fund shall provide its portion of the				
42	cost of maintaining an educational program meeting the Standards of Quality pursuant to				
43	Section 2 of Article VIII of the Constitution without the use of distributions from the fund.				
44	23. For reporting purposes, the Department of Education shall include Lottery Proceeds Funds				
45	as state funds.				
46	24.a. Any locality that has met its required local effort for the Standards of Quality accounts				
47	for FY 2013 and that has met its required local match for incentive or Lottery-funded programs				
48	in which the locality elected to participate in FY 2013 may carry over into fiscal year 2014 any				
49	remaining state Direct Aid to Public Education fund balances available to help minimize				
50	any FY 2014 revenue adjustments that may occur in state funding to that locality. Localities				
51	electing to carry forward such unspent state funds must appropriate the funds to the school				
52	division for expenditure in FY 2014.				

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1	b. Any locality that has met its required local effort for the Standards of Quality accounts			
2	for FY 2014 and that has met its required local match for incentive or Lottery-funded programs			
3	in which the locality elected to participate in FY 2014 may carry over into FY 2015 any			
4	remaining state Direct Aid to Public Education fund balances available to help minimize			
5	any FY 2015 revenue adjustments that may occur in state funding to that locality. Localities			
6	electing to carry forward such unspent state funds must appropriate the funds to the school			
7	division for expenditure in FY 2015.			
8	25. Localities are encouraged to allow school boards to carry over any unspent local allocations			
9	into the next fiscal year. Localities are also encouraged to provide increased flexibility to			
10	school boards by appropriating state and local funds for public education in a lump sum.			
11	26. The Department of Education shall include in the annual School Performance Report Card			
12	for school divisions the percentage of each division's annual operating budget allocated to			
13	instructional costs. For this report, the Department of Education shall establish a methodology			
14	for allocating each school division's expenditures to instructional and non-instructional costs in			
15	a manner that is consistent with the funding of the Standards of Quality as approved by the			
16	General Assembly. Further, at the discretion of the Superintendent of Public Instruction, the			
17	Department of Education may also report on other methods of measuring instructional spending			
18	such as those used by the U.S. Census Bureau and the U.S. Department of Education.			
19	27. By August 15, 2012, each superintendent is requested to submit to the Department of			
20	Education a brief description of the range of online learning opportunities currently underway			
21	in the school division and any being planned or under consideration in the future, if applicable.			
22	28. By August 30, 2013, each school superintendent is requested to submit to the Department			
23	of Education a brief description of the division's interest in pursuing the development and			
24	implementation of year-round school to improve academic performance for those students who			
25	are at high risk of educational failure, minority, ESL or economically disadvantaged.			
26	Superintendents are encouraged to describe which students would benefit from year-round			
27	school and potential costs. The Department of Education shall take into consideration those			
28	submissions when developing the Direct Aid to Public Education proposed budget for the 2014			
29	General Assembly Session.			
30	C. Apportionment			
31	1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each			
32	locality shall receive sums as listed above within this program for the basic operation cost and			
33	payments in addition to that cost. The apportionment herein directed shall be inclusive of, and			
34	without further payment by reason of, state funds for library and other teaching materials.			
35	2. School Employee Retirement Contributions			
36	a. This Item provides funds to each local school board for the state share of the employer's			
37	retirement cost incurred by it, on behalf of instructional personnel, for subsequent transfer to			
38	the retirement allowance account as provided by Title 51.1, Chapter 1, Code of Virginia.			
39	b. Notwithstanding § 51.1-1401 of the Code of Virginia, the Commonwealth shall provide			
40	payments for only the state share of the Standards of Quality fringe benefit cost of the retiree			
41	health care credit. This Item includes payments in both years based on the state share of fringe			
42	benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional			
43	positions, distributed based on the composite index of the local ability-to-pay.			
44	3. School Employee Social Security Contributions			
45	a. This Item provides funds to each local school board for the state share of the employer's			
46	Social Security cost incurred by it, on behalf of the instructional personnel for subsequent			
47	transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.			
48	b. Appropriations for contributions in paragraphs 2 and 3 above include payments from funds			
49	derived from the principal of the Literary Fund in accordance with Article III, Section 8, of the			
50	Constitution of Virginia. The amounts set aside from the Literary Fund for these purposes			
51	shall not exceed \$140,086,428 the first year and \$135,990,713 \$133,490,713 the second year.			

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1	4. School Employee Insurance Contributions				
2	This Item provides funds to each local school board for the state share of the employer's Group				
3	Life Insurance cost incurred by it on behalf of instructional personnel who participate in group				
4	insurance under the provisions of Title 51.1, Chapter 5, Code of Virginia.				
5	5. Basic Aid Payments				
6	a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is				
7	established individually for each local school division based on the number of instructional				
8	personnel required by the Standards of Quality and the statewide prevailing salary levels				
9	(adjusted in Planning District Eight for the cost of competing) as well as recognized support				
10	costs calculated on a prevailing basis for an estimated March 31 ADM (adjusted for half-day				
11	kindergarten programs).				
12	2) This appropriation includes funding to recognize the common labor market in the				
13	Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area.				
14	Standards of Quality salary payments for instructional positions in school divisions of the				
15	localities set out below have been adjusted for the equivalent portion of the Cost of Competing				
16	Adjustment (COCA) rates that are paid to local school divisions in Planning District 8. For the				
17	counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the				
18	Cities of Fredericksburg and Winchester, the SOQ payments have been increased by 25 percent				
19	each year of the COCA rates paid to school divisions in Planning District 8.				
20	3) This appropriation includes funding for the Standards of Quality salary payments for support				
21	positions in school divisions of the localities set out below and have been adjusted for the				
22	equivalent portion of the Cost of Competing Adjustment (COCA) rates that are paid to the				
23	local school divisions in Planning District 8 for SOQ Basic Aid support positions, which is				
24	22.70 percent in the first year and 6.98 percent in the second year. For the counties of				
25	Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of				
26	Fredericksburg and Winchester, the SOQ payments have been increased each year by 25				
27	percent of the COCA rates paid to school divisions in Planning District 8.				
28	b. The state share for a locality shall be equal to the Basic Operation Cost for that locality less				
29	the locality's estimated revenues from the state sales and use tax (returned on the basis of the				
30	latest yearly estimate of school age population provided by the Weldon Cooper Center for				
31	Public Service, as specified in this Item), in the fiscal year in which the school year begins and				
32	less the required local expenditure.				
33	c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use tax				
34	estimates are as cited in this Item.				
35	d. 1) In accordance with the provisions of § 37.2-713, Code of Virginia, the Department of				
36	Education shall deduct the locality's share for the education of handicapped pupils residing in				
37	institutions within the Department of Behavioral Health and Developmental Services from the				
38	locality's Basic Aid payments.				
39	2) The amounts deducted from Basic Aid for the education of intellectually disabled persons				
40	shall be transferred to the Department of Behavioral Health and Developmental Services in				
41	support of the cost of educating such persons; the amount deducted from Basic Aid for the				
42	education of emotionally disturbed persons shall be used to cover extraordinary expenses				
43	incurred in the education of such persons. The Department of Education shall establish				
44	guidelines to implement these provisions and shall provide for the periodic transfer of sums				
45	due from each local school division to the Department of Behavioral Health and Developmental				
46	Services and for Special Education categorical payments. The amount of the actual transfers				
47	will be based on data accumulated during the prior school year.				
48	e. 1) The apportionment to localities of all driver education revenues received during the school				
49	year shall be made as an undesignated component of the state share of Basic Aid in accordance				
50	with the provisions of this Item. Only school divisions complying with the standardized				
51	program established by the Board of Education shall be entitled to participate in the				
52	distribution of state funds appropriated for driver education. The Department of Education will				
53	deduct a designated amount per pupil from a school division's Basic Aid payment when the				
54	school division is not in compliance with § 22.1-205 C, Code of Virginia. Such amount will				

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1	be computed by dividing the current appropriation for the Driver Education Fund by actual			
2	March 31 ADM.			
3	2) Local school boards may charge a per pupil fee for behind-the-wheel driver education			
4	provided, however, that the fee charged plus the per pupil basic aid reimbursement for driver			
5	education shall not exceed the actual average per pupil cost. Such fees shall not be cause for a			
6	pro rata reduction in Basic Aid payments to school divisions.			
7	f. Textbooks			
8	1) The appropriation in this Item includes \$45,846,044 the second year from the general fund			
9	and \$61,262,666 the first year and \$15,709,881 \$61,660,423 the second year from the Lottery			
10	Proceeds Fund as the state's share of the cost of textbooks based on a per pupil amount of			
11	\$89.73 the first year and \$89.73 the second year. The state's share of textbooks will be fund			
12	split between the general fund and Lottery Proceeds Fund. A school division shall appropriate			
13	these funds for textbooks or any other public education instructional expenditure by the school			
14	division. The state's distributions for textbooks shall be based on adjusted March 31 ADM.			
15	These funds shall be matched by the local government, based on the composite index of local			
16	ability-to-pay.			
17	2) School divisions shall provide free textbooks to all students.			
18	3) School divisions may use a portion of this funding to purchase Standards of Learning			
19	instructional materials. School divisions may also use these funds to purchase electronic			
20	textbooks or other electronic media resources integral to the curriculum and classroom			
21	instruction and the technical equipment required to read and access the electronic textbooks and			
22	electronic curriculum materials.			
23	4) Any funds provided to school divisions for textbook costs that are unexpended as of June			
24	30, 2013, or June 30, 2014, shall be carried on the books of the locality to be appropriated to			
25	the school division the following year to be used for same purpose. School divisions are			
26	permitted to carry forward any remaining balance of textbook funds until the funds are			
27	expensed for a qualifying purpose.			
28	g. The one-cent state sales and use tax earmarked for education and the sales tax revenues			
29	transferred to the general fund from the Public Education Standards of Quality/Local Real			
30	Estate Property Tax Relief Fund and appropriated in this Item which are distributed to localities			
31	on the basis of the latest yearly estimate of school age population provided by the Weldon			
32	Cooper Center for Public Service as specified in this Item shall be reflected in each locality's			
33	annual budget for educational purposes as a separate revenue source for the current fiscal year.			
34	h. The appropriation for the Standards of Quality for Public Education (SOQ) includes amounts			
35	estimated at \$222,800,000 the first year and \$230,400,000 \$334,700,000 the second year from			
36	the amounts transferred to the general fund from the Public Education Standards of			
37	Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this act which are			
38	derived from the 40.375 cent increase in the state sales and use tax levied pursuant to			
39	Chapter 3, 2004 Special Session §58.1-638, Code of Virginia. These additional funds are			
40	provided to local school divisions and local governments in order to relieve the financial			
41	pressure education programs place on local real estate taxes.			
42	i. From the total amounts in paragraph h. above, an amount estimated at \$105,300,000 the first			
43	year and \$108,300,000 \$223,200,000 the second year (approximately 4 1/4 cent of sales and			
44	use tax) is appropriated to support a portion of the cost of the state's share of the following			
45	revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly			
46	of 2004: five elementary resource teachers per 1,000 students; one support and one instructional			
47	technology position per 1,000 students; a full daily planning period for teachers at the middle			
48	and high school levels in order to relieve the pressure on local real estate taxes and shall be			
49	taken into account by the governing body of the county, city, or town in setting real estate tax			
50	rates.			
51	j. From the total amounts in paragraph h. above, an amount estimated at \$117,500,000 the first			
52	year and \$122,100,000 \$117,800,000 the second year (approximately 1/8 cent of sales and use			
53	tax) is appropriated in this Item to distribute the remainder of the revenues collected and			
54	deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief			

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	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund on the basis of the latest yearly estimate of school age population provided by the			
2	Weldon Cooper Center for Public Service as specified in this Item.			
3	k. For the purposes of funding certain support positions in Basic Aid a funding ratio			
4	methodology is used based upon the prevailing ratio of support positions to SOQ funded			
5	instructional positions as established in Chapter 781, 2009 Acts of Assembly. For the purposes			
6	of making the required spending adjustments, the appropriation and distribution of Basic Aid			
7	shall reflect this methodology. Local school divisions shall have the discretion as to where the			
8	adjustment may be made, consistent with the Standards of Quality funded in this Act.			
9	6. Education of the Gifted Payments			
10	a. An additional payment shall be disbursed by the Department of Education to local school			
11	divisions to support the state share of one full-time equivalent instructional position per 1,000			
12	students in adjusted March 31 ADM.			
13	b. Local school divisions are required to spend, as part of the required local expenditure for the			
14	Standards of Quality the established per pupil cost for gifted education (state and local share)			
15	on approved programs for the gifted.			
16	7. Occupational-Vocational Education Payments			
17	a. An additional payment shall be disbursed by the Department of Education to the local school			
18	divisions to support the state share of the number of Vocational Education instructors required			
19	by the Standards of Quality. These funds shall be disbursed on the same basis as the payment			
20	is calculated.			
21	b. An amount estimated at \$107,592,002 the first year and \$107,779,695 the second year from			
22	the general fund included in Basic Aid Payments relates to vocational education programs in			
23	support of the Standards of Quality.			
24	8. Special Education Payments			
25	a. An additional payment shall be disbursed by the Department of Education to the local school			
26	divisions to support the state share of the number of Special Education instructors required by			
27	the Standards of Quality. These funds shall be disbursed on the same basis as the payment is			
28	calculated.			
29	b. Out of the amounts for special education payments, general fund support is provided to fund			
30	the caseload standards for speech pathologists at 68 students for each year of the biennium.			
31	9. Remedial Education Payments			
32	a. An additional payment estimated at \$85,106,596 the first year and \$85,280,308 \$85,370,938			
33	the second year from the general fund shall be disbursed by the Department of Education to			
34	support the Board of Education's Standards of Quality Prevention, Intervention, and			
35	Remediation program adopted in June 2003.			
36	b. The payment shall be calculated based on one hour of additional instruction per day for			
37	identified students, using the three year average percent of students eligible for the federal Free			
38	Lunch program as a proxy for students needing such services. Fall membership shall be			
39	multiplied by the three year average division-level Free Lunch eligibility percentage to			
40	determine the estimated number of students eligible for services. Pupil-teacher ratios shall be			
41	applied to the estimated number of eligible students to determine the number of instructional			
42	positions needed for each school division. The pupil-teacher ratio applied for each school			
43	division shall range from 10:1 for those divisions with the most severe combined three year			
44	average failure rates for English and math Standards of Learning test scores to 18:1 for those			
45	divisions with the lowest combined three year average failure rates for English and math			
46	Standards of Learning test scores.			
47	c. Funding shall be matched by the local government based on the composite index of local			
48	ability-to-pay.			
49	d. To provide flexibility in the instruction of English Language Learners who have limited			

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1	English proficiency and who are at risk of not meeting state accountability standards, school			
2	divisions may use state and local funds from the SOQ Prevention, Intervention, and			
3	Remediation account to employ additional English Language Learner teachers to provide			
4	instruction to identified limited English proficiency students. Using these funds in this manner			
5	is intended to supplement the instructional services provided through the SOQ staffing standard			
6	of 17 instructional positions per 1,000 limited English proficiency students. School divisions			
7	using the SOQ Prevention, Intervention, and Remediation funds in this manner shall only			
8	employ instructional personnel licensed by the Board of Education.			
9	e. An additional state payment estimated at \$78,734,853 the first year and			
10	\$78,626,984 \$78,687,071 the second year from the Lottery Proceeds Fund shall be disbursed			
11	based on the estimated number of federal Free Lunch participants, in support of programs for			
12	students who are educationally at risk. The additional payment shall be based on the state			
13	share of:			
14	1) A minimum one percent add-on, as a percent of the per pupil basic aid cost, for each child			
15	who qualifies for the federal Free Lunch Program; and			
16	2) An addition to the add-on, based on the concentration of children qualifying for the federal			
17	Free Lunch Program. Based on its percentage of Free Lunch participants, each school division			
18	will receive between 1 and 12 percent in additional basic aid per Free Lunch participant. These			
19	funds shall be matched by the local government, based on the composite index of local			
20	ability-to-pay.			
21	3a) Local school divisions are required to spend the established at-risk payment (state and local			
22	share) on approved programs for students who are educationally at risk.			
23	b) To receive these funds, each school division shall certify to the Department of Education			
24	that the state and local share of the at-risk payment will be used to support approved programs			
25	for students who are educationally at risk. These programs may include: Dropout Prevention,			
26	community and school-based truancy officer programs, Advancement Via Individual			
27	Determination (AVID), Project Discovery, Reading Recovery, programs for students who speak			
28	English as a second language, or programs related to increasing the success of disadvantaged			
29	students in completing a high school degree and providing opportunities to encourage further			
30	education and training. Further, any new funds a school division receives in excess of the			
31	amounts received in FY 2008 may be used first to provide data coordinators or to purchase			
32	similar services for schools that have not met Adequate Yearly Progress (AYP) under the			
33	federal No Child Left Behind Act or are not fully accredited under the Standards of			
34	Accreditation. The data coordinator position is intended to provide schools with needed			
35	support in the area of data analysis and interpretation for instructional purposes, as well as			
36	overall data management and the administration of state assessments. The position would			
37	primarily focus on data related to instruction and school improvement, including: student			
38	assessment, student attendance, student/teacher engagement, behavior referrals, suspensions,			
39	retention, and graduation rates.			
40	f. Regional Alternative Education Programs			
41	1) An additional state payment of \$7,802,104 the first year and \$8,061,000 \$8,048,710 the			
42	second year from the Lottery Proceeds Fund shall be disbursed for Regional Alternative			
43	Education programs. Such programs shall be for the purpose of educating certain expelled			
44	students and, as appropriate, students who have received suspensions from public schools and			
45	students returned to the community from the Department of Juvenile Justice.			
46	2) Each regional program shall have a small student/staff ratio. Such staff shall include, but			
47	not be limited to education, mental health, health, and law enforcement professionals, who will			
48	collaborate to provide for the academic, psychological, and social needs of the students. Each			
49	program shall be designed to ensure that students make the transition back into the			
50	"mainstream" within their local school division.			
51	3) a) Regional alternative education programs are funded through this Item based on the state's			
52	share of the incremental per pupil cost for providing such programs. This incremental per pupil			
53	payment shall be adjusted for the composite index of local ability-to-pay of the school division			
54	that counts such students attending such program in its March 31 Average Daily Membership.			
55	It is the intent of the General Assembly that this incremental per pupil amount be in addition			

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1	to the basic aid per pupil funding provided to the affected school division for such students.			
2	Therefore, local school divisions are encouraged to provide the appropriate portion of the basic			
3	aid per pupil funding to the regional programs for students attending these programs, adjusted			
4	for costs incurred by the school division for transportation, administration, and any portion of			
5	the school day or school year that the student does not attend such program.			
6	b) In the event a school division does not use all of the student slots it is allocated under this			
7	program, the unused slots may be reallocated or transferred to another school division.			
8	1. A school division must request from the Department of Education the availability and			
9	possible use of any unused student slots. If any unused slots are available and if the requesting			
10	school division chooses to utilize any of the unused slots, the requesting school division shall			
11	only receive the state's share of tuition for the unused slot that was allocated in this Item for			
12	the originally designated school division.			
13	2. However, no requesting school division shall receive more tuition funding from the state for			
14	any requested unused slot than what would have been the calculated amount for the requesting			
15	school division had the unused slot been allocated to the requesting school division in the			
16	original budget. Furthermore, the requesting school division shall pay for any remaining tuition			
17	payment necessary for using a previously unused slot.			
18	3. The Department of Education shall provide assistance for the state share of the incremental			
19	cost of Regional Alternative Education program operations based on the composite index of			
20	local ability-to-pay.			
21	g. Remedial Summer School			
22	1) This appropriation includes \$15,329,431 the first year and \$23,435,017 <i>\$11,712,116</i> the			
23	second year from the general fund and \$6,433,605 the first year <i>and \$11,440,121 the second</i>			
24	<i>year</i> from the Lottery Proceeds Fund for the state's share of Remedial Summer School			
25	Programs. These funds are available to school divisions for the operation of programs designed			
26	to remediate students who are required to attend such programs during a summer school			
27	session or during an intersession in the case of year-round schools. These funds may be used			
28	in conjunction with other sources of state funding for remediation or intervention. School			
29	divisions shall have maximum flexibility with respect to the use of these funds and the types of			
30	remediation programs offered; however, in exercising this flexibility, students attending these			
31	programs shall not be charged tuition and no high school credit may be awarded to students			
32	who participate in this program.			
33	2) For school divisions charging students tuition for summer high school credit courses,			
34	consideration shall be given to students from households with extenuating financial			
35	circumstances who are repeating a class in order to graduate.			
36	10. K-3 Primary Class Size Reduction Payments			
37	a. An additional payment estimated at \$102,671,654 the first year and			
38	\$106,431,479 <i>\$103,971,881</i> the second year from the Lottery Proceeds Fund shall be disbursed			
39	by the Department of Education as an incentive for reducing class sizes in the primary grades.			
40	b. The Department of Education shall calculate the payment based on the incremental cost of			
41	providing the lower class sizes based on the lower of the division average per pupil cost of all			
42	divisions or the actual division per pupil cost.			
43	c. Localities are required to provide a match for these funds based on the composite index of			
44	local ability-to-pay.			
45	d. By October 15 of each year school divisions must provide data to the Department of			
46	Education that each participating school has a September 30 pupil/teacher ratio in grades K			
47	through 3 that meet the following criteria:			
48	Qualifying School Percentage of Students			
49	Approved			
50		Grades K-3	Maximum Individual	
51	Eligible for Free Lunch	School Ratio	K-3 Class Size	

ITEM 139.	Item Details(\$)		Appropriations(\$)	
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1	30% but less than 45%	19 to 1		24
2	45% but less than 55%	18 to 1		23
3	55% but less than 65%	17 to 1		22
4	65% but less than 70%	16 to 1		21
5	70% but less than 75%	15 to 1		20
6	75% or more	14 to 1		19
7	e. School divisions may elect to have eligible schools participate at a higher ratio, or only in a			
8	portion of grades kindergarten through three, with a commensurate reduction of state and			
9	required local funds, if local conditions do not permit participation at the established ratio			
10	and/or maximum individual class size. In the event that a school division requires additional			
11	actions to ensure participation at the established ratio and/or maximum individual class size,			
12	such actions must be completed by December 1 of the impacted school year. Special education			
13	teachers and instructional aides shall not be counted towards meeting these required			
14	pupil/teacher ratios in grades kindergarten through three.			
15	f. The Superintendent of Public Instruction may grant waivers to school divisions for the class			
16	size requirement in eligible schools that have only one class in an affected grade level in the			
17	school.			
18	g. It is the intent of the General Assembly that for the first and second year only, school			
19	divisions may have the flexibility to be considered to meet the requirements of this program if			
20	the ratio for each school is no more than three students higher than those otherwise required			
21	for this program.			
22	11. Literary Fund Subsidy Program Payments			
23	a. The Department Board of Education and the Virginia Public School Authority (VPSA) shall			
24	provide a program of funding for school construction and renovation through the Literary Fund			
25	and through VPSA bond sales. The program shall be used to provide funds, through Literary			
26	Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects on			
27	the First or Second Literary Fund Waiting List, or other critical projects which may receive			
28	priority placement on the First or Second Literary Fund Waiting List by the Department Board			
29	of Education. Interest rate subsidies will provide school divisions with the present value			
30	difference in debt service between a Literary Fund loan and a borrowing through the VPSA.			
31	To qualify for an interest rate subsidy, the school division's project must be eligible for a			
32	Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with			
33	the Board of Education in selecting those projects to be funded through the interest rate			
34	subsidy/bond financing program, so as to ensure the maximum leverage of Literary Fund			
35	moneys and a minimum impact on the VPSA Bond Pool.			
36	b. The Department Board of Education may offer Literary Fund loans from the uncommitted			
37	balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales and			
38	the amounts set aside from the Literary Fund for Debt Service Payments for Education			
39	Technology in this Item.			
40	c. 1) In the event that on any scheduled payment date of bonds of the Virginia Public School			
41	Authority (VPSA) authorized under the provisions of a bond resolution adopted subsequent to			
42	June 30, 1997, issued subsequent to June 30, 1997, and not benefiting from the provisions of			
43	either § 22.1-168 (iii), (iv), and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the			
44	sum of (i) the payments on general obligation school bonds of cities, counties, and towns			
45	(localities) paid to the VPSA and (ii) the proceeds derived from the application of the			
46	provisions of § 15.2-2659, Code of Virginia, to such bonds of localities, is less than the debt			
47	service due on such bonds of the VPSA on such date, there is hereby appropriated to the			
48	VPSA, first, from available moneys of the Literary Fund and, second, from the general fund a			
49	sum equal to such deficiency.			
50	2) The Commonwealth shall be subrogated to the VPSA to the extent of any such			
51	appropriation paid to the VPSA and shall be entitled to enforce the VPSA's remedies with			
52	respect to the defaulting locality and to full recovery of the amount of such deficiency, together			
53	with interest at the rate of the defaulting locality's bonds.			
54	d. The chairman of the Board of Commissioners of the VPSA shall, on or before November 1			
55	of each year, make and deliver to the Governor and the Secretary of Finance a certificate			

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1	setting forth his estimate of total debt service during each fiscal year of the biennium on bonds			
2	of the VPSA issued and projected to be issued during such biennium pursuant to the bond			
3	resolution referred to in paragraph a above. The Governor's budget submission each year shall			
4	include provisions for the payment of debt service pursuant to paragraph 1) above.			
5	12. Educational Technology Payments			
6	a. Any unobligated amounts transferred to the educational technology fund shall be disbursed			
7	on a pro rata basis to localities. The additional funds shall be used for technology needs			
8	identified in the division's technology plan approved by the Department of Education.			
9	b. The Department Board of Education shall authorize amounts estimated at \$12,610,500 the			
10	first year from the Literary Fund to provide debt service payments for the education technology			
11	grant program conducted through the Virginia Public School Authority in 2008.			
12	c. The Department Board of Education shall authorize amounts estimated at \$12,156,000 the			
13	first year and \$12,154,000 the second year from the Literary Fund to provide debt service			
14	payments for the education technology grant program conducted through the Virginia Public			
15	School Authority in 2009.			
16	d.1) The Department Board of Education shall authorize amounts estimated at \$11,911,750 the			
17	first year and \$11,907,250 the second year from the Literary Fund to provide debt service			
18	payments for the education technology grant program conducted through the Virginia Public			
19	School Authority in 2010.			
20	2) It is the intent of the General Assembly to authorize sufficient appropriate Literary Fund			
21	revenues to pay debt service on the Virginia Public School Authority bonds or notes authorized			
22	for this program. In developing the proposed 2014-16 biennial budget for public education, the			
23	Department Board of Education shall include a recommendation to the Governor to authorize			
24	sufficient Literary Fund revenues to make debt service payments for this program in FY 2015.			
25	e. 1) The Department Board of Education shall authorize amounts estimated at \$11,666,600 the			
26	first year and \$11,669,000 the second year from the Literary Fund to provide debt service			
27	payments for the education technology grant program conducted through the Virginia Public			
28	School Authority in 2011.			
29	2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to			
30	pay debt service on the Virginia Public School Authority bonds or notes authorized for this			
31	program. In developing the proposed 2014-16 biennial budget for public education, the			
32	Department Board of Education shall include a recommendation to the Governor to authorize			
33	sufficient Literary Fund revenues to make debt service payments for this program in FY 2015			
34	and FY 2016.			
35	f.1) The Department Board of Education shall authorize amounts estimated at \$12,353,630 the			
36	first year and \$11,982,000 the second year from the Literary Fund to provide debt service			
37	payments for the education technology grant program conducted through the Virginia Public			
38	School Authority in 2012.			
39	2) <i>The Department of Education shall authorize amounts estimated at \$12,386,619 the second</i>			
40	<i>year from the Literary Fund to provide debt service payments for the education technology</i>			
41	<i>grant program conducted through the Virginia Public School Authority in 2013.</i>			
42	23) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to			
43	pay debt service on the Virginia Public School Authority bonds or notes authorized for this			
44	program. In developing the proposed 2014-16 and 2016-18 biennial budgets for public			
45	education, the Department Board of Education shall include a recommendation to the Governor			
46	to authorize sufficient Literary Fund revenues to make debt service payments for this program			
47	in fiscal years 2015, 2016, and 2017.			
48	g. 1) An education technology grant program shall be conducted through the Virginia Public			
49	School Authority, through the issuance of equipment notes in an amount estimated at			
50	\$59,846,000 in FY 2013 and \$59,612,000 <i>\$64,316,100</i> in FY 2014. Proceeds of the notes will			
51	be used to establish a computer-based instructional and testing system for the Standards of			
52	Learning (SOL) and to develop the capability for high speed Internet connectivity at high			

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1	schools followed by middle schools followed by elementary schools. By FY 2011, high			
2	schools within the division shall administer 100 percent of SOL tests online; by FY 2012,			
3	middle and high schools shall administer 100 percent of SOL tests online; and by FY 2013,			
4	elementary, middle, and high schools shall administer 100 percent of SOL tests online. School			
5	divisions shall use these funds first to develop and maintain the capability to support the			
6	administration of online SOL testing for all students with the exception of students with a			
7	documented need for a paper SOL test.			
8	2) The Department Board of Education shall authorize amounts estimated at \$12,512,675 the			
9	second year from the Literary Fund to provide debt service payments for the education			
10	technology grant program conducted through the Virginia Public School Authority in FY 2013.			
11	3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to			
12	pay debt service on the Virginia Public School Authority bonds or notes authorized for			
13	education technology grant programs in FY 2013 and in FY 2014. In developing the proposed			
14	2014-16, 2016-2018, and 2018-2020 biennial budgets for public education, the Board of			
15	Education shall include a recommendation to the Governor to authorize sufficient Literary Fund			
16	revenues to make debt service payments for these programs in fiscal years 2015, 2016, 2017,			
17	2018, and 2019.			
18	4) Grant funds from the issuance of \$59,846,000 in FY 2013 and \$59,612,000 \$64,316,100 in			
19	FY 2014 in equipment notes are based on a grant of \$26,000 per school and \$50,000 per			
20	school division. For purposes of this grant program, eligible schools shall include schools that			
21	are subject to state accreditation and reporting membership in grades K through 12 as of			
22	September 30, 2012, for the FY 2013 issuance, and September 30, 2013, for the FY 2014			
23	issuance, as well as regional vocational centers, special education centers, alternative education			
24	centers, regular school year Governor's Schools, and the School for the Deaf and the Blind.			
25	Schools that serve only pre-kindergarten students shall not be eligible for this grant.			
26	5) Supplemental grants shall be allocated to eligible divisions to support schools that are not			
27	fully accredited in accordance with this paragraph. Schools that administer SOL tests in Spring			
28	2012 and that are not fully accredited based on school accreditation ratings in effect for FY			
29	2013 will qualify for a supplemental grant of \$26,000 per school in fiscal year 2013. Schools			
30	that are fully accredited or that are new schools with conditional accreditation in their first year			
31	shall not be eligible to receive this supplemental grant. Schools that administer SOL tests in			
32	Spring 2013 and that are not fully accredited based on school accreditation ratings in effect for			
33	FY 2014 will qualify to participate in the Virginia e-Learning Backpack Initiative in FY 2014			
34	and receive: (1) a supplemental grant of \$400 per student reported in ninth grade fall			
35	membership in a qualifying school for the purchase of a tablet computer device for that student			
36	and (2) a supplemental grant of \$2,400 per qualifying school to purchase two content creation			
37	packages for teachers. Schools eligible to receive this supplemental grant in FY 2014 shall			
38	continue to receive the grant for the number of subsequent years equaling the number of grades			
39	9 through 12 in the qualifying school up to a maximum of four years. <i>Grants awarded to</i>			
40	<i>qualifying schools that do not have grades 10, 11, or 12 may transition with the students to the</i>			
41	<i>primary receiving school for all years subsequent to grade 9.</i> Schools eligible to receive these			
42	grants for a period of up to four years beginning in FY 2014 shall not be eligible to receive a			
43	separate award in the future once the original award period has concluded. Schools that are			
44	fully accredited or that are new schools with conditional accreditation in their first year shall			
45	not be eligible to receive this supplemental grant.			
46	6) Required local match:			
47	a) Localities are required to provide a match for these funds equal to 20 percent of the grant			
48	amount, including the supplemental grants provided pursuant to paragraph g. 5). At least 25			
49	percent of the local match shall be used for teacher training in the use of instructional			
50	technology. The Superintendent of Public Instruction is authorized to reduce the required local			
51	match for school divisions with a composite index of local ability-to-pay below 0.2000. The			
52	Virginia School for the Deaf and the Blind is exempt from the match requirement.			
53	b) School divisions that administer 100 percent of SOL tests online in all elementary, middle,			
54	and high schools may use up to 75 percent of their required local match to purchase targeted			
55	technology-based interventions. Such interventions may include the necessary technology and			
56	software to support online learning, technology-based content systems, content management			
57	systems, technology equipment systems, information and data management systems, and other			

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1	appropriate technologies that support the individual needs of learners. School divisions that			
2	receive supplemental grants in the first year of \$26,000 per school pursuant to paragraph g. 5)			
3	and where 100 percent of SOL tests are administered online in the schools receiving the			
4	supplemental grants shall give first priority to purchasing these technology-based interventions			
5	as well as teacher training in the use of the interventions from their required local match.			
6	School divisions that receive supplemental grants in the second year pursuant to paragraph g.5)			
7	above shall use the funds in qualifying schools to purchase tablet computer devices for ninth			
8	grade students reported in fall membership and content creation packages for teachers.			
9	7) The goal of the education technology grant program is to improve the instructional,			
10	remedial, and testing capabilities of the Standards of Learning for local school divisions and to			
11	increase the number of schools achieving full accreditation.			
12	8) Funds shall be used in the following manner:			
13	a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1 student to			
14	computer ratio; (2) an Internet-ready local area network (LAN) capability; and (3) high speed			
15	access to the Internet. School connectivity (computers, LANs and network access) shall include			
16	sufficient download/upload capability to ensure that each student will have adequate access to			
17	Internet-based instructional, remedial and assessment programs.			
18	b) When each high school in a division meets the goals established in paragraph a) above, the			
19	remaining funds shall be used to develop similar capability in first the middle schools and then			
20	the elementary schools.			
21	c) For purposes of establishing or enhancing a computer-based instructional program supporting			
22	the Standards of Learning pursuant to paragraph g. 1) above, these grant funds may be used to			
23	purchase handheld multifunctional computing devices that support a broad range of applications			
24	and that are controlled by operating systems providing full multimedia support and mobile			
25	Internet connectivity. School divisions that elect to use these grant funds to purchase such			
26	qualifying handheld devices must continue to meet the on-line testing requirements stated in			
27	paragraph g. 1) above.			
28	d) School divisions shall be eligible to apply for and receive supplemental grants of \$26,000			
29	per qualifying school in the first year pursuant to paragraph g. 5). These supplemental grants			
30	shall be used first for the purpose of developing and maintaining capacity to support 100			
31	percent online SOL testing of all students in qualifying schools and helping the schools achieve			
32	full accreditation with the assistance of targeted technology-based interventions. Any purchase			
33	of technology-based interventions as described in paragraph g. 6) b) with supplemental grant			
34	funds must be qualifying expenses under the technology notes program. Eligibility for these			
35	funds requires divisions to submit an application and plan that includes goals, objectives,			
36	strategies, and a timeline for implementation. Division plans will be reviewed and approved by			
37	the Superintendent of Public Instruction prior to disbursement of the supplemental grant funds.			
38	e) School divisions shall be eligible to receive supplemental grants in the second year pursuant			
39	to paragraph g.5) above. These supplemental grants shall be used in qualifying schools for the			
40	purchase of tablet computer devices for ninth grade students reported in fall membership and			
41	content creation packages for teachers. Participating school divisions will be required to select a			
42	core set of electronic textbooks, applications and online services for productivity, learning			
43	management, collaboration, practice, and assessment to be included on all devices. In addition,			
44	participating school divisions will assume recurring costs for electronic textbook purchases and			
45	maintenance.			
46	f) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school			
47	divisions became one school division, whether by consolidation of only the school divisions or			
48	by consolidation of the local governments, such resulting division shall be provided funding			
49	through this program on the basis of having the same number of school divisions as existed			
50	prior to September 30, 2000.			
51	9) Local school divisions shall maximize the use of available federal funds, including E-Rate			
52	Funds, and to the extent possible, use such funds to supplement the program and meet the			
53	goals of this program.			
54	h. The Department of Education shall maintain criteria to determine if high schools, middle			

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1	schools, or elementary schools have the capacity to meet the goals of this initiative. The			
2	Department of Education shall be responsible for the project management of this program.			
3	i.1) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public			
4	School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code of Virginia,			
5	and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia,			
6	or § 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the			
7	amounts authorized for debt service due on such bonds or notes of the VPSA on such date,			
8	there is hereby appropriated to the VPSA from the general fund a sum equal to such			
9	deficiency.			
10	2) The Chairman of the Board of Commissioners of the VPSA shall, on or before November 1			
11	of each year, make and deliver to the Governor and the Secretary of Finance a certificate			
12	setting forth his estimate of total debt service during each fiscal year of the biennium on bonds			
13	and notes of the VPSA issued and projected to be issued during such biennium pursuant to the			
14	resolution referred to in paragraph 1) above. The Governor's budget submission each year shall			
15	include provisions for the payment of debt service pursuant to paragraph 1) above.			
16	j. Unspent proceeds of the notes, including investment income derived from the proceeds of the			
17	notes may be used to pay interest on, or to decrease principal of the notes.			
18	k.1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies with			
19	State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by a			
20	Telephone Company for the State Government" shall be deemed to include communications			
21	lines into public schools which are used for educational technology. The rate structure for such			
22	lines shall be negotiated by the Superintendent of Public Instruction and the Chief Information			
23	Officer of the Virginia Information Technologies Agency. Further, the Superintendent and			
24	Director are authorized to encourage the development of "by-pass" infrastructure in localities			
25	where it fails to obtain competitive prices or prices consistent with the best rates obtained in			
26	other parts of the state.			
27	2) The State Corporation Commission, in its consideration of the discount for services provided			
28	to elementary schools, secondary schools, and libraries and the universal service funding			
29	mechanisms as provided under § 254 of the Telecommunications Act of 1996, is hereby			
30	encouraged to make the discounts for intrastate services provided to elementary schools,			
31	secondary schools, and libraries for educational purposes as large as is prudently possible and			
32	to fund such discounts through the universal fund as provided in § 254 of the			
33	Telecommunications Act of 1996. The commission shall proceed as expeditiously as possible			
34	in implementing these discounts and the funding mechanism for intrastate services, consistent			
35	with the rules of the Federal Communications Commission aimed at the preservation and			
36	advancement of universal service.			
37	13. Security Equipment Payments			
38	1) A security equipment grant program shall be conducted through the Virginia Public School			
39	Authority, through the issuance of equipment notes in an amount estimated at up to \$6,000,000			
40	in fiscal year 2013 and \$6,000,000 in fiscal year 2014 in conjunction with the Virginia Public			
41	School Authority technology notes program authorized in 139.C.12. above. Proceeds of the			
42	notes will be used to help offset the related costs associated with the purchase of appropriate			
43	security equipment that will improve and help ensure the safety of students attending public			
44	schools in Virginia.			
45	2) The Board of Education shall authorize amounts estimated at \$1,300,000 \$1,288,145 the			
46	second year from the Literary Fund to provide debt service payments for the security			
47	equipment grant program conducted through the Virginia Public School Authority in fiscal year			
48	2013.			
49	3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to			
50	pay debt service on the Virginia Public School Authority bonds or notes authorized for this			
51	program. In developing the proposed 2014-16, 2016-2018, and 2018-2020 biennial budgets for			
52	public education, the Board of Education shall include a recommendation to the Governor to			
53	authorize sufficient Literary Fund revenues to make debt service payments for these programs			
54	in fiscal years 2015, 2016, 2017, 2018, and 2019.			

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1	4) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public			
2	School Authority issued for the purpose described in § 22.1-166.2, Code of Virginia, and not			
3	benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or			
4	§ 22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the			
5	amounts authorized for debt service due on such bonds or notes on such date, there is hereby			
6	appropriated to the Virginia Public School Authority from the general fund a sum equal to such			
7	deficiency.			
8	5) The Chairman of the Board of Commissioners of the Virginia Public School Authority shall,			
9	on or before November 1 of each year, deliver to the Governor and the Secretary of Finance a			
10	certificate setting forth his estimate of total debt service during each fiscal year of the biennium			
11	on bonds and notes issued and projected to be issued during such biennium. The Governor's			
12	budget submission each year shall include provisions for the payment of debt service pursuant			
13	to paragraph 1) above.			
14	6) Grant award funds from the issuance of up to \$6,000,000 in fiscal year 2013 and \$6,000,000			
15	in fiscal year 2014 in equipment notes shall be distributed to eligible school divisions. The			
16	grant awards will be based on a competitive grant basis of up to \$100,000 per school division.			
17	School divisions will be permitted to apply annually for grant funding. For purposes of this			
18	program, eligible schools shall include schools that are subject to state accreditation and			
19	reporting membership in grades K through 12 as of September 30, 2012, for the fiscal year			
20	2013 issuance, and September 30, 2013, for the fiscal year 2014 issuance, as well as regional			
21	vocational centers, special education centers, alternative education centers, regular school year			
22	Governor's Schools, and the Virginia School for the Deaf and the Blind.			
23	7) School divisions would submit their application to Department of Education by August 1 of			
24	each year based on the criteria developed by the Department of Education in collaboration with			
25	the Department of Criminal Justice Services who will provide requested technical support.			
26	Furthermore, the Department of Education will have the authority to make such grant awards to			
27	such school divisions.			
28	8) It is also the intent of the General Assembly that the total amount of the grant awards shall			
29	not exceed \$30,000,000 over any ongoing revolving five year period.			
30	9) Required local match:			
31	a) Localities are required to provide a match for these funds equal to 25 percent of the grant			
32	amount. The Superintendent of Public Instruction is authorized to reduce the required local			
33	match for school divisions with a composite index of local ability-to-pay below 0.2000. The			
34	Virginia School for the Deaf and the Blind is exempt from the match requirement.			
35	b) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school			
36	divisions became one school division, whether by consolidation of only the school divisions or			
37	by consolidation of the local governments, such resulting division shall be provided funding			
38	through this program on the basis of having the same number of school divisions as existed			
39	prior to September 30, 2012 2000.			
40	c) Local school divisions shall maximize the use of available federal funds, including E-Rate			
41	Funds, and to the extent possible, use such funds to supplement the program and meet the			
42	goals of this program.			
43	14. Virginia Preschool Initiative Payments			
44	a.1) It is the intent of the General Assembly that a payment estimated at \$64,953,097 the first			
45	year and \$68,569,714 \$67,424,295 the second year from the Lottery Proceeds Fund shall be			
46	disbursed by the Department of Education to schools and community-based organizations to			
47	provide quality preschool programs for at-risk four-year-olds unserved by Head Start program			
48	funding. In no event shall distributions from the Lottery Proceeds Fund be made directly to			
49	community-based or private providers.			
50	2) These state funds and required local matching funds shall be used to provide programs for			
51	at-risk four-year-old children, which include quality preschool education, health services, social			
52	services, parental involvement and transportation. It shall be the policy of the Commonwealth			
53	that state funds and required local matching funds for the Virginia Preschool Initiative not be			

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1				
2	used for capital outlay. Programs must provide full-day or half-day and, at least, school-year			
3	services.			
4	3) The Department of Education, in cooperation with the Council on Child Day Care and Early			
5	Childhood Programs, shall establish academic standards that are in accordance with appropriate			
6	preparation for students to be ready to successfully enter kindergarten. These standards shall be			
7	established in such a manner as to be measurable for student achievement and success.			
8	Students shall be required to be evaluated in the fall and in the spring by each participating			
9	school division and the school divisions must certify that the Virginia Preschool Initiative			
10	program follows the established standards in order to receive the funding for quality preschool			
11	education and criteria for the service components. Such guidelines shall be consistent with the			
12	findings of the November 1993 study by the Board of Education, the Department of Education,			
13	and the Council on Child Day Care and Early Childhood Programs.			
14	4)a) Grants shall be distributed based on an allocation formula providing the state share of a			
15	\$6,000 grant for 100 percent of the unserved at-risk four-year-olds in each locality for a			
16	full-day program. The number of unserved at-risk four-year-olds in each locality shall be based			
17	on the projected number of kindergarten students, updated once each biennium for the			
18	Governor's introduced biennial budget. For FY 2013 and FY 2014 only, the number of slots			
19	funded in each school division shall be the higher of the calculated slots based on projected			
20	kindergarten enrollments or the lesser of either the calculated slots using projections of			
21	four-year-olds from the Virginia Employment Commission or the actual number of slots			
22	utilized in FY 2012. Programs operating half-day shall receive state funds based on a			
23	fractional basis determined by the pro-rata portion of a full-day, school year program provided.			
24	Half-day programs shall operate for a minimum of three hours of classroom instructional time			
25	per day, excluding breaks for lunch or recess, and grants to half-day programs shall be funded			
26	based on the state share of \$3,000 per unserved at-risk four-year-old in each locality. Full-day			
27	programs shall operate for a minimum of five and one-half instructional hours, excluding			
28	breaks for meals and recess. No additional state funding is provided for programs operating			
29	greater than three hours per day but less than five and one-half hours per day. In determining			
30	the state and local shares of funding, the composite index of local ability-to-pay is capped at			
31	0.5000.			
32	b) For new programs in the first year of implementation only, programs operating less than a			
33	full school year shall receive state funds on a fractional basis determined by the pro-rata			
34	portion of a school year program provided. In determining the prorated state funds to be			
35	received, a school year shall be 180 days.			
36	b.1) Any locality which desires to participate in this grant program must submit a proposal			
37	through its chief administrator (county administrator or city manager) by June 15 of each year.			
38	The chief administrator, in conjunction with the school superintendent, shall identify a lead			
39	agency for this program within the locality. The lead agency shall be responsible for			
40	developing a local plan for the delivery of quality preschool services to at-risk children which			
41	demonstrates the coordination of resources and the combination of funding streams in an effort			
42	to serve the greatest number of at-risk four-year-old children.			
43	2) The proposal must demonstrate coordination with all parties necessary for the successful			
44	delivery of comprehensive services, including the schools, child care providers, local social			
45	services agency, Head Start, local health department, and other groups identified by the lead			
46	agency.			
47	3) A local match, based on the composite index of local ability-to-pay, shall be required. For			
48	purposes of meeting the local match, localities may use local expenditures for existing			
49	qualifying programs, however, at least seventy-five percent of the local match will be cash and			
50	no more than twenty-five percent will be in-kind. In-kind contributions are defined as cash			
51	outlays that are made by the locality that benefit the program but are not directly charged to			
52	the program. The value of fixed assets cannot be considered as an in-kind contribution.			
53	Localities shall also continue to pursue and coordinate other funding sources, including child			
54	care subsidies. Funds received through this program must be used to supplement, not supplant,			
55	any funds currently provided for programs within the locality. However, in the event a locality			
56	is prohibited from continuing the previous level of support to programs for at-risk			
57	four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA), the			
58	state and local funds provided in this grants program may be used to continue services to these			
	Title I students. Such prohibition may occur due to amendments to the allocation formula in			

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1	the reauthorization of ESEA as the No Child Left Behind Act of 2001 or due to a percentage			
2	reduction in a locality's Title I allocation in 20011-2012 or 2012-2013. Any locality so			
3	affected shall provide written evidence to the Superintendent of Public Instruction and request			
4	his approval to continue the services to Title I students.			
5	c. Local plans must provide clear methods of service coordination for the purpose of reducing			
6	the per child cost for the service, increasing the number of at-risk children served and/or			
7	extending services for the entire year. Examples of these include:			
8	1) "Wraparound Services" — methods for combining funds such as child care subsidy dollars			
9	administered by local social service agencies with dollars for quality preschool education			
10	programs.			
11	2) "Wrap-out Services" - methods for using grant funds to purchase quality preschool services			
12	to at-risk four-year-old children through an existing child care setting by purchasing			
13	comprehensive services within a setting which currently provides quality preschool education.			
14	3) "Expansion of Service" - methods for using grant funds to purchase slots within existing			
15	programs, such as Head Start, which provide comprehensive services to at-risk four-year-old			
16	children.			
17	Local plans must indicate the number of at-risk four-year-old children to be served, and the			
18	criteria by which they will be determined to be at risk.			
19	d.1) The Department of Education and the Council on Child Day Care and Early Childhood			
20	Programs shall provide technical assistance for the administration of this grant program to			
21	provide assistance to localities in developing a comprehensive, coordinated, quality preschool			
22	program for serving at-risk four-year-old children.			
23	2) A pre-application session shall be provided by the Department and the Council on Child			
24	Day Care and Early Childhood Programs prior to the proposal deadline. The Department shall			
25	provide interested localities with information on models for service delivery, methods of			
26	coordinating funding streams, such as funds to match federal IV-A child care dollars, to			
27	maximize funding without supplanting existing sources of funding for the provision of services			
28	to at-risk four-year-old children. A priority for technical assistance in the design of programs			
29	shall be given to localities where the majority of the at-risk four-year-old population is			
30	currently unserved.			
31	e. The Department of Education is authorized to expend unobligated balances in this program's			
32	adopted budget allocations for grants to qualifying school divisions for one-time expenses,			
33	other than capital, related to start-up or expansion of programs.			
34	15. Early Reading Intervention Payments			
35	a. An additional payment of \$15,332,606 the first year and \$14,972,241 \$17,482,065 the second			
36	year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to			
37	local school divisions for the purposes of providing early reading intervention services to			
38	students in grades kindergarten through 3 who demonstrate deficiencies based on their			
39	individual performance on diagnostic tests which have been approved by the Department of			
40	Education. The Department of Education shall review the tests of any local school board			
41	which requests authority to use a test other than the state-provided test to ensure that such local			
42	test uses criteria for the early diagnosis of reading deficiencies which are similar to those			
43	criteria used in the state-provided test. The Department of Education shall make the			
44	state-provided diagnostic test used in this program available to local school divisions. School			
45	divisions shall report the results of the diagnostic tests to the Department of Education on an			
46	annual basis at a time to be determined by the Superintendent of Public Instruction.			
47	b. These payments shall be based on the state's share of the cost of providing two and one-half			
48	hours of additional instruction each week for an estimated number of students in each school			
49	division at a student to teacher ratio of five to one. The estimated number of students in each			
50	school division in each year shall be determined by multiplying the projected number of			
51	students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3			

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1 by the percent of students who are determined to need services based on diagnostic tests
2 administered in the previous year in that school division and adjusted in the following manner:

	Year 1	Year 2
3 Kindergarten	100%	100%
4 Grade 1	100%	100%
5 Grade 2	100%	100%
6 Grade 3	100%	100%

8 c. These payments are available to any school division that certifies to the Department of
9 Education that an intervention program will be offered to such students and that each student
10 who receives an intervention will be assessed again at the end of that school year. At the
11 beginning of the school year, local school divisions shall partner with the parents of those third
12 grade students in the division who demonstrate reading deficiencies, discussing with them a
13 developed plan for remediation and retesting. Such intervention programs, at the discretion of
14 the local school division, may include, but not be limited to, the use of: special reading
15 teachers; trained aides; volunteer tutors under the supervision of a certified teacher;
16 computer-based reading tutorial programs; aides to instruct in-class groups while the teacher
17 provides direct instruction to the students who need extra assistance; or extended instructional
18 time in the school day or year for these students. Localities receiving these payments are
19 required to match these funds based on the composite index of local ability-to-pay.

20 d. In the event that a school division does not use the diagnostic test provided by the
21 Department of Education in the year that serves as the basis for updating the funding formula
22 for this program but has used it in past years, the Department of Education shall use the most
23 recent data available for the division for the state-provided diagnostic test.

24 e. The results of all reading diagnostic tests and reading remediation shall be discussed with the
25 student and the student's parent prior to the student being promoted to grade four.

26 f. Funds appropriated for Standards of Quality Prevention, Intervention, and Remediation,
27 Remedial Summer School, or At-Risk Add-On may also be used to meet the requirements of
28 this program.

29 16. Standards of Learning Algebra Readiness Payments

30 a. An additional payment of \$11,173,155 the first year and ~~\$11,352,196~~ \$11,394,145 the second
31 year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to
32 local school divisions for the purposes of providing math intervention services to students in
33 grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as demonstrated
34 by their individual performance on diagnostic tests which have been approved by the
35 Department of Education. The Department of Education shall review the tests to ensure that
36 such local test uses state-provided criteria for diagnosis of math deficiencies which are similar
37 to those criteria used in the state-provided test. The Department of Education shall make the
38 state-provided diagnostic test used in this program available to local school divisions. School
39 divisions shall report the results of the diagnostic tests to the Department of Education on an
40 annual basis at a time to be determined by the Superintendent of Public Instruction.

41 b. These payments shall be based on the state's share of the cost of providing two and one-half
42 hours of additional instruction each week for an estimated number of students in each school
43 division at a student to teacher ratio of ten to one. The estimate number of students in each
44 school division shall be determined by multiplying the projected number of students reported in
45 each school division's fall membership by the percent of students that qualify for the federal
46 Free Lunch Program.

47 c. These payments are available to any school division that certifies to the Department of
48 Education that an intervention program will be offered to such students and that each student
49 who receives an intervention will be assessed again at the end of that school year. Localities
50 receiving these payments are required to match these funds based on the composite index of
51 local ability-to-pay.

52 17. School Construction Grants Program Escrow

53 Notwithstanding the requirements of Section 22.1-175.5 of the Code of Virginia, school

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1	divisions are permitted to withdraw funds from local escrow accounts established pursuant to			
2	Section 22.1-175.5 to pay for recurring operational expenses incurred by the school division.			
3	Localities are not required to provide a local match of the withdrawn funds.			
4	18. English as a Second Language Payments			
5	A payment of \$44,675,649 the first year and \$45,863,224 \$45,258,661 the second year from the			
6	Lottery Proceeds Fund shall be disbursed by the Department of Education to local school			
7	divisions to support the state share of 17 professional instructional positions per 1,000 students			
8	for whom English is a second language. Local school divisions shall provide a local match			
9	based on the composite index of local ability-to-pay.			
10	19. Special Education Instruction Payments			
11	a. The Department of Education shall establish rates for all elements of Special Education			
12	Instruction Payments.			
13	b. Out of the appropriations in this Item, the Department of Education shall make available,			
14	subject to implementation by the Superintendent of Public Instruction, an amount estimated at			
15	\$72,429,258 the first year and \$77,703,941 \$77,774,168 the second year from the Lottery			
16	Proceeds Fund for the purpose of the state's share of the tuition rates for approved public			
17	school regional programs. Notwithstanding any contrary provision of law, the state's share of			
18	the tuition rates shall be based on the composite index of local ability-to-pay.			
19	c. Out of the amounts for Financial Assistance for Categorical Programs, \$32,971,928 the first			
20	year and \$35,154,773 \$32,906,570 the second year from the general fund is appropriated to			
21	permit the Department of Education to enter into agreements with selected local school boards			
22	for the provision of educational services to children residing in certain hospitals, clinics, and			
23	detention homes by employees of the local school boards. <i>The portion of these funds provided</i>			
24	<i>for educational services to children residing in local or regional detention homes shall only be</i>			
25	<i>determined on the basis of children detained in such facilities through a court order issued by</i>			
26	<i>a court of the Commonwealth.</i> The selection and employment of instructional and			
27	administrative personnel under such agreements will be the responsibility of the local school			
28	board in accordance with procedures as prescribed by the local school board. State payments			
29	for the first year to the local school boards operating these programs will be based on certified			
30	expenditures from the fourth quarter of FY 2012 and the first three quarters of FY 2013. State			
31	payments for the second year to the local school boards operating these programs will be based			
32	on certified expenditures from the fourth quarter of FY 2013 and the first three quarters of FY			
33	2014.			
34	20. Vocational Education Instruction Payments			
35	a. It is the intention of the General Assembly that the Department of Education explore			
36	initiatives that will encourage greater cooperation between jurisdictions and the Virginia			
37	Community College System in meeting the needs of public school systems.			
38	b. This appropriation includes \$1,800,000 the first year from the Lottery Proceeds Fund and			
39	\$1,800,000 the second year from the Lottery Proceeds Fund for secondary vocational-technical			
40	equipment. A base allocation of \$2,000 each year shall be available for all divisions, with the			
41	remainder of the funding distributed on the basis of student enrollment in secondary			
42	vocational-technical courses. State funds received for secondary vocational-technical equipment			
43	must be used to supplement, not supplant, any funds currently provided for secondary			
44	vocational-technical equipment within the locality. Local school divisions are not required to			
45	provide a local match in order to receive these state funds.			
46	21. Adult Education Payments			
47	State funds shall be used to reimburse general adult education programs on a fixed cost per			
48	pupil or cost per class basis. No state funds shall be used to support vocational noncredit			
49	courses.			
50	22. General Education Payments			
51	a. This appropriation includes \$2,485,988 the first year and \$2,410,988 the second year from			

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	the Lottery Proceeds Fund to support Race to GED. Out of this appropriation, \$465,375 the			
2	first year and \$465,375 the second year shall be used for PluggedIn VA.			
3	b. This appropriation includes \$2,774,478 the first year from the general fund and \$2,774,478			
4	the second year from the Lottery Proceeds Fund to support Project Graduation and any			
5	associated administrative and contractual service expenditures related to this initiative.			
6	23. Virtual Virginia Payments			
7	a. From appropriations in this Item, the Department of Education shall provide assistance for			
8	the Virtual Virginia program.			
9	b. The local share of costs associated with the operation of the Virtual Virginia program shall			
10	be computed using the composite index of local ability-to-pay.			
11	24. Individual Student Alternative Education Program (ISAEP) Payments			
12	Out of this appropriation, \$2,247,581 the first year from the Lottery Proceeds Fund and			
13	\$2,247,581 in the second year from the Lottery Proceeds Fund shall be provided for the			
14	secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to			
15	Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly.			
16	25. Foster Children Education Payments			
17	a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's			
18	local operations costs, as determined by the Department of Education, for each pupil of school			
19	age as defined in § 22.1-1, Code of Virginia, not a resident of the school division providing his			
20	education (a) who has been placed in foster care or other custodial care within the geographical			
21	boundaries of such school division by a Virginia agency, whether state or local, which is			
22	authorized under the laws of this Commonwealth to place children; (b) who has been placed in			
23	an orphanage or children's home which exercises legal guardianship rights; or (c) who is a			
24	resident of Virginia and has been placed, not solely for school purposes, in a child-caring			
25	institution or group home.			
26	b. This appropriation provides \$9,016,406 the first year and \$9,413,338 \$8,962,411 the second			
27	year from the Lottery Proceeds Fund to support children attending public school who have			
28	been placed in foster care or other such custodial care across jurisdictional lines, as provided			
29	by subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not			
30	adequate to cover the full costs specified therein, the Department is authorized to expend			
31	unobligated balances in this Item for this support.			
32	26. Sales Tax Payments			
33	a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a portion			
34	of net revenue from the state sales and use tax, in support of the Standards of Quality (Title			
35	22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion of August 3, 1982).			
36	b. Certification of payments and distribution of this appropriation shall be made by the State			
37	Comptroller.			
38	c. The distribution of state sales tax funds shall be made in equal bimonthly payments at the			
39	middle and end of each month.			
40	27. Adult Literacy Payments			
41	a. Appropriations in this Item include \$125,000 the first year and \$125,000 the second year			
42	from the general fund for the ongoing literacy programs conducted by Mountain Empire			
43	Community College.			
44	b. Out of this appropriation, the Department of Education shall provide \$100,000 the first year			
45	and \$100,000 the second year from the general fund for the Virginia Literacy Foundation			
46	grants to support programs for adult literacy including those delivered by community-based			
47	organizations and school divisions providing services for adults with 0-9th grade reading skills.			

ITEM 139.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	28. Governor's School Payments				
2	a. Out of the amounts for Governor's School Payments, the Department of Education shall				
3	provide assistance for the state share of the incremental cost of regular school year Governor's				
4	Schools based on each participating locality's composite index of local ability-to-pay.				
5	Participating school divisions must certify that no tuition is assessed to students for				
6	participation in this program.				
7	b. Out of the amounts for Governor's School Payments, the Department of Education shall				
8	provide assistance for the state share of the incremental cost of summer residential Governor's				
9	Schools and Foreign Language Academies to be based on the greater of the state's share of the				
10	composite index of local ability-to-pay or 50 percent. Participating school divisions must				
11	certify that no tuition is assessed to students for participation in this program if they are				
12	enrolled in a public school.				
13	c. For the Summer Governor's Schools and Foreign Language Academies programs, the				
14	Superintendent of Public Instruction is authorized to adjust the tuition rates, types of programs				
15	offered, length of programs, and the number of students enrolled in order to maintain costs				
16	within the available state and local funds for these programs.				
17	d. It shall be the policy of the Commonwealth that state general fund appropriations not be				
18	used for capital outlay, structural improvements, renovations, or fixed equipment costs				
19	associated with initiation of existing or proposed Governor's schools. State general fund				
20	appropriations may be used for the purchase of instructional equipment for such schools,				
21	subject to certification by the Superintendent of Public Instruction that at least an equal amount				
22	of funds has been committed by participating school divisions to such purchases.				
23	e. The Board of Education shall not take any action that would increase the state's share of				
24	costs associated with the Governor's Schools as set forth in this Item. This provision shall not				
25	prohibit the Department of Education from submitting requests for the increased costs of				
26	existing programs resulting from updates to student enrollment for school divisions currently				
27	participating in existing programs or for school divisions that begin participation in existing				
28	programs.				
29	f.1) Regular school year Governor's Schools are funded through this Item based on the state's				
30	share of the incremental per pupil cost for providing such programs for each student attending				
31	a Governor's School up to a cap of 1,650 students per Governor's School in the first year and a				
32	cap of 1,725 students per Governor's School in the second year. This incremental per pupil				
33	payment shall be adjusted for the composite index of the school division that counts such				
34	students attending an academic year Governor's School in their March 31 Average Daily				
35	Membership. It is the intent of the General Assembly that this incremental per pupil amount				
36	be in addition to the basic aid per pupil funding provided to the affected school division for				
37	such students. Therefore, local school divisions are encouraged to provide the appropriate				
38	portion of the basic aid per pupil funding to the Governor's Schools for students attending these				
39	programs, adjusted for costs incurred by the school division for transportation, administration,				
40	and any portion of the day that the student does not attend a Governor's School.				
41	2) Students attending a revolving Academic Year Governor's School program for only one				
42	semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only				
43	fifty percent of the full-year funded per pupil amount. Funding for students attending a				
44	revolving Academic Year program will be adjusted based upon actual September 30th and				
45	January 30th enrollment each fiscal year. For purposes of this Item, revolving programs shall				
46	mean Academic Year Governor's School programs that admit students on a semester basis.				
47	3) Students attending a continuous, non-revolving Academic Year Governor's School program				
48	shall be counted as a full-time equivalent student and will be funded for the full-year funded				
49	per pupil amount. Funding for students attending a continuous, non-revolving Academic Year				
50	Governor's School program will be adjusted based upon actual September 30th student				
51	enrollment each fiscal year. For purposes of this Item, continuous, non-revolving programs				
52	shall mean Academic Year Governor's School programs that only admit students at the				
53	beginning of the school year. Fairfax County Public Schools shall not reduce local per pupil				
54	funding for the Thomas Jefferson Governor's School below the amounts appropriated for the				
55	2003-2004 school year.				

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	g. All regional Governor's Schools are encouraged to provide full-day grades 9 through 12			
2	programs. Out of the amounts in this item, \$100,000 the first year from the general fund is			
3	provided for existing Governor's Schools, as distributed by the Superintendent of Public			
4	Instruction, to plan for or study the feasibility of expanding, including via a merger with			
5	another Governor's School. Up to \$100,000 the second year is provided as one-time start-up			
6	funding for such expansions.			
7	h. Out of the amounts in this item, \$100,000 the first year from the general fund is available			
8	towards planning for a full-day grades 9 through 12 regional science and technology Governor's			
9	School in the greater Hampton Roads area.			
10	29. School Nutrition Payments			
11	It is provided that, subject to implementation by the Superintendent of Public Instruction, no			
12	disbursement shall be made out of the appropriation for school nutrition to any locality in			
13	which the schools permit the sale of competitive foods in food service facilities or areas during			
14	the time of service of food funded pursuant to this Item.			
15	30. School Breakfast Payments			
16	a. Out of this appropriation, \$3,693,543 the first year and \$3,837,586 \$3,612,556 the second			
17	year from the Lottery Proceeds Fund is included for the purpose of establishing a state funded			
18	incentive program to maximize federal school nutrition revenues and increase student			
19	participation in the school breakfast program. These funds are available to any school division			
20	as a reimbursement for breakfast meals served that are in excess of the baseline established by			
21	the Department of Education. The per meal reimbursement shall be \$0.22; however, the			
22	department is authorized, but not required to reduce this amount proportionately in the event			
23	that the actual number of meals to be reimbursed exceeds the number on which this			
24	appropriation is based so that this appropriation is not exceeded.			
25	b. In order to receive these funds, school divisions must certify that these funds will be used to			
26	supplement existing funds provided by the local governing body and that local funds derived			
27	from sources that are not generated by the school nutrition programs have not been reduced or			
28	eliminated. The funds shall be used to improve student participation in the school breakfast			
29	program. These efforts may include, but are not limited to, reducing the per meal price paid by			
30	students, reducing competitive food sales in order to improve the quality of nutritional offerings			
31	in schools, increasing access to the school breakfast program, or providing programs to increase			
32	parent and student knowledge of good nutritional practices. In no event shall these funds be			
33	used to reduce local tax revenues below the level appropriated to school nutrition programs in			
34	the prior year. Further, these funds must be provided to the school nutrition programs and may			
35	not be used for any other school purpose.			
36	31. Clinical Faculty and Mentor Teacher Program Payments			
37	This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from the			
38	Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor Teacher			
39	Programs to assist pre-service teachers and beginning teachers to make a successful transition			
40	into full-time teaching. This appropriation also includes \$318,750 the first year and \$318,750			
41	the second year from the general fund for Clinical Faculty programs to assist pre-service			
42	teachers and beginning teachers to make a successful transition into full-time teaching. Such			
43	programs shall include elements which are consistent with the following:			
44	a. An application process for localities and school/higher education partnerships that wish to			
45	participate in the programs;			
46	b. For Clinical Faculty programs only, provisions for a local funding or institutional			
47	commitment of 50 percent, to match state grants of 50 percent;			
48	c. Program plans which include a description of the criteria for selection of clinical faculty and			
49	mentor teachers, training, support, and compensation for clinical faculty and mentor teachers,			
50	collaboration between the school division and institutions of higher education, the clinical			
51	faculty and mentor teacher assignment process, and a process for evaluation of the programs;			
52	d. The Department of Education shall allow flexibility to local school divisions and higher			

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	education institutions regarding compensation for clinical faculty and mentor teachers consistent			
2	with these elements of the programs; and			
3	e. It is the intent of the General Assembly that no preference between pre-service or beginning			
4	teacher programs be construed by the language in this Item. School divisions operating			
5	beginning teacher mentor programs shall receive equal consideration for funding.			
6	32. Career Switcher/Alternative Licensure Payments			
7	Appropriations in this Item include \$279,983 the first year and \$279,983 the second year from			
8	the general fund to provide grants to school divisions that employ mentor teachers for new			
9	teachers entering the profession through the alternative route to licensure as prescribed by the			
10	Board of Education.			
11	33. Performance Pay Pilots			
12	Out of this appropriation, \$597,673 the first year from the general fund shall be used to			
13	provide competitive grants to school divisions to pilot models for awarding performance pay			
14	for instructional personnel in hard-to-staff schools as determined by the Department of			
15	Education, pursuant to grant proposals submitted pursuant to Item 132 C.34. Performance Pay			
16	Pilots, Chapter 890, 2011 Session.			
17	34. Virginia Workplace Readiness Skills Assessment			
18	Appropriations in this Item include \$308,655 the first year and \$308,655 the second year from			
19	the general fund to provide support grants to school divisions for standard diploma graduates.			
20	To provide flexibility, school divisions may use the state grants for the actual assessment or for			
21	other industry certification preparation and testing.			
22	35. Out of this appropriation, \$200,000 the first year from the general fund is allocated to			
23	support the purchase of EpiPens in the public schools in the Commonwealth.			
24	36. Additional Assistance with Retirement, Inflation, and Preschool Costs			
25	Out of this appropriation, \$55,000,000 each year as one-time allocations shall be provided to			
26	school divisions as specified below to assist with costs of inflation, payments for the increase			
27	in the retirement employer contribution rates, and any one-time costs associated with local			
28	Virginia Preschool Initiative programs. No local match is required.			
29	School Division	FY 2013	FY 2014	
30	Accomack	\$333,821	\$331,854	
31	Albemarle	\$346,469	\$347,509	
32	Alleghany	\$79,620	\$80,950	
33	Amelia	\$99,474	\$100,579	
34	Amherst	\$267,829	\$262,835	
35	Appomattox	\$127,682	\$129,076	
36	Arlington	\$440,137	\$443,434	
37	Augusta	\$482,561	\$485,749	
38	Bath	\$11,309	\$10,709	
39	Bedford	\$396,230	\$393,920	
40	Bland	\$51,189	\$49,674	
41	Botetourt	\$184,575	\$185,535	
42	Brunswick	\$172,639	\$165,161	
43	Buchanan	\$165,528	\$162,632	
44	Buckingham	\$116,568	\$120,167	
45	Campbell	\$464,221	\$460,210	
46	Caroline	\$241,094	\$244,875	
47	Carroll	\$141,860	\$142,977	
48	Charles City	\$38,416	\$37,553	
49	Charlotte	\$131,264	\$134,202	
50	Chesterfield	\$2,433,377	\$2,461,414	
51	Clarke	\$68,477	\$67,502	
52	Craig	\$38,923	\$38,334	
53	Culpeper	\$353,732	\$361,755	

ITEM 139.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Cumberland	\$102,456	\$101,463		
2	Dickenson	\$110,612	\$108,805		
3	Dinwiddie	\$231,651	\$235,857		
4	Essex	\$70,446	\$71,304		
5	Fairfax	\$4,075,421	\$4,084,358		
6	Fauquier	\$352,149	\$356,247		
7	Floyd	\$120,052	\$120,843		
8	Fluvanna	\$172,613	\$173,291		
9	Franklin	\$333,612	\$332,655		
10	Frederick	\$603,305	\$609,929		
11	Giles	\$148,501	\$149,164		
12	Gloucester	\$299,348	\$298,736		
13	Goochland	\$55,864	\$56,323		
14	Grayson	\$104,025	\$102,767		
15	Greene	\$152,824	\$150,103		
16	Greensville	\$88,186	\$85,578		
17	Halifax	\$277,003	\$276,108		
18	Hanover	\$729,463	\$728,615		
19	Henrico	\$2,244,737	\$2,252,588		
20	Henry	\$461,258	\$452,295		
21	Highland	\$12,510	\$11,786		
22	Isle of Wight	\$170,874	\$180,398		
23	James City	\$321,169	\$332,798		
24	King George	\$174,941	\$180,273		
25	King & Queen	\$42,983	\$44,088		
26	King William	\$109,481	\$113,655		
27	Lancaster	\$38,374	\$39,462		
28	Lee	\$212,928	\$212,832		
29	Loudoun	\$2,059,168	\$2,141,738		
30	Louisa	\$188,751	\$191,830		
31	Lunenburg	\$94,046	\$97,009		
32	Madison	\$69,818	\$68,736		
33	Mathews	\$38,058	\$38,773		
34	Mecklenburg	\$253,904	\$250,370		
35	Middlesex	\$28,483	\$30,299		
36	Montgomery	\$460,246	\$464,146		
37	Nelson	\$69,154	\$69,859		
38	New Kent	\$104,024	\$105,214		
39	Northampton	\$103,274	\$103,811		
40	Northumberland	\$46,726	\$46,802		
41	Nottoway	\$117,183	\$117,181		
42	Orange	\$222,910	\$224,514		
43	Page	\$187,900	\$191,909		
44	Patrick	\$128,565	\$130,139		
45	Pittsylvania	\$570,082	\$567,604		
46	Powhatan	\$196,224	\$197,259		
47	Prince Edward	\$130,404	\$130,033		
48	Prince George	\$374,834	\$378,368		
49	Prince William	\$3,867,010	\$3,924,140		
50	Pulaski	\$297,708	\$293,120		
51	Rappahannock	\$14,611	\$14,033		
52	Richmond	\$39,627	\$40,941		
53	Roanoke	\$629,707	\$630,559		
54	Rockbridge	\$102,293	\$102,122		
55	Rockingham	\$558,249	\$561,639		
56	Russell	\$215,638	\$214,436		
57	Scott	\$148,203	\$152,977		
58	Shenandoah	\$316,165	\$319,355		
59	Smyth	\$307,294	\$303,302		
60	Southampton	\$119,910	\$121,660		
61	Spotsylvania	\$1,185,839	\$1,197,347		
62	Stafford	\$1,258,623	\$1,271,531		
63	Surry	\$25,378	\$24,345		
64	Sussex	\$93,740	\$91,548		

ITEM 139.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Tazewell	\$227,409	\$238,435		
2	Warren	\$284,035	\$284,356		
3	Washington	\$337,769	\$338,131		
4	Westmoreland	\$100,694	\$99,648		
5	Wise	\$357,801	\$358,938		
6	Wythe	\$218,460	\$219,221		
7	York	\$532,993	\$532,416		
8	Alexandria	\$748,551	\$698,074		
9	Bristol	\$102,102	\$104,202		
10	Buena Vista	\$53,168	\$51,323		
11	Charlottesville	\$224,089	\$222,024		
12	Colonial Heights	\$111,619	\$110,181		
13	Covington	\$44,260	\$44,439		
14	Danville	\$414,168	\$416,652		
15	Falls Church	\$26,408	\$26,631		
16	Fredericksburg	\$58,452	\$52,707		
17	Galax	\$56,672	\$55,574		
18	Hampton	\$1,291,315	\$1,262,208		
19	Harrisonburg	\$307,595	\$318,329		
20	Hopewell	\$234,149	\$231,452		
21	Lynchburg	\$468,992	\$466,336		
22	Martinsville	\$124,954	\$123,959		
23	Newport News	\$1,613,866	\$1,572,192		
24	Norfolk	\$2,089,089	\$2,051,361		
25	Norton	\$7,385	\$6,928		
26	Petersburg	\$324,722	\$307,474		
27	Portsmouth	\$812,752	\$793,661		
28	Radford	\$87,618	\$86,400		
29	Richmond City	\$1,651,427	\$1,598,967		
30	Roanoke City	\$563,065	\$560,008		
31	Staunton	\$103,500	\$103,453		
32	Suffolk	\$731,077	\$762,901		
33	Virginia Beach	\$3,479,228	\$3,442,748		
34	Waynesboro	\$150,816	\$150,040		
35	Williamsburg	\$12,926	\$13,233		
36	Winchester	\$150,492	\$150,411		
37	Fairfax City	\$63,875	\$62,679		
38	Franklin City	\$98,665	\$92,009		
39	Chesapeake	\$2,233,936	\$2,231,102		
40	Lexington	\$17,287	\$17,175		
41	Emporia	\$41,875	\$36,966		
42	Salem	\$134,631	\$134,716		
43	Bedford City	\$45,664	\$45,270		
44	Poquoson	\$75,891	\$75,394		
45	Manassas City	\$344,899	\$344,710		
46	Manassas Park	\$155,927	\$155,981		
47	Colonial Beach	\$26,129	\$28,169		
48	West Point	\$30,073	\$31,240		
49	Total	\$55,000,000	\$55,000,000		

50 37. Compensation Supplements

51 a.1) The appropriation in this item includes ~~\$70,164,391~~ \$60,963,418 the second year from the
52 general fund for the state share of a payment equivalent to a 2.0 percent salary incentive
53 increase, effective August 1, 2013, for funded SOQ instructional and support positions. Funded
54 SOQ instructional positions shall include the teacher, guidance counselor, librarian, instructional
55 aide, principal, and assistant principal positions funded through the SOQ staffing standards for
56 each school division in the biennium.

57 2) It is the intent of the General Assembly that the instructional and support position salaries
58 be improved in school divisions throughout the state by at least 2.0 percent in the second
59 year. Sufficient funds are appropriated in this act to finance, on a statewide basis, the state
60 share of a 2.0 percent salary increase for funded SOQ instructional and support positions,
61 effective August 1, 2013, to school divisions which certify to the Department of Education, by

ITEM 139.	Item Details(\$)		Appropriations(\$)	
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1	June 15, 2013, that salary increases of a minimum of 2.0 percent have been provided in the			
2	second year by January 1, 2014, to instructional and support personnel. In certifying that the			
3	salary increases have been provided, school divisions may not include any salary increases that			
4	were provided in the second year solely to offset the cost of required member contributions to			
5	the Virginia Retirement System under § 51.1-144, Code of Virginia.			
6	3) It is the intent of the General Assembly that all school divisions annually provide their			
7	employees, upon request, with a user-friendly statement of total compensation, including			
8	contract duration if less than 12 months.			
9	b. The state funds for which the division is eligible to receive shall be matched by the local			
10	government, based on the composite index of local ability-to-pay, which shall be calculated			
11	using an effective date of January 1, 2014, as the basis for the local match requirement for			
12	both funded SOQ instructional and support positions.			
13	c. This funding is not intended as a mandate to increase salaries.			
14	d. This appropriation is contingent on passage of House Bill 2151/ Senate Bill 1223, which			
15	passed the 2013 Session of the General Assembly.			
16	e. The Governor is hereby authorized to allocate a sum of up to \$70,164,391 \$60,963,418 from			
17	this appropriation to the extent necessary to offset any downward revisions of the general fund			
18	revenue estimate prepared for fiscal years 2013 and 2014 after the enactment by the General			
19	Assembly of the 2012 Appropriation Act. If the general fund revenue estimates prepared			
20	subsequent to the 2012 General Assembly Session do not result in downward revisions and, if			
21	within five days of the preliminary close of the fiscal year ending on June 30, 2013, the			
22	Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to			
23	§ 2.2-1503.3, Code of Virginia, then such appropriation shall be used in the manner stated in			
24	paragraphs C.36.a.1) and 2), C.36.b.1) and 2), C.36.c., and C.36.d.1) and 2) and 3) above.			
25	38. Strategic Compensation Grants Initiative			
26	a. Out of this appropriation, \$7,500,000 \$4,497,651 the second year from the general fund is			
27	provided to support implementation of the Strategic Compensation Grants (SCG) Initiative.			
28	This program will award competitive grants to school divisions for the design and			
29	implementation of compensation systems for teachers that provide incentives that are tailored to			
30	each participating school division's strategic goals and objectives. School divisions may			
31	expand up to five percent of the awarded grant funds for the design and implementation of			
32	compensation systems or for the administration of the program.			
33	b. Any locality which desires to apply for this grant program must submit a proposal to the			
34	Department of Education by July 15, 2013. The proposal must designate the groups or types			
35	of teachers targeted for incentives in the compensation system. Incentives may focus on all			
36	teachers where quantitative student achievement data are available or specific groups of			
37	teachers within a division or school. These proposals may include, but are not limited to, the			
38	following incentives: 1) rewarding teachers who help students make significant academic			
39	progress; 2) rewarding teachers who seek opportunities to assist in the leadership needs of the			
40	school division, such as serving as instructional coaches or professional developers; 3)			
41	providing pay incentives for effective teachers with needed expertise who are willing to transfer			
42	to hard-to-staff or low-performing schools; 4) providing incentives for team performance in			
43	schools that achieve student learning goals; or 5) rewarding effective teachers who are assigned			
44	to teach critical shortage areas, such as mathematics and special education.			
45	c. In order to be eligible to receive a strategic compensation grant, a school division's proposal			
46	must meet the following criteria: 1) stakeholder involvement in the development and			
47	implementation of the strategic compensation model at the school division; 2) teachers in the			
48	initiative must be evaluated using an effective evaluation system with quality measure systems,			
49	consistent with the Board of Education's evaluation standards and criteria, including a weight			
50	of 40 percent on student academic progress for the summative evaluation; 3) a significant			
51	component of the model for awarding incentives must include measureable and appropriate			
52	achievement goals for student academic progress; and 4) professional development must be an			
53	integral component of the model, including how a teacher will be supported to develop a			
54	school culture of teaching and learning, to improve instruction, and to increase student			
55	achievement. The Department of Education may also consider the geographic distribution of			

ITEM 139.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	school divisions and the percentage of students attending hard-to-staff schools in making the			
2	competitive grant awards.			
3	d. In order to be eligible to receive an award from the incentive program administered by the			
4	local school division and supported by the state SCG initiative, a teacher must meet the			
5	following eligibility criteria as well as other requirements established by the school division to			
6	receive incentives: 1) the teacher must be licensed to teach in Virginia and endorsed in the			
7	subject or grade level of the assignment; 2) in the case of federal core areas, the teacher must			
8	be highly qualified; 3) the teacher must be employed under a teacher contract (substitute			
9	teachers, hourly employees, or teacher aides are not eligible for an award); 4) the teacher must			
10	be employed by the local school board and provide or support direct instruction; and 5) the			
11	teacher receiving the award must be rated as successful, which shall be defined as "proficient			
12	or above" in performance evaluation ratings.			
13	e. Any incentive for teachers included in a compensation system developed and implemented			
14	by a local school division must meet the following criteria: 1) designate incentive payments as			
15	a range or tiers for target groups, such as differentiating between the teacher of record or			
16	teachers in support positions; 2) have a maximum payment to a teacher of \$5,000 per year; 3)			
17	prorate payments for teachers who have taught for less than a full school year; and 4)			
18	performance evaluations for participating teachers must be completed in a timeline that			
19	provides sufficient time to distribute incentive funds to teachers and submit reimbursement			
20	requests to the Department of Education no later than June 1, 2014.			
21	39. Reading Specialists Initiative			
22	a. An additional payment of \$1,430,868 \$956,068 the second year from the general fund shall			
23	be disbursed by the Department of Education to qualifying local school divisions for the			
24	purpose of providing a reading specialist for any school with a third grade that has a			
25	school-wide pass rate of less than 75 percent on the reading Standards of Learning (SOL)			
26	assessments.			
27	b. These payments shall be based on the state's share of the cost of providing one reading			
28	specialist per qualifying school based on the 2011-2012 SOL pass rates for reading.			
29	c. These payments are available to any school division with a qualifying school that (1)			
30	certifies to the Department of Education that the division has hired a reading specialist to			
31	provide direct services to children reading below grade level in the school to improve reading			
32	achievement and (2) applies and receives a waiver for up to two years from the Board of			
33	Education for the administration of third grade SOL assessments in science or history and			
34	social science or both for the purpose of creating additional instructional time for reading			
35	specialists to work with students reading below grade level to improve reading achievement.			
36	d. Localities receiving these payments are required to match these funds based on the			
37	composite index of local ability-to-pay.			
38	140.	Not set out.		
39	Total for Direct Aid to Public Education		\$6,686,096,372	\$6,814,837,283
40				\$6,792,914,010
41	Fund Sources: General	\$5,172,176,944	\$5,342,473,570	
42			\$5,267,850,297	
43	Special	\$895,000	\$895,000	
44	Commonwealth Transportation	\$2,173,000	\$2,173,000	
45	Trust and Agency	\$639,946,428	\$598,390,713	
46			\$651,090,713	
47	Federal Trust.....	\$870,905,000	\$870,905,000	
48	Grand Total for Department of Education, Central			
49	Office Operations		\$6,779,831,492	\$6,909,769,794
50				\$6,887,846,521

ITEM 140.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	General Fund Positions.....	136.00	136.00		
2	Nongeneral Fund Positions.....	178.50	178.50		
3	Position Level	314.50	314.50		
4	Fund Sources: General	\$5,223,354,981	\$5,394,848,998		
5			\$5,320,225,725		
6	Special.....	\$5,357,690	\$5,357,690		
7	Commonwealth Transportation	\$2,416,919	\$2,416,919		
8	Trust and Agency	\$640,226,091	\$598,670,376		
9			\$651,370,376		
10	Federal Trust.....	\$908,475,811	\$908,475,811		
11	141. Not set out.				
12	142. Not set out.				
13	143. Not set out.				
14	§ 1-14. STATE COUNCIL OF HIGHER EDUCATION FOR VIRGINIA (245)				
15	144. Not set out.				
16	145. Not set out.				
17	146. Higher Education Academic, Fiscal, and Facility				
18	Planning and Coordination (11100).....			\$12,984,494	\$13,196,461
19					\$13,200,920
20	Higher Education Coordination and Review (11104)	\$12,014,445	\$12,226,412		
21			\$12,230,871		
22	Regulation of Private and Out-Of-State Institutions				
23	(11105)	\$970,049	\$970,049		
24	Fund Sources: General	\$11,574,445	\$11,786,412		
25			\$11,790,871		
26	Special.....	\$970,049	\$970,049		
27	Internal Service.....	\$290,000	\$290,000		
28	Federal Trust.....	\$150,000	\$150,000		
29	Authority: §§ 23-9.3, 23-9.6:1, 23-20, 23-38.13, and 23-38.45, Code of Virginia; SJR 22				
30	(1949).				
31	A. 1. It is the intent of the General Assembly to provide general fund support to contract at a				
32	level equivalent to the Tuition Assistance Grant undergraduate award with Mary Baldwin				
33	College for Virginia women resident students to participate in the Virginia Women's Institute				
34	for Leadership at Mary Baldwin College.				
35	2. The amounts included in this item are \$307,899 the first year and \$307,899 the second year				
36	from the general fund for the programmatic administration of this program.				
37	3. General fund appropriations provided under this contract include financial incentive for the				
38	participating students at Mary Baldwin College in the Virginia Women's Institute for				
39	Leadership Program. Students receiving this financial incentive will not be eligible for Tuition				
40	Assistance Grants.				
41	B. In discharging the responsibilities specified in § 23-272 D, Code of Virginia, the State				
42	Council of Higher Education for Virginia shall provide exemptions to individual				
43	proprietorships, associations, co-partnerships or corporations which are now or in the future will				
44	be using the words "college" or "university" in their training programs solely for their				
45	employees or customers, which do not offer degree-granting programs, and whose name				
46	includes the word "college" or "university" in a context from which it clearly appears that such				
47	entity is not an educational institution.				
48	C. Out of the appropriation for Higher Education Coordination and Review, \$7,403,177 the				
49	first year and \$7,403,177 the second year from the general fund is provided for continuation of				

ITEM 146.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	the Virtual Library of Virginia. Funding for the Virtual Library of Virginia is provided for the				
2	benefit of students and faculty at the Commonwealth's public institutions of higher education				
3	and participating nonprofit, independent private colleges and universities. Out of this amount,				
4	\$396,785 the first year and \$396,785 the second year is earmarked to allow the participation of				
5	nonprofit, independent private colleges and universities.				
6	D. The State Council of Higher Education for Virginia and the Secretary of Education, in				
7	conjunction with the three medical schools, University of Virginia, Virginia Commonwealth				
8	University, and Eastern Virginia Medical School, shall monitor the results of the Generalist				
9	Initiative, especially the decisions of graduates from the undergraduate medical programs to				
10	enter generalist residencies, and the composition of the residencies in the two associated				
11	academic health centers. It is the intent of the General Assembly that the three medical schools				
12	shall maintain the efforts to educate and train sufficient generalist physicians to meet the needs				
13	of the Commonwealth, recognizing the Commonwealth's need for generalist physicians in				
14	medically underserved regions of the state. Further, the medical schools shall support medical				
15	education and training in the principles of generalist medicine for all undergraduate medical				
16	students, regardless of their chosen specialty or field of study.				
17	E. Out of this appropriation, \$950,366 and eight positions the first year and \$950,366 and eight				
18	positions the second year from nongeneral funds is provided to support higher education				
19	coordination and review services, including expenses incurred in the regulation and oversight of				
20	the private and out-of-state postsecondary institutions and proprietary schools operating in				
21	Virginia. These funds will be generated through fee schedules developed pursuant to				
22	§ 23-276.9, Code of Virginia.				
23	F. The State Council of Higher Education for Virginia, in consultation with the House				
24	Appropriations Committee, the Senate Finance Committee, the Department of General Services,				
25	and the Department of Planning and Budget, shall develop a six-year capital outlay plan for				
26	higher education institutions including affiliated entities. As a part of this plan SCHEV shall				
27	consider (i) current funding mechanisms for capital projects and improvements at the				
28	Commonwealth's institutions of higher education, including general obligation bonds and other				
29	viable funding methods; (ii) mechanisms to assist private institutions of higher education in the				
30	Commonwealth with their capital needs.				
31	G. The Executive Director, State Council of Higher Education for Virginia, may appoint an				
32	advisory committee to assist the council with technology-enriched learning initiatives. The				
33	advisory committee may assist the council in (i) developing innovative, cost-effective,				
34	technology-enriched teaching and learning initiatives, including distance and distributed learning				
35	initiatives; (ii) improving cooperation among and between the public and private institutions of				
36	higher education in the Commonwealth; (iii) improving efficiency and expand the availability				
37	of technology-enriched courses; and (iv) facilitating the sharing of research and experience to				
38	improve student learning.				
39	H. Out of this appropriation, \$150,000 the first year and \$150,000 the second year from				
40	nongeneral funds is designated to cover the costs of federal education support programs.				
41	I. The State Council of Higher Education for Virginia shall include Eastern Virginia Medical				
42	School in any calculations used to determine the funding requirements for state medical				
43	schools.				
44	J.1. Higher Education Coordination and Review includes an internal service fund to support				
45	review of capital projects. This internal service fund shall consist of fees imposed upon capital				
46	projects approved for institutions of higher education for the review of proposed capital outlay				
47	projects. The estimated total amount to be collected by this fund is a sum sufficient estimated				
48	at \$290,000 each year.				
49	2. In administering this internal service fund, the State Council of Higher Education for				
50	Virginia shall provide capital project review services to institutions of higher education and				
51	produce capital project analysis work products for the Department of Planning and Budget and				
52	the General Assembly.				
53	K. In addition to the reviews conducted under §§ 23-9.6:1.01 and 23-38.87:17, the State				
54	Council of Higher Education shall evaluate the progress of individual initiatives funded in this				
55	Act as part of the incentive funding provided to colleges and universities with regard to				

ITEM 146.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	improvements in retention, graduation, degree production and other criteria the Council deems			
2	appropriate.			
3	L. Out of this appropriation, \$160,295 the second year from the general fund is designated to			
4	support research and analysis and the enhancement of consumer information regarding higher			
5	education.			
6	147.	Not set out.		
7	148.	Not set out.		
8	Total for State Council of Higher Education for			
9	Virginia.....		\$87,315,583	\$90,409,583
10				\$90,414,042
11	General Fund Positions.....	31.00	32.00	
12	Nongeneral Fund Positions.....	17.00	17.00	
13	Position Level	48.00	49.00	
14	Fund Sources: General	\$77,890,077	\$80,984,077	
15			\$80,988,536	
16	Special.....	\$1,055,049	\$1,055,049	
17	Internal Service.....	\$290,000	\$290,000	
18	Dedicated Special Revenue.....	\$250,000	\$250,000	
19	Federal Trust.....	\$7,830,457	\$7,830,457	
20	§ 1-15. CHRISTOPHER NEWPORT UNIVERSITY (242)			
21	149.	Educational and General Programs (10000).....		\$58,839,749
22				\$59,735,022
23		\$28,173,419	\$29,065,940	\$61,257,452
24			\$29,722,455	
25		\$1,961,180	\$1,961,180	
26		\$7,871,032	\$7,871,032	
27			\$7,961,032	
28		\$5,609,973	\$5,609,973	
29			\$5,938,970	
30		\$7,121,845	\$7,121,845	
31			\$7,258,587	
32		\$8,102,300	\$8,105,052	
33			\$8,415,228	
34		\$23,779,417	\$24,479,716	
35		\$35,060,332	\$35,255,306	
36			\$36,777,736	
37	Authority: Title 23, Chapter 5.3, Code of Virginia.			
38	A. This Item includes general and nongeneral fund appropriations to support institutional			
39	initiatives that help meet statewide goals described in the Restructured Higher Education			
40	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of			
41	Assembly).			
42	B. As Virginia's public colleges and universities approach full funding of the base adequacy			
43	guidelines and as the General Assembly strives to fully fund the general fund share of the base			
44	adequacy guidelines, these funds are provided with the intent that, in exercising their authority			
45	to set tuition and fees, the Board of Visitors shall take into consideration the impact of			
46	escalating college costs for Virginia students and families. In accordance with the cost-sharing			
47	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases			
48	on tuition and mandatory educational and general fees for in-state, undergraduate students to			
49	the extent possible.			
50	C.1. Out of this appropriation, \$751,663 each year from the general fund is designated for base			
51	operating support.			

ITEM 149.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2. Out of this appropriation, \$255,673 each year from the general fund is designated to address				
2	efforts to improve retention and graduation through the student success initiative.				
3	D. 1. Out of this appropriation, \$440,847 each year from the general fund is designated to				
4	achieve the goals of the six-year academic plan submitted by the Christopher Newport				
5	University in the fall 2011. Christopher Newport University shall utilize these funds to				
6	implement expansion of the President's Leadership Program and new academic STEM programs				
7	consistent with its liberal arts and science mission.				
8	2. Christopher Newport University shall reallocate \$334,796 the first year and \$446,394 the				
9	second year from current educational and general program funds either to support the initiatives				
10	identified in paragraph D.1. and / or to address programs and strategies that serve to advance				
11	the objectives of the Higher Education Opportunity Act of 2011.				
12	3. Christopher Newport University may reallocate up to an additional 1.5 percent from current				
13	educational and general program funds in the second year to address faculty compensation				
14	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
15	150. Not set out.				
16	151. Not set out.				
17	152. Higher Education Auxiliary Enterprises (80900)				
18	a sum sufficient, estimated at			\$58,039,686	\$58,811,548
19					\$60,050,008
20	Food Services (80910).....	\$9,645,664	\$9,968,517		
21			\$10,305,262		
22	Bookstores and other Stores (80920).....	\$4,709,300	\$4,709,300		
23	Residential Services (80930).....	\$20,371,468	\$20,367,968		
24			\$21,269,683		
25	Parking and Transportation Systems and Services				
26	(80940)	\$1,663,520	\$1,662,538		
27	Recreational and Intramural Programs (80980).....	\$135,000	\$135,000		
28	Other Enterprise Functions (80990).....	\$11,959,892	\$12,009,610		
29	Intercollegiate Athletics (80995)	\$9,554,842	\$9,958,615		
30	Fund Sources: Higher Education Operating.....	\$41,832,378	\$41,832,378		
31			\$43,070,838		
32	Debt Service.....	\$16,207,308	\$16,979,170		
33	Authority: Title 23, Chapter 5.3, Code of Virginia.				
34	Total for Christopher Newport University.....			\$123,592,807	\$125,511,559
35					\$128,272,449
36	General Fund Positions.....	337.96	337.96		
37	Nongeneral Fund Positions.....	500.78	500.78		
38			505.78		
39	Position Level	838.74	838.74		
40			843.74		
41	Fund Sources: General.....	\$28,108,907	\$29,060,823		
42	Higher Education Operating.....	\$79,276,592	\$79,471,566		
43			\$82,232,456		
44	Debt Service.....	\$16,207,308	\$16,979,170		
45	§ 1-16. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)				
46	153. Educational and General Programs (10000).....			\$164,473,474	\$166,907,843
47					\$170,707,843
48	Higher Education Instruction (100101).....	\$89,281,150	\$91,721,457		
49			\$94,651,457		
50	Higher Education Research (100102)	\$829,512	\$829,512		
51	Higher Education Public Services (100103).....	\$8,498	\$8,498		

ITEM 153.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Higher Education Academic Support (100104).....	\$23,843,342	\$23,843,342	
2			\$24,713,342	
3	Higher Education Student Services (100105).....	\$6,895,964	\$6,895,964	
4	Higher Education Institutional Support (100106).....	\$17,179,678	\$17,179,678	
5	Operation and Maintenance of Plant (100107).....	\$26,435,330	\$26,429,392	
6	Fund Sources: General.....	\$36,843,298	\$38,343,452	
7	Higher Education Operating.....	\$118,453,744	\$119,393,897	
8			\$123,193,897	
9	Debt Service.....	\$9,176,432	\$9,170,494	
10	Authority: Title 23, Chapter 5, Code of Virginia.			
11	A. This Item includes general and nongeneral fund appropriations to support institutional			
12	initiatives that help meet statewide goals described in the Restructured Higher Education			
13	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of			
14	Assembly).			
15	B. As Virginia's public colleges and universities approach full funding of the base adequacy			
16	guidelines and as the General Assembly strives to fully fund the general fund share of the base			
17	adequacy guidelines, these funds are provided with the intent that, in exercising their authority			
18	to set tuition and fees, the Board of Visitors shall take into consideration the impact of			
19	escalating college costs for Virginia students and families. In accordance with the cost-sharing			
20	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases			
21	on tuition and mandatory educational and general fees for in-state, undergraduate students to			
22	the extent possible.			
23	C. The appropriation for the fund source Higher Education Operating in this Item shall be			
24	considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be			
25	collected for the educational and general program under the terms of the management			
26	agreement between the College of William and Mary and the Commonwealth, as set forth in			
27	Chapters 933 and 943 of the 2006 Acts of Assembly.			
28	D.1. Out of this appropriation, \$416,352 each year from the general fund is designated for base			
29	operating support.			
30	2. Out of this appropriation, \$193,080 each year from the general fund is designated to			
31	continue the increase in access for in-state undergraduate students begun in the 2011 Session.			
32	E.1. Out of this appropriation, \$487,758 each year from the general fund is designated to			
33	achieve the goals of the six-year academic plan submitted by the College of William and Mary			
34	in the fall 2011. The College of William and Mary shall utilize these funds to implement a			
35	new minor in marine science and expansion of student research opportunities consistent with its			
36	Quality Enhancement Program.			
37	2. The College of William and Mary shall reallocate \$535,824 the first year and \$714,432 the			
38	second year from current educational and general program funds either to support the initiatives			
39	identified in paragraph E.1. and / or to address programs and strategies that serve to advance			
40	the objectives of the Higher Education Opportunity Act of 2011.			
41	3. The College of William and Mary may reallocate up to an additional 1.5 percent from			
42	current educational and general program funds in the second year to address faculty			
43	compensation issues, operation and maintenance of new facilities or other institutional			
44	initiatives or priorities.			
45	F. Out of this appropriation, \$200,000 the second year from the general fund is designated to			
46	support the planning and activities related to a potential merger or partnership with the Eastern			
47	Virginia Medical School.			
48	154.	Not set out.		
49	155.	Not set out.		
50	156.	Not set out.		

ITEM 156.		Item Details(\$)		Appropriations(\$)		
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	Total for The College of William and Mary in Virginia..			\$284,968,225	\$289,002,010	
2					\$292,802,010	
3	General Fund Positions.....	542.66	542.66			
4	Nongeneral Fund Positions.....	868.96	868.96			
5	Position Level	1,411.62	1,411.62			
6	Fund Sources: General	\$40,663,169	\$42,402,263			
7	Higher Education Operating.....	\$221,002,110	\$221,942,263			
8			\$225,742,263			
9	Debt Service.....	\$23,302,946	\$24,657,484			
10	157. Not set out.					
11	158. Not set out.					
12	159. Not set out.					
13	160. Not set out.					
14	161. Not set out.					
15	162. Not set out.					
16	163. Not set out.					
17	Grand Total for The College of William and Mary in					
18	Virginia.....			\$340,452,119	\$345,114,348	
19					\$348,914,348	
20	General Fund Positions.....	892.86	894.11			
21	Nongeneral Fund Positions.....	1,009.67	1,009.67			
22	Position Level	1,902.53	1,903.78			
23	Fund Sources: General	\$63,729,868	\$66,063,220			
24	Higher Education Operating.....	\$253,419,305	\$254,393,644			
25			\$258,193,644			
26	Debt Service.....	\$23,302,946	\$24,657,484			
27	§ 1-17. GEORGE MASON UNIVERSITY (247)					
28	164. Educational and General Programs (10000).....			\$411,849,640	\$423,481,625	
29					\$438,481,625	
30	Higher Education Instruction (100101).....	\$241,883,066	\$253,515,051			
31			\$268,515,051			
32	Higher Education Research (100102)	\$7,845,215	\$7,845,215			
33	Higher Education Public Services (100103).....	\$1,898,284	\$1,898,284			
34	Higher Education Academic Support (100104).....	\$57,285,072	\$57,285,072			
35	Higher Education Student Services (100105).....	\$18,467,328	\$18,467,328			
36	Higher Education Institutional Support (100106).....	\$42,874,155	\$42,874,155			
37	Operation and Maintenance of Plant (100107).....	\$41,596,520	\$41,596,520			
38	Fund Sources: General	\$112,149,834	\$116,066,517			
39	Higher Education Operating.....	\$299,699,806	\$307,415,108			
40			\$322,415,108			
41	Authority: Title 23, Chapter 9.1, Code of Virginia.					
42	A. This Item includes general and nongeneral fund appropriations to support institutional					
43	initiatives that help meet statewide goals as described in the Restructured Higher Education					
44	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of					
45	Assembly).					
46	B. Out of this appropriation, an amount estimated at \$289,614 the first year and \$289,614 the					

ITEM 164.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	second year from the general fund and \$124,120 the first year and \$124,120 the second year			
2	from nongeneral funds are designated for the educational telecommunications project to provide			
3	graduate engineering education. For supplemental budget requests, the participating			
4	institutions and centers jointly shall submit a report in support of such requests to the State			
5	Council of Higher Education for Virginia for review and recommendation to the Governor and			
6	General Assembly.			
7	C. Out of this appropriation, \$459,125 the first year and \$459,125 the second year from the			
8	general fund is designated for the Institute for Conflict Analysis.			
9	D. As Virginia's public colleges and universities approach full funding of the base adequacy			
10	guidelines and as the General Assembly strives to fully fund the general fund share of the base			
11	adequacy guidelines, these funds are provided with the intent that, in exercising their authority			
12	to set tuition and fees, the Board of Visitors shall take into consideration the impact of			
13	escalating college costs for Virginia students and families. In accordance with the cost-sharing			
14	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases			
15	on tuition and mandatory educational and general fees for in-state, undergraduate students to			
16	the extent possible.			
17	E. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the			
18	general fund is designated to support the Potomac Bay Science Center.			
19	F.1. Out of this appropriation, \$1,838,892 each year from the general fund is designated for			
20	base operating support.			
21	2. Out of this appropriation, \$1,478,839 each year from the general fund is designated to			
22	address the projected growth in transfer students and support efforts to improve retention and			
23	graduation through the MapWorks project.			
24	3. Out of this appropriation, \$100,000 the second year from the general fund is designated to			
25	support a partnership between George Mason University and the Center for Excellence in			
26	Education to enhance the capabilities of school teachers to teach STEM programs. The funding			
27	will allow for (a) five additional "Bite of Science" programs impacting over 125 teachers and			
28	17,125 students, (b) four Teacher Roundtables impacting over 100 teachers and 13,700 students			
29	and (c) a part-time staff dedicated to the enhancement of materials in the Teacher Enrichment			
30	Program Clearinghouse, an online compendium of science resources for Virginia teachers.			
31	G.1. Out of this appropriation, \$1,174,753 each year from the general fund is designated to			
32	achieve the goals of the six-year academic plan submitted by the George Mason University in			
33	the fall 2011. George Mason University shall utilize these funds to implement expansion of			
34	distance education offerings and expand facilities and space utilization across the University's			
35	distributed campuses.			
36	2. George Mason University shall reallocate \$1,605,735 the first year and \$2,140,980 the			
37	second year from current educational and general program funds either to support the initiatives			
38	identified in paragraph G.1. and / or to address programs and strategies that serve to advance			
39	the objectives of the Higher Education Opportunity Act of 2011.			
40	3. George Mason University may reallocate up to an additional 1.5 percent from current			
41	educational and general program funds in the second year to address faculty compensation			
42	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.			
43	H. The 4-VA, a public-private partnership among George Mason University, James Madison			
44	University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established			
45	to utilize emerging technologies to promote collaboration and resource sharing to increase			
46	access, reduce time to graduation and reduce unit cost while maintaining and enhancing			
47	quality. Instructional talent across the four institutions will be leveraged in the delivery of			
48	programs in foreign languages, science, technology, engineering and mathematics. It is expected			
49	that funding will be pooled by the management board as required to support continuing efforts			
50	of the 4-VA priorities and projects.			

ITEM 165.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1 165.	Not set out.			
2 166.	Not set out.			
3 167.	Not set out.			
4	Total for George Mason University		\$824,536,809	\$856,217,946
5				\$871,217,946
6	General Fund Positions.....	1,082.14	1,082.14	
7	Nongeneral Fund Positions.....	2,876.57	2,886.57	
8			3,056.57	
9	Position Level	3,958.71	3,968.71	
10			4,138.71	
11	Fund Sources: General	\$129,421,398	\$134,694,996	
12	Higher Education Operating.....	\$652,273,211	\$678,680,750	
13			\$693,680,750	
14	Debt Service.....	\$42,842,200	\$42,842,200	
15	§ 1-18. JAMES MADISON UNIVERSITY (216)			
16 168.	Educational and General Programs (10000)		\$246,835,534	\$250,955,830
17				\$260,591,595
18	Higher Education Instruction (100101).....	\$132,555,218	\$136,669,628	
19			\$138,406,058	
20	Higher Education Research (100102)	\$720,917	\$720,917	
21			\$742,354	
22	Higher Education Public Services (100103).....	\$846,663	\$846,663	
23			\$1,145,164	
24	Higher Education Academic Support (100104).....	\$31,643,552	\$31,643,552	
25			\$34,141,187	
26	Higher Education Student Services (100105).....	\$13,959,876	\$13,959,876	
27			\$15,729,895	
28	Higher Education Institutional Support (100106).....	\$36,725,978	\$36,731,864	
29			\$38,378,610	
30	Operation and Maintenance of Plant (100107).....	\$30,383,330	\$30,383,330	
31			\$32,048,327	
32	Fund Sources: General	\$66,728,837	\$69,808,843	
33	Higher Education Operating.....	\$178,245,611	\$179,285,901	
34			\$188,921,666	
35	Debt Service.....	\$1,861,086	\$1,861,086	
36	Authority: Title 23, Chapter 12.1, Code of Virginia.			
37	A. This Item includes general and nongeneral fund appropriations to support institutional			
38	initiatives that help meet statewide goals described in the Restructured Higher Education			
39	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of			
40	Assembly).			
41	B. The university is authorized to continue offering its existing doctoral degree in psychology			
42	and a limited number of other doctoral programs in specialized areas with approval from the			
43	State Council of Higher Education for Virginia. These doctoral programs are niche programs,			
44	consistent with the comprehensive mission of the university, and are targeted to meet critical			
45	needs in the Commonwealth.			
46	C. As Virginia's public colleges and universities approach full funding of the base adequacy			
47	guidelines and as the General Assembly strives to fully fund the general fund share of the base			
48	adequacy guidelines, these funds are provided with the intent that, in exercising their authority			
49	to set tuition and fees, the Board of Visitors shall take into consideration the impact of			
50	escalating college costs for Virginia students and families. In accordance with the cost-sharing			
51	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases			
52	on tuition and mandatory educational and general fees for in-state, undergraduate students to			

ITEM 168.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	the extent possible.				
2	D.1. Out of this appropriation, \$1,647,698 each year from the general fund is designated for				
3	base operating support.				
4	2. Out of this appropriation, \$1,820,338 each year from the general fund is designated to				
5	continue the increase in access for in-state undergraduate students begun in the 2011 Session,				
6	support the projected growth in transfer students and improve retention and graduation through				
7	additional advising for both transfers and students in high demand majors.				
8	E.1. Out of this appropriation, \$991,683 each year from the general fund is designated to				
9	achieve the goals of the six-year academic plan submitted by the James Madison University in				
10	the fall 2011. James Madison University shall utilize these funds to implement expansion of				
11	nursing programs and to expand existing programs in computer forensics and biophysical				
12	chemistry.				
13	2. James Madison University shall reallocate \$933,998 the first year and \$1,245,331 the second				
14	year from current educational and general program funds either to support the initiatives				
15	identified in paragraph E.1. and / or to address programs and strategies that serve to advance				
16	the objectives of the Higher Education Opportunity Act of 2011.				
17	3. James Madison University may reallocate up to an additional 1.5 percent from current				
18	educational and general program funds in the second year to address faculty compensation				
19	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
20	F. The 4-VA, a public-private partnership among George Mason University, James Madison				
21	University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established				
22	to utilize emerging technologies to promote collaboration and resource sharing to increase				
23	access, reduce time to graduation and reduce unit cost while maintaining and enhancing				
24	quality. Instructional talent across the four institutions will be leveraged in the delivery of				
25	programs in foreign languages, science, technology, engineering and mathematics. It is expected				
26	that funding will be pooled by the management board as required to support continuing efforts				
27	of the 4-VA priorities and projects.				
28	169.	Higher Education Student Financial Assistance (10800) ..		\$11,178,961	\$11,732,430
29		Scholarships (10810).....	\$10,788,739	\$11,190,560	\$12,532,493
30				\$11,990,623	
31		Fellowships (10820).....	\$390,222	\$541,870	
32					
33		Fund Sources: General	\$7,407,489	\$7,960,958	
34		Higher Education Operating.....	\$3,771,472	\$3,771,472	
35				\$4,571,535	
36		Authority: Title 23, Chapter 12.1, Code of Virginia.			
37	170.	Not set out.			
38	171.	Not set out.			
39		Total for James Madison University.....		\$467,748,894	\$485,927,207
40					\$496,363,035
41		General Fund Positions.....	1,032.18	1,032.18	
42				1,071.17	
43		Nongeneral Fund Positions.....	2,110.58	2,110.58	
44				2,157.59	
45		Position Level	3,142.76	3,142.76	
46				3,228.76	
47		Fund Sources: General.....	\$74,136,326	\$77,769,801	
48		Higher Education Operating.....	\$361,542,595	\$365,132,301	
49				\$375,568,129	
50		Debt Service.....	\$32,069,973	\$43,025,105	

ITEM 172.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	§ 1-19. LONGWOOD UNIVERSITY (214)				
2	172. Educational and General Programs (10000).....			\$55,894,159	\$56,632,601
3					\$58,435,026
4	Higher Education Instruction (100101).....	\$27,508,773	\$28,244,757		
5			\$29,200,042		
6	Higher Education Public Services (100103).....	\$619,982	\$619,982		
7	Higher Education Academic Support (100104).....	\$8,865,239	\$8,865,239		
8			\$9,694,354		
9	Higher Education Student Services (100105).....	\$3,844,859	\$3,844,859		
10			\$3,862,884		
11	Higher Education Institutional Support (100106).....	\$8,835,493	\$8,837,951		
12	Operation and Maintenance of Plant (100107).....	\$6,219,813	\$6,219,813		
13	Fund Sources: General.....	\$23,038,180	\$23,618,254		
14	Higher Education Operating.....	\$32,855,979	\$33,014,347		
15			\$34,816,772		
16	Authority: Title 23, Chapter 15, Code of Virginia.				
17	A. This Item includes general and nongeneral fund appropriations to support institutional				
18	initiatives that help meet statewide goals described in the Restructured Higher Education				
19	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of				
20	Assembly).				
21	B. As Virginia's public colleges and universities approach full funding of the base adequacy				
22	guidelines and as the General Assembly strives to fully fund the general fund share of the base				
23	adequacy guidelines, these funds are provided with the intent that, in exercising their authority				
24	to set tuition and fees, the Board of Visitors shall take into consideration the impact of				
25	escalating college costs for Virginia students and families. In accordance with the cost-sharing				
26	goals set forth in Section 4-2.01 b. of this Act, the Board of Visitors is encouraged to limit				
27	increases on tuition and mandatory educational and general fees for in-state, undergraduate				
28	students to the extent possible.				
29	C.1. Out of this appropriation, \$543,557 each year from the general fund is designated for base				
30	operating support.				
31	2. Out of this appropriation, \$202,614 each year from the general fund is designated to address				
32	the projected growth in transfer students and efforts to improve retention and graduation				
33	through the student success initiative.				
34	D.1. Out of this appropriation, \$372,592 each year from the general fund is designated to				
35	achieve the goals of the six-year academic plan submitted by the Longwood University in the				
36	fall 2011. Longwood University shall utilize these funds to increase the use of distance				
37	learning to off-campus sites in Emporia, South Boston and Martinsville, to expand nursing				
38	programs and to develop a center of logistics research at Fort Lee in cooperation with the				
39	University of Virginia and Virginia State University.				
40	2. Longwood University shall reallocate \$329,061 the first year and \$438,749 the second year				
41	from current educational and general program funds either to support the initiatives identified				
42	in paragraph D.1. and / or to address programs and strategies that serve to advance the				
43	objectives of the Higher Education Opportunity Act of 2011.				
44	3. Longwood University may reallocate up to an additional 1.5 percent from current				
45	educational and general program funds in the second year to address faculty compensation				
46	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
47	173.	Not set out.			
48	174.	Not set out.			
49	175.	Not set out.			

ITEM 175.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Total for Longwood University.....			\$108,305,612	\$111,549,210
2					\$113,351,635
3	General Fund Positions.....	282.89	283.89		
4	Nongeneral Fund Positions.....	451.67	471.67		
5	Position Level	734.56	755.56		
6	Fund Sources: General	\$26,994,115	\$27,801,096		
7	Higher Education Operating.....	\$73,724,186	\$76,160,803		
8			\$77,963,228		
9	Debt Service.....	\$7,587,311	\$7,587,311		
10	176. Not set out.				
11	177. Not set out.				
12	178. Not set out.				
13	179. Not set out.				
14	§ 1-20. OLD DOMINION UNIVERSITY (221)				
15	180. Educational and General Programs (10000).....			\$225,044,227	\$232,000,772
16					\$239,289,561
17	Higher Education Instruction (100101).....	\$122,229,577	\$129,186,122		
18			\$131,186,122		
19	Higher Education Research (100102)	\$4,736,100	\$4,736,100		
20	Higher Education Public Services (100103).....	\$254,489	\$254,489		
21	Higher Education Academic Support (100104).....	\$40,989,479	\$40,989,479		
22			\$45,903,268		
23	Higher Education Student Services (100105).....	\$10,918,633	\$10,918,633		
24			\$11,293,633		
25	Higher Education Institutional Support (100106).....	\$25,128,091	\$25,128,091		
26	Operation and Maintenance of Plant (100107).....	\$20,787,858	\$20,787,858		
27	Fund Sources: General	\$97,649,766	\$103,809,827		
28	Higher Education Operating.....	\$127,394,461	\$128,190,945		
29			\$135,479,734		
30	Authority: Title 23, Chapter 5.2, Code of Virginia.				
31	A.1. This Item includes general and nongeneral fund appropriations to support institutional				
32	initiatives that help meet statewide goals described in the Restructured Higher Education				
33	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of				
34	Assembly).				
35	2. Out of this appropriation, the university may allocate funds to expand enrollment capacity				
36	through expansion of distance learning, TELETECHNET and summer school.				
37	B. Out of this appropriation, \$431,013 the first year and \$431,013 the second year from the				
38	general fund and \$198,244 the first year and \$198,244 the second year from nongeneral funds				
39	are designated for the educational telecommunications project to provide graduate engineering				
40	education. For supplemental budget requests, the participating institutions and centers jointly				
41	shall submit a report in support of such requests to the State Council of Higher Education for				
42	Virginia for review and recommendation to the Governor and General Assembly.				
43	C.1. Out of this appropriation, \$4,017,308 and 23.88 positions the first year and \$4,017,308				
44	and 23.88 positions the second year from the general fund and \$1,440,000 and 12.62 positions				
45	the first year and \$1,440,000 and 12.62 positions the second year from nongeneral funds are				
46	designated to operate distance learning sites across the Commonwealth.				
47	2. Out of this appropriation, \$60,527 the first year and \$60,527 the second year from the				
48	general fund is designated for the expansion of distance learning to the Lord Fairfax				
49	Community College's Luray-Page Center to establish a bachelor's degree program.				

ITEM 180.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	D. Notwithstanding § 55-297, Code of Virginia, Old Dominion University is hereby designated				
2	as the administrative agency for the Virginia Coordinate System.				
3	E. Notwithstanding § 23-7.4:2, Code of Virginia, the governing board of Old Dominion				
4	University may charge reduced tuition to any person enrolled in one of Old Dominion				
5	University's TELETECHNET sites or higher education centers who lives within a 50-mile				
6	radius of the site/center, is domiciled in, and is entitled to in-state tuition charges in the				
7	institutions of higher learning in any state, or the District of Columbia, which is contiguous to				
8	Virginia and which has similar reciprocal provisions for persons domiciled in Virginia.				
9	F. As Virginia's public colleges and universities approach full funding of the base adequacy				
10	guidelines and as the General Assembly strives to fully fund the general fund share of the base				
11	adequacy guidelines, these funds are provided with the intent that, in exercising their authority				
12	to set tuition and fees, the Board of Visitors shall take into consideration the impact of				
13	escalating college costs for Virginia students and families. In accordance with the cost-sharing				
14	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases				
15	on tuition and mandatory educational and general fees for in-state, undergraduate students to				
16	the extent possible.				
17	G. Old Dominion University shall collaborate with the Virginia Maritime Foundation in support				
18	of its maritime and sailing programs in the College of Arts and Letters, the College of Science				
19	and the Athletics Department. To that end, the General Assembly authorizes Old Dominion				
20	University to accept and utilize assets of the Virginia Maritime Foundation.				
21	H.1. Out of this appropriation, \$3,539,864 each year from the general fund is designated for				
22	base operating support.				
23	2. Out of this appropriation, \$1,709,439 each year from the general fund is designated to				
24	address the projected growth in transfer students, efforts to improve retention and graduation				
25	through the addition of upper level courses, and increased advising at the sophomore level.				
26	I.1. Out of this appropriation, \$1,373,927 each year from the general fund is designated to				
27	achieve the goals of the six-year academic plan submitted by the Old Dominion University in				
28	the fall 2011. Old Dominion University shall utilize these funds to implement expansion of				
29	on-line degree programs in high demand fields, increased STEM production, and increased				
30	modeling and simulation capacity.				
31	2. Old Dominion University shall reallocate \$1,361,685 the first year and \$1,815,581 the				
32	second year from current educational and general program funds either to support the initiatives				
33	identified in paragraph I.1. and / or to address programs and strategies that serve to advance				
34	the objectives of the Higher Education Opportunity Act of 2011.				
35	3. Old Dominion University may reallocate up to an additional 1.5 percent from current				
36	educational and general program funds in the second year to address faculty compensation				
37	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
38	4. Out of this appropriation, \$220,000 the first year and \$320,000 the second year from the				
39	general fund is designated to provide opportunity for 80 students per year to be engaged in				
40	STEM education using aerospace, high tech science, technology and engineering in partnership				
41	with NASA Wallops Flight Facility. Old Dominion University will collaborate with the				
42	Virginia Space Grant Consortium and STEM educators to identify the students who will				
43	participate in the program each year. The funding in paragraph I.4. will not be considered as a				
44	resource for purposes of funding guidelines.				
45	J. Out of this appropriation, \$125,000 the second year from the general fund is designated to				
46	plan a joint School of Public Health with Eastern Virginia Medical School.				
47	181. Not set out.				
48	182. Not set out.				
49	183. Not set out.				

ITEM 183.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Total for Old Dominion University		\$353,848,408	\$361,925,280
2				\$369,214,069
3	General Fund Positions.....	981.21	981.21	
4	Nongeneral Fund Positions.....	1,324.98	1,324.98	
5	Position Level	2,306.19	2,306.19	
6	Fund Sources: General	\$118,560,361	\$125,840,749	
7	Higher Education Operating.....	\$212,670,566	\$213,467,050	
8			\$220,755,839	
9	Debt Service.....	\$22,617,481	\$22,617,481	
10	§ 1-21. RADFORD UNIVERSITY (217)			
11	184. Educational and General Programs (10000).....		\$102,003,630	\$105,789,076
12				\$112,636,304
13	Higher Education Instruction (100101).....	\$62,005,457	\$64,898,912	
14			\$69,172,690	
15	Higher Education Public Services (100103).....	\$599,951	\$599,951	
16	Higher Education Academic Support (100104).....	\$9,103,642	\$9,315,525	
17			\$9,892,881	
18	Higher Education Student Services (100105).....	\$5,011,134	\$5,127,768	
19			\$5,456,903	
20	Higher Education Institutional Support (100106).....	\$16,296,100	\$16,648,656	
21			\$17,727,506	
22	Operation and Maintenance of Plant (100107).....	\$8,987,346	\$9,198,264	
23			\$9,786,373	
24	Fund Sources: General	\$42,168,708	\$43,456,527	
25	Higher Education Operating.....	\$59,834,922	\$62,332,549	
26			\$69,179,777	
27	Authority: Title 23, Chapter 11.1, Code of Virginia.			
28	A. This Item includes general and nongeneral fund appropriations to support institutional			
29	initiatives that help meet statewide goals described in the Restructured Higher Education			
30	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of			
31	Assembly).			
32	B. As Virginia's public colleges and universities approach full funding of the base adequacy			
33	guidelines and as the General Assembly strives to fully fund the general fund share of the base			
34	adequacy guidelines, these funds are provided with the intent that, in exercising their authority			
35	to set tuition and fees, the Board of Visitors shall take into consideration the impact of			
36	escalating college costs for Virginia students and families. In accordance with the cost-sharing			
37	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases			
38	on tuition and mandatory educational and general fees for in-state, undergraduate students to			
39	the extent possible.			
40	C.1. Out of this appropriation, \$962,943 each year from the general fund is designated for base			
41	operating support.			
42	2. Out of this appropriation, \$866,958 each year from the general fund is designated to address			
43	the projected growth in transfer students and efforts to improve retention and graduation			
44	through increased advising and student engagement programs.			
45	D.1. Out of this appropriation, \$666,535 each year from the general fund is designated to			
46	achieve the goals of the six-year academic plan submitted by the Radford University in the fall			
47	2011. Radford University shall utilize these funds to establish accelerated degree options to			
48	include expanded distance education options.			
49	2. Radford University shall reallocate \$594,920 the first year and \$793,227 the second year			
50	from current educational and general program funds either to support the initiatives identified			
51	in paragraph D.1. and / or to address programs and strategies that serve to advance the			
52	objectives of the Higher Education Opportunity Act of 2011.			

ITEM 184.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	3. Radford University may reallocate up to an additional 1.5 percent from current educational				
2	and general program funds in the second year to address faculty compensation issues, operation				
3	and maintenance of new facilities or other institutional initiatives or priorities.				
4	185. Not set out.				
5	186. Not set out.				
6	187. Not set out.				
7	Total for Radford University.....			\$175,277,520	\$184,464,867
8					\$191,312,095
9	General Fund Positions.....	633.91	633.91		
10	Nongeneral Fund Positions.....	756.13	756.13		
11			811.17		
12	Position Level	1,390.04	1,390.04		
13			1,445.08		
14	Fund Sources: General	\$49,754,037	\$51,543,757		
15	Higher Education Operating.....	\$123,423,483	\$129,521,110		
16			\$136,368,338		
17	Debt Service.....	\$2,100,000	\$3,400,000		
18	188. Not set out.				
19	189. Not set out.				
20	190. Not set out.				
21	191. Not set out.				
22	192. Not set out.				
23	193. Not set out.				
24	194. Not set out.				
25	§ 1-22. UNIVERSITY OF VIRGINIA (207)				
26	195. Educational and General Programs (10000)			\$541,384,335	\$548,072,346
27					\$574,665,346
28	Higher Education Instruction (100101).....	\$269,753,335	\$276,441,346		
29			\$284,432,913		
30	Higher Education Research (100102)	\$8,115,000	\$8,115,000		
31			\$7,467,578		
32	Higher Education Public Services (100103).....	\$4,290,000	\$4,290,000		
33			\$4,693,060		
34	Higher Education Academic Support (100104).....	\$90,021,000	\$90,021,000		
35			\$98,468,060		
36	Higher Education Student Services (100105).....	\$25,382,000	\$25,382,000		
37			\$35,577,917		
38	Higher Education Institutional Support (100106).....	\$37,927,000	\$37,927,000		
39			\$37,346,385		
40	Operation and Maintenance of Plant (100107).....	\$105,896,000	\$105,896,000		
41			\$106,679,433		
42	Fund Sources: General	\$115,745,947	\$119,515,037		
43	Higher Education Operating.....	\$422,758,388	\$425,677,309		
44			\$452,270,309		
45	Debt Service.....	\$2,880,000	\$2,880,000		
46	Authority: Title 23, Chapter 9, Code of Virginia.				

ITEM 195.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	A. This Item includes general and nongeneral fund appropriations to support institutional			
2	initiatives that help meet statewide goals described in the Restructured Higher Education			
3	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of			
4	Assembly).			
5	B.1. This appropriation includes an amount not to exceed \$1,349,795 the first year and			
6	\$1,393,959 the second year from the general fund for the operation of the Family Practice			
7	Residency Program and Family Practice medical student programs. This appropriation for			
8	Family Practice programs, whether ultimately implemented by contract, agreement or other			
9	means, is considered to be a grant.			
10	2. The university shall report by July 1 annually to the Department of Planning and Budget an			
11	operating plan for the Family Practice Residency Program.			
12	3. The University of Virginia, in cooperation with the Virginia Commonwealth University			
13	Health System Authority, shall establish elective Family Practice Medicine experiences in			
14	Southwest Virginia for both students and residents.			
15	4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his			
16	executive authority in §4-1.02 of this act, the general fund appropriation for the Family Practice			
17	programs shall be exempt from any reductions, provided the general fund appropriation for the			
18	family practice program is excluded from the total general fund appropriation for the University			
19	of Virginia for purposes of determining the university's portion of the statewide general fund			
20	reduction requirement.			
21	C. Out of this appropriation, \$1,044,176 the first year and \$1,119,176 the second year from the			
22	general fund is designated for the Virginia Foundation for Humanities and Public Policy.			
23	Pursuant to House Joint Resolution 762, 1999 Session of the General Assembly, funds in this			
24	Item begin to address the objective of appropriating one dollar per capita for the support of the			
25	Foundation.			
26	D. Out of this appropriation, an amount estimated at \$527,610 the first year and \$527,610 the			
27	second year from the general fund and at least \$468,850 the first year and at least \$468,850 the			
28	second year from nongeneral funds are designated for the educational telecommunications			
29	project to provide graduate engineering education. For supplemental budget requests, the			
30	participating institutions and centers jointly shall submit a report in support of such requests to			
31	the State Council of Higher Education for Virginia for review and recommendation to the			
32	Governor and General Assembly.			
33	E. Out of this appropriation, \$192,954 the first year and \$192,954 the second year from the			
34	general fund, and at least \$283,500 the first year and at least \$283,500 the second year from			
35	nongeneral funds are designated for the independent Virginia Institute of Government at the			
36	University of Virginia Center for Public Service.			
37	F. It is the intent of the General Assembly that the University of Virginia, in conjunction with			
38	the Eastern Virginia Medical School and Virginia Commonwealth University, maintain its			
39	efforts to educate and train sufficient generalist physicians to meet the needs of the			
40	Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically			
41	underserved regions of the state. Further, it is the intent that the university support medical			
42	education and training in the principles of generalist medicine for all undergraduate medical			
43	students, regardless of their chosen specialty or field of study.			
44	G. It is the intent of the General Assembly to assist the three Virginia medical schools as they			
45	respond to changes in the need for delivery and financing of medical education, both			
46	undergraduate and graduate.			
47	H. Out of this appropriation, at least \$156,397 the first year and \$156,397 the second year from			
48	the general fund is designated for support of diabetes education and public service at the			
49	Virginia Center for Diabetes Professional Education at the University of Virginia.			
50	I.1. Out of this appropriation, \$446,074 the first year and \$446,074 the second year from the			
51	general fund is designated for the Center for Politics at the University of Virginia to conduct			
52	and preserve oral histories with senior public officials, to conduct the Virginia Youth			
53	Leadership Initiative which educates students in Virginia's secondary schools in the democratic			

ITEM 195.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	process, and to develop programs that foster increased public awareness of the electoral system.				
2	2. Out of this appropriation, \$88,480 the first year and \$88,480 the second year from the				
3	general fund is designated to the Center of Politics to provide civic education resources to all				
4	public elementary and secondary schools in the Commonwealth.				
5	J. Out of this appropriation \$251,146 the first year and \$251,146 the second year from the				
6	general fund and \$53,189 the first year and \$53,189 the second year from nongeneral funds are				
7	designated for support of the State Arboretum at Blandy Farm.				
8	K. As Virginia's public colleges and universities approach full funding of the base adequacy				
9	guidelines and as the General Assembly strives to fully fund the general fund share of the base				
10	adequacy guidelines, these funds are provided with the intent that, in exercising their authority				
11	to set tuition and fees, the Board of Visitors shall take into consideration the impact of				
12	escalating college costs for Virginia students and families. In accordance with the cost-sharing				
13	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases				
14	on tuition and mandatory educational and general fees for in-state, undergraduate students to				
15	the extent possible.				
16	L. The appropriation for the fund source Higher Education Operating in this Item shall be				
17	considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be				
18	collected for the educational and general program under the terms of the management				
19	agreement between the University of Virginia and the Commonwealth, as set forth in Chapters				
20	933 and 943, of the 2006 Acts of Assembly.				
21	M.1. Out of this appropriation, \$1,760,311 each year from the general fund is designated for				
22	base operating support.				
23	2. Out of this appropriation, \$691,207 each year from the general fund is designated to				
24	continue the increase in access for in-state undergraduate students begun in the 2011 Session.				
25	N.1. Out of this appropriation, \$800,324 each year from the general fund is designated to				
26	achieve the goals of the six-year academic plan submitted by the University of Virginia in the				
27	fall 2011. The University of Virginia shall utilize these funds to increase degree production in				
28	STEM disciplines, to develop a center of logistics research at Fort Lee in cooperation with				
29	Virginia State University and the Longwood University and to continue growth of degree				
30	programs with an online component including the Commonwealth Graduate Engineering				
31	Program, Produced in Virginia program, Master of Education partnership with Teach for				
32	America and the Global Executive MBA programs.				
33	2. The University of Virginia shall reallocate \$1,682,135 first year and \$2,242,847 the second				
34	year from current educational and general program funds either to support the initiatives				
35	identified in paragraph N.1. and / or to address programs and strategies that serve to advance				
36	the objectives of the Higher Education Opportunity Act of 2011.				
37	3. The University of Virginia may reallocate up to an additional 1.5 percent from current				
38	educational and general program funds in the second year to address faculty compensation				
39	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
40	4. Out of this appropriation, \$218,400 each year from the general fund is designated to				
41	develop a summer STEM experience program in partnership with the Virginia Space Grant				
42	Consortium and the National Institute of Aerospace. The program will provide hands-on				
43	experience in science, technology, engineering and mathematics for 120 students. The Virginia				
44	Space Grant Consortium will work with the University of Virginia to identify the students and				
45	collect program evaluation data. The funding in paragraph N.3. will not be considered as a				
46	resource for purposes of funding guidelines.				
47	O. The 4-VA, a public-private partnership among George Mason University, James Madison				
48	University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established				
49	to utilize emerging technologies to promote collaboration and resource sharing to increase				
50	access, reduce time to graduation and reduce unit cost while maintaining and enhancing				
51	quality. Instructional talent across the four institutions will be leveraged in the delivery of				

ITEM 195.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	programs in foreign languages, science, technology, engineering and mathematics. It is expected				
2	that funding will be pooled by the management board as required to support continuing efforts				
3	of the 4-VA priorities and projects.				
4	196.	Higher Education Student Financial Assistance (10800) ..		\$69,278,488	\$73,350,365
5		Scholarships (10810).....	\$29,273,455	\$37,971,695	\$75,309,365
6				\$39,575,735	
7		Fellowships (10820).....	\$40,005,033	\$35,378,670	
8				\$35,733,630	
9					
10		Fund Sources: General.....	\$9,878,488	\$10,524,365	
11		Higher Education Operating.....	\$59,400,000	\$62,826,000	
12				\$64,785,000	
13		Authority: Title 23, Chapter 9, Code of Virginia.			
14		A. The appropriation for the fund source Higher Education Operating in this Item shall be			
15		considered a sum sufficient appropriation, which is an estimate of the revenue collected to meet			
16		student financial aid needs, under the terms of the management agreement between the			
17		university and the Commonwealth as set forth in Chapters 933 and 943 of the 2006 Acts of			
18		Assembly.			
19		B. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the			
20		general fund, shall be provided to support public-private sector partnerships in order to			
21		maximize the number of newly licensed nurses and increase the supply of nursing faculty.			
22	197.	Not set out.			
23	198.	Higher Education Auxiliary Enterprises (80900)			
24		a sum sufficient, estimated at.....		\$177,274,000	\$181,117,000
25					\$200,415,000
26		<i>Food Services (80910)</i>	\$0	\$4,172,700	
27		Residential Services (80930).....	\$26,243,000	\$26,243,000	
28				\$37,823,244	
29		Parking and Transportation Systems and Services			
30		(80940).....	\$12,444,000	\$12,444,000	
31				\$11,498,400	
32		Telecommunications Systems and Services (80950).....	\$195,000	\$195,000	
33				\$15,752,662	
34		Student Health Services (80960).....	\$8,770,000	\$8,770,000	
35				\$8,837,978	
36		<i>Student Unions and Recreational Facilities (80970)</i>	\$0	\$5,315,551	
37		Recreational and Intramural Programs (80980).....	\$4,545,000	\$4,545,000	
38				\$9,400,926	
39		Other Enterprise Functions (80990).....	\$94,116,000	\$97,959,000	
40				\$65,529,489	
41		Intercollegiate Athletics (80995).....	\$30,961,000	\$30,961,000	
42				\$42,084,050	
43		Fund Sources: Higher Education Operating.....	\$155,416,000	\$159,259,000	
44				\$178,557,000	
45		Debt Service.....	\$21,858,000	\$21,858,000	
46		Authority: Title 23, Chapter 9, Code of Virginia.			
47		Total for University of Virginia.....		\$1,096,300,155	\$1,096,605,043
48					\$1,144,455,043
49		General Fund Positions.....	1,082.63	1,082.63	
50		Nongeneral Fund Positions.....	6,735.33	6,735.33	
51				6,658.43	
52		Position Level.....	7,817.96	7,817.96	
53				7,741.06	

ITEM 198.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General.....	\$130,356,767	\$136,771,734		
2	Higher Education Operating.....	\$920,527,388	\$912,285,309		
3			\$960,135,309		
4	Debt Service.....	\$45,416,000	\$47,548,000		
5	199.	Not set out.			
6	200.	Not set out.			
7	201.	Not set out.			
8	University of Virginia's College at Wise (246)				
9	202.	Educational and General Programs (10000).....		\$20,626,587	\$21,139,661
10					\$21,385,661
11		Higher Education Instruction (100101).....	\$10,000,600	\$10,503,674	
12				\$10,653,674	
13		Higher Education Public Services (100103).....	\$188,780	\$188,780	
14		Higher Education Academic Support (100104).....	\$3,652,105	\$3,652,105	
15		Higher Education Student Services (100105).....	\$1,615,493	\$1,615,493	
16		Higher Education Institutional Support (100106).....	\$3,242,470	\$3,252,470	
17				\$3,348,470	
18		Operation and Maintenance of Plant (100107).....	\$1,927,139	\$1,927,139	
19		Fund Sources: General.....	\$12,560,895	\$12,937,643	
20		Higher Education Operating.....	\$8,065,692	\$8,202,018	
21				\$8,448,018	
22		Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.			
23	A.	This Item includes general and nongeneral fund appropriations to support institutional initiatives that help meet statewide goals described in the Restructured Higher Education Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of Assembly).			
24					
25					
26					
27	B.	The software engineering curriculum being established to insure success of recent economic development projects in Southwest Virginia, shall be considered on its merits by the State Council of Higher Education for Virginia and shall not be dependent on funding by the Commonwealth.			
28					
29					
30					
31	C.	As Virginia's public colleges and universities approach full funding of the base adequacy guidelines and as the General Assembly strives to fully fund the general fund share of the base adequacy guidelines, these funds are provided with the intent that, in exercising their authority to set tuition and fees, the Board of Visitors shall take into consideration the impact of escalating college costs for Virginia students and families. In accordance with the cost-sharing goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases on tuition and mandatory educational and general fees for in-state, undergraduate students to the extent possible.			
32					
33					
34					
35					
36					
37					
38					
39	D.	Out of this appropriation, \$233,358 the first year and \$233,358 the second year from the general fund and \$138,577 the first year and \$138,577 the second year from nongeneral funds are designated to facilitate the technical training programs for the Northrop Grumman state backup data center.			
40					
41					
42					
43	E.	The appropriation for the fund source Higher Education Operating in this Item shall be considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be collected for the educational and general program under the terms of the management agreement between the University of Virginia and the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.			
44					
45					
46					
47					
48	F.1.	Out of this appropriation, \$146,268 each year from the general fund is designated for base operating support.			
49					
50	2.	Out of this appropriation, \$266,537 each year from the general fund is designated to address			

ITEM 202.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	the projected growth in transfer students and efforts to improve retention and graduation				
2	through the Early Alert program.				
3	G.I. Out of this appropriation, \$475,641 each year from the general fund is designated to				
4	achieve the goals of the six-year academic plan submitted by the University of Virginia at Wise				
5	in the fall 2011. The University of Virginia at Wise shall utilize these funds to implement its				
6	Science Consortium initiative.				
7	2. The University of Virginia at Wise shall reallocate \$170,935 first year and \$227,913 the				
8	second year from current educational and general program funds either to support the initiatives				
9	identified in paragraph G.I. and / or to address programs and strategies that serve to advance				
10	the objectives of the Higher Education Opportunity Act of 2011.				
11	3. The University of Virginia at Wise may reallocate up to an additional 1.5 percent from				
12	current educational and general program funds in the second year to address faculty				
13	compensation issues, operation and maintenance of new facilities or other institutional				
14	initiatives or priorities.				
15	H. Out of this appropriation, \$275,000 each year from the general fund is designated to				
16	support the University of Virginia's College at Wise Scholars program to increase recruitment				
17	and retention of students from the service region especially in STEM-related programs.				
18	203. Not set out.				
19	204. Not set out.				
20	205. Higher Education Auxiliary Enterprises (80900)				
21	a sum sufficient, estimated at			\$15,028,772	\$15,028,772
22					\$16,141,272
23	Food Services (80910).....	\$283,376	\$283,376		
24	Bookstores and other Stores (80920).....	\$156,531	\$156,531		
25	Residential Services (80930).....	\$5,322,679	\$5,322,679		
26			\$5,500,179		
27	Parking and Transportation Systems and Services				
28	(80940)	\$172,996	\$172,996		
29	Student Health Services (80960).....	\$144,880	\$144,880		
30			\$156,880		
31	Student Unions and Recreational Facilities (80970).....	\$612,343	\$612,343		
32	Other Enterprise Functions (80990).....	\$6,731,418	\$6,731,418		
33			\$6,884,418		
34	Intercollegiate Athletics (80995).....	\$1,604,549	\$1,604,549		
35			\$2,374,549		
36	Fund Sources: Higher Education Operating.....	\$12,038,772	\$12,038,772		
37			\$13,151,272		
38	Debt Service.....	\$2,990,000	\$2,990,000		
39	Authority: §§ 23-91.20 through 23-91.23, Code of Virginia.				
40	Total for University of Virginia's College at Wise			\$39,778,882	\$40,405,692
41					\$41,764,192
42	General Fund Positions.....	165.26	165.26		
43	Nongeneral Fund Positions.....	151.28	151.28		
44	Position Level	316.54	316.54		
45	Fund Sources: General.....	\$14,547,097	\$15,037,581		
46	Higher Education Operating.....	\$22,241,785	\$22,378,111		
47			\$23,736,611		
48	Debt Service.....	\$2,990,000	\$2,990,000		
49	Grand Total for University of Virginia.....			\$2,464,174,196	\$2,507,045,856
50					\$2,556,254,356

ITEM 205.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	General Fund Positions.....	1,247.89	1,247.89		
2	Nongeneral Fund Positions.....	12,490.83	12,648.83		
3			12,571.93		
4	Position Level	13,738.72	13,896.72		
5			13,819.82		
6	Fund Sources: General.....	\$144,903,864	\$151,809,315		
7	Higher Education Operating.....	\$2,253,217,867	\$2,287,052,076		
8			\$2,336,260,576		
9	Debt Service.....	\$66,052,465	\$68,184,465		
10	§ 1-23. VIRGINIA COMMONWEALTH UNIVERSITY (236)				
11	206. Educational and General Programs (10000).....			\$492,639,743	\$498,830,651
12					\$511,404,682
13	Higher Education Instruction (100101).....	\$284,823,929	\$290,839,837		
14			\$303,413,868		
15	Higher Education Research (100102)	\$10,406,249	\$10,531,249		
16	Higher Education Public Services (100103).....	\$6,887,358	\$6,937,358		
17	Higher Education Academic Support (100104).....	\$81,874,176	\$81,874,176		
18	Higher Education Student Services (100105).....	\$20,179,817	\$20,179,817		
19	Higher Education Institutional Support (100106).....	\$47,959,730	\$47,959,730		
20	Operation and Maintenance of Plant (100107).....	\$40,508,484	\$40,508,484		
21	Fund Sources: General.....	\$150,550,115	\$154,889,637		
22	Higher Education Operating.....	\$342,089,628	\$343,941,014		
23			\$356,515,045		
24	Authority: Title 23, Chapter 6.1, Code of Virginia.				
25	A. This Item includes general and nongeneral fund appropriations to support institutional				
26	initiatives that help meet statewide goals described in the Restructured Higher Education				
27	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of				
28	Assembly).				
29	B.1. Out of this appropriation, \$4,217,317 the first year and \$4,336,607 the second year from				
30	the general fund is provided for the operation of the Family Practice Residency Program and				
31	Family Practice medical student programs. This appropriation for Family Practice programs,				
32	whether ultimately implemented by contract, agreement or other means, is considered to be a				
33	grant.				
34	2. The university shall report by July 1 annually to the Department of Planning and Budget an				
35	operating plan for the Family Practice Residency Program.				
36	3. The university, in cooperation with the University of Virginia, shall establish elective Family				
37	Practice Medicine experiences in Southwest Virginia for both students and residents.				
38	4. In the event the Governor imposes across-the-board general fund reductions, pursuant to his				
39	executive authority in § 4-1.02 of this act, the general fund appropriation for the Family				
40	Practice programs shall be exempt from any reductions, provided the general fund appropriation				
41	for the family practice program is excluded from the total general fund appropriation for				
42	Virginia Commonwealth University for purposes of determining the University's portion of the				
43	statewide general fund reduction requirement.				
44	C. Out of this appropriation, an amount estimated at \$332,140 the first year and \$332,140 the				
45	second year from the general fund and \$168,533 the first year and \$168,533 the second year				
46	from nongeneral funds are designated for the educational telecommunications project to provide				
47	graduate engineering education. For supplemental budget requests, the participating				
48	institutions and centers jointly shall submit a report in support of such requests to the State				
49	Council of Higher Education for Virginia for review and recommendation to the Governor and				
50	General Assembly.				
51	D.1. Out of this appropriation, not less than \$261,685 the first year and not less than \$386,685				
52	the second year from the general fund is designated for the Virginia Center on Aging. This				

ITEM 206.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	includes \$194,750 the first year and \$319,750 the second year for the Alzheimer's and Related			
2	Diseases Research Award Fund.			
3	2. Out of this appropriation, \$253,244 the first year and \$253,244 the second year from the			
4	general fund and \$356,250 the first year and \$356,250 the second year from nongeneral funds			
5	are designated for the operation of the Virginia Geriatric Education Center and the Geriatric			
6	Academic Career Awards Program, both to be administered by the Virginia Center on Aging.			
7	E. It is the intent of the General Assembly that Virginia Commonwealth University, in			
8	conjunction with the University of Virginia and Eastern Virginia Medical School, maintain its			
9	efforts to educate and train sufficient generalist physicians to meet the needs of the			
10	Commonwealth, recognizing the Commonwealth's need for generalist physicians in medically			
11	underserved regions of the state. Further, it is the intent that the university support medical			
12	education and training in the principles of generalist medicine for all undergraduate medical			
13	students, regardless of their chosen specialty or field of study.			
14	F. All costs for maintenance and operation of the physical plant of the School of Engineering,			
15	Phase I and future renovations, repairs, and improvements as they become necessary shall be			
16	financed from nongeneral funds.			
17	G. It is the intent of the General Assembly to assist the three Virginia medical schools as they			
18	respond to changes in the need for delivery and financing of medical education, both			
19	undergraduate and graduate.			
20	H. Out of this appropriation, \$243,675 the first year and \$243,675 the second year from the			
21	general fund is designated for support of the Council on Economic Education.			
22	I. Out of this appropriation, \$32,753 the first year and \$32,753 the second year from the			
23	general fund is designated for support of the Education Policy Institute.			
24	J.1. Notwithstanding any other provisions of law, Virginia Commonwealth University is			
25	authorized to remit tuition and fees for merit scholarships for students of high academic			
26	achievement subject to the following limitations and restrictions:			
27	2. The number of such scholarships annually awarded to undergraduate Virginia students shall			
28	not exceed 20 percent of the fall headcount enrollment of Virginia students in undergraduate			
29	studies in the institution from the preceding academic year. The total value of such merit			
30	scholarships annually awarded shall not exceed in any year the amount arrived at by			
31	multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of			
32	the headcount enrollment of Virginia students in undergraduate studies in the institution for the			
33	fall semester from the preceding academic year.			
34	3. The number of such scholarships annually awarded to undergraduate non-Virginia students			
35	shall not exceed 20 percent of the fall headcount enrollment of non-Virginia students in			
36	undergraduate studies in the institution from the preceding academic year. The total value of			
37	such merit scholarships annually awarded shall not exceed in any year the amount arrived at by			
38	multiplying the applicable figure for undergraduate tuition and required fees by 20 percent of			
39	the fall headcount enrollment of non-Virginia students in undergraduate studies in the			
40	institution during the preceding academic year.			
41	4. A scholarship awarded under this program shall entitle the holder to receive an annual			
42	remission of an amount not to exceed the cost of tuition and required fees to be paid by the			
43	student.			
44	K. Out of this appropriation, \$202,595 the first year and \$252,595 the second year from the			
45	general fund is provided for the Medical College of Virginia Palliative Care Partnership.			
46	L. As Virginia's public colleges and universities approach full funding of the base adequacy			
47	guidelines and as the General Assembly strives to fully fund the general fund share of the base			
48	adequacy guidelines, these funds are provided with the intent that, in exercising their authority			
49	to set tuition and fees, the Board of Visitors shall take into consideration the impact of			
50	escalating college costs for Virginia students and families. In accordance with the cost-sharing			
51	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases			
52	on tuition and mandatory educational and general fees for in-state, undergraduate students to			

ITEM 206.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	the extent possible.			
2	M. The appropriation for the fund source Higher Education Operating in this Item shall be			
3	considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be			
4	collected for the educational and general program under the terms of the management			
5	agreement between Virginia Commonwealth University and the Commonwealth, as set forth in			
6	Chapters 594 and 616, of the 2008 Acts of Assembly.			
7	N.1. Out of this appropriation, \$3,565,354 each year from the general fund is designated for			
8	base operating support.			
9	2. Out of this appropriation, \$2,916,627 each year from the general fund is designated to			
10	address the projected growth in transfer students and efforts to improve retention and			
11	graduation through the University College initiative and enhanced advising.			
12	O.1. Out of this appropriation, \$684,120 each year from the general fund is designated to			
13	achieve the goals of the six-year academic plan submitted by the Virginia Commonwealth			
14	University in the fall 2011. Virginia Commonwealth University shall utilize these funds to			
15	implement development of the summer session as a "third semester" to reduce time to degree,			
16	expansion of undergraduate research opportunities, expansion of health career options through			
17	enhanced advising of pre-health and STEM majors, and the advancement of newly established			
18	degree programs in the Center for Clinical and Translational Research.			
19	2. Virginia Commonwealth University shall reallocate \$2,150,379 the first year and \$2,867,172			
20	the second year from current educational and general program funds either to support the			
21	initiatives identified in paragraph O.1. and / or to address programs and strategies that serve to			
22	advance the objectives of the Higher Education Opportunity Act of 2011.			
23	3. Virginia Commonwealth University may reallocate up to an additional 1.5 percent from			
24	current educational and general program funds in the second year to address faculty			
25	compensation issues, operation and maintenance of new facilities or other institutional			
26	initiatives or priorities.			
27	P. Out of this appropriation, \$500,000 the second year from the general fund is designated for			
28	the Virginia Commonwealth University School of Pharmacy to support the Center for			
29	Compounding Practice and Research. The allocation will serve to support any costs associated			
30	with creating the Center including facility-related expenses as well as the purchase of the			
31	compounding equipment necessary for this state of the art teaching and research facility and			
32	will be leveraged as a matching gift with private funds. The Center will train Pharm.D.			
33	students to meet technical compounding demands, provide continuing education to registered			
34	pharmacists and conduct ongoing research on compounded medications.			
35	207.	Not set out.		
36	208.	Financial Assistance for Educational and General		
37		Services (11000).....		\$255,024,481
38				\$256,274,481
39		Eminent Scholars (11001)	\$2,695,800	\$2,695,800
40				\$3,045,800
41		Sponsored Programs (11004)	\$252,328,681	\$253,578,681
42				\$263,578,681
43		Fund Sources: General	\$8,912,500	\$10,162,500
44		Higher Education Operating.....	\$238,552,661	\$238,552,661
45				\$248,902,661
46		Debt Service.....	\$7,559,320	\$7,559,320
47	Authority: Title 23, Chapter 6.1, Code of Virginia.			
48	A. Out of this appropriation, \$1,162,500 the first year and \$1,162,500 the second year from the			
49	general fund and \$6,600,000 the first year and \$6,600,000 the second year from nongeneral			
50	funds are designated to build research capacity in the areas of biomedical engineering and			
51	regenerative medicine.			

ITEM 208.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	B. Out of this appropriation, \$7,500,000 the first year and \$8,500,000 the second year from the				
2	general fund is designated for the support of cancer research.				
3	C. The Higher Education Operating fund source listed in this Item is considered to be a sum				
4	sufficient appropriation, which is an estimate of funding required by the university to cover				
5	sponsored program operations.				
6	D. Out of this appropriation, \$250,000 the first year and \$250,000 the second year from the				
7	general fund is designated to support the operations of the Biotechnology Research Park.				
8	E. Out of this appropriation, \$250,000 the second year from the general fund is designated to				
9	support the Parkinson's and Movement Disorders Center.				
10	209. Not set out.				
11	210. Not set out.				
12	211. Not set out.				
13	Total for Virginia Commonwealth University.....			\$1,008,924,839	\$1,017,526,421
14					\$1,040,450,452
15	General Fund Positions.....	1,507.80	1,507.80		
16	Nongeneral Fund Positions.....	3,792.29	3,792.29		
17	Position Level.....	5,300.09	5,300.09		
18	Fund Sources: General.....	\$182,372,124	\$189,122,320		
19	Higher Education Operating.....	\$790,764,800	\$792,616,186		
20			\$815,540,217		
21	Debt Service.....	\$35,787,915	\$35,787,915		
22	212. Not set out.				
23	213. Not set out.				
24	214. Not set out.				
25	215. Not set out.				
26	216. Not set out.				
27	217. Not set out.				
28					
	§ 1-24. VIRGINIA MILITARY INSTITUTE (211)				
29	218. Educational and General Programs (10000).....			\$33,529,761	\$33,949,851
30					\$34,649,851
31	Higher Education Instruction (100101).....	\$13,302,900	\$13,721,852		
32	Higher Education Public Services (100103).....	\$67,237	\$67,237		
33	Higher Education Academic Support (100104).....	\$5,009,489	\$5,009,489		
34	Higher Education Student Services (100105).....	\$2,484,209	\$2,484,209		
35			\$2,584,209		
36	Higher Education Institutional Support (100106).....	\$6,273,322	\$6,274,460		
37	Operation and Maintenance of Plant (100107).....	\$6,392,604	\$6,392,604		
38			\$6,992,604		
39	Fund Sources: General.....	\$8,065,051	\$8,332,004		
40	Higher Education Operating.....	\$25,064,710	\$25,217,847		
41			\$25,917,847		
42	Debt Service.....	\$400,000	\$400,000		
43	Authority: Title 23, Chapter 10, Code of Virginia.				
44	A. This Item includes general and nongeneral fund appropriations to support institutional				

ITEM 218.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	initiatives that help meet statewide goals as described in the Restructured Higher Education				
2	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of				
3	Assembly).				
4	B. As Virginia's public colleges and universities approach full funding of the base adequacy				
5	guidelines and as the General Assembly strives to fully fund the general fund share of the base				
6	adequacy guidelines, these funds are provided with the intent that, in exercising their authority				
7	to set tuition and fees, the Board of Visitors shall take into consideration the impact of				
8	escalating college costs for Virginia students and families. In accordance with the cost-sharing				
9	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases				
10	on tuition and mandatory educational and general fees for in-state, undergraduate students to				
11	the extent possible.				
12	C. 1. Out of this appropriation, \$328,589 each year from the general fund is designated for				
13	base operating support.				
14	2. Out of this appropriation, \$84,330 each year from the general fund is designated to address				
15	the projected growth of in-state students and improve retention.				
16	D.1. Out of this appropriation, \$243,812 each year from the general fund is designated to				
17	achieve the goals of the six-year academic plan submitted by the Virginia Military Institute in				
18	the fall 2011. Virginia Military Institute shall utilize these funds to implement the "Right-Size"				
19	initiative to reduce reliance on adjunct faculty.				
20	2. Virginia Military Institute shall reallocate \$111,080 the first year and \$148,107 the second				
21	year from current educational and general program funds either to support the initiatives				
22	identified in paragraph D.1. and / or to address programs and strategies that serve to advance				
23	the objectives of the Higher Education Opportunity Act of 2011.				
24	3. Virginia Military Institute may reallocate up to an additional 1.5 percent from current				
25	educational and general program funds in the second year to address faculty compensation				
26	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.				
27	E. Resources determined by the State Council of Higher Education for Virginia to be uniquely				
28	military shall be excluded from the base adequacy funding guidelines.				
29	219.	Higher Education Student Financial Assistance (10800) ..		\$2,523,760	\$2,570,928
30		Scholarships (10810).....	\$2,523,760	\$2,570,928	\$2,830,928
31					\$2,830,928
32					
33		Fund Sources: General	\$823,760	\$870,928	
34		Higher Education Operating.....	\$1,700,000	\$1,700,000	
35				\$1,960,000	
36		Authority: Title 23, Chapter 10, § 23-105, Code of Virginia.			
37		Out of the amounts for Scholarships and Loans, the Institute shall provide for State Cadetships			
38		and for discretionary student aid.			
39	220.	Not set out.			
40	221.	Unique Military Activities (11300).....		\$7,188,904	\$7,463,904
41					\$7,563,904
42		Fund Sources: General	\$3,294,904	\$3,569,904	
43		Higher Education Operating.....	\$3,894,000	\$3,894,000	
44				\$3,994,000	
45		Authority: Discretionary Inclusion.			
46		A.1. Personnel associated with performance of activities designated by the State Council of			
47		Higher Education for Virginia to be uniquely military shall be excluded from the calculation of			

ITEM 221.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	employment guidelines.				
2	2. It is the intent of the General Assembly that nonresident cadets receive the same general				
3	fund support in the Unique Military program as resident cadets.				
4	222. Higher Education Auxiliary Enterprises (80900)				
5	a sum sufficient, estimated at.....			\$24,500,000	\$24,500,000
6					\$25,750,000
7	Food Services (80910).....	\$6,632,000	\$6,632,000		
8			\$6,832,000		
9	Bookstores and other Stores (80920).....	\$1,079,894	\$1,079,894		
10			\$1,179,894		
11	Residential Services (80930).....	\$1,981,367	\$1,981,367		
12			\$2,081,367		
13	Student Health Services (80960).....	\$171,448	\$171,448		
14			\$221,448		
15	Student Unions and Recreational Facilities (80970).....	\$1,320,134	\$1,320,134		
16			\$1,820,134		
17	Recreational and Intramural Programs (80980).....	\$536,902	\$536,902		
18	Other Enterprise Functions (80990).....	\$7,390,147	\$7,390,147		
19			\$7,690,147		
20	Intercollegiate Athletics (80995).....	\$5,388,108	\$5,388,108		
21	Fund Sources: Higher Education Operating.....	\$23,359,000	\$23,359,000		
22			\$24,359,000		
23	Debt Service.....	\$1,141,000	\$1,141,000		
24			\$1,391,000		
25	Authority: Title 23, Chapter 10, Code of Virginia.				
26	Total for Virginia Military Institute.....			\$68,637,323	\$69,379,581
27					\$71,689,581
28	General Fund Positions.....	185.71	185.71		
29	Nongeneral Fund Positions.....	278.06	278.06		
30	Position Level.....	463.77	463.77		
31	Fund Sources: General.....	\$12,183,715	\$12,772,836		
32	Higher Education Operating.....	\$54,912,608	\$55,065,745		
33			\$57,125,745		
34	Debt Service.....	\$1,541,000	\$1,541,000		
35			\$1,791,000		
36	§ 1-25. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)				
37	223. Educational and General Programs (10000).....			\$534,926,676	\$541,782,117
38					\$559,532,141
39	Higher Education Instruction (100101).....	\$307,784,226	\$314,639,667		
40			\$325,601,438		
41	Higher Education Research (100102).....	\$20,587,580	\$20,587,580		
42	Higher Education Public Services (100103).....	\$17,161,292	\$17,161,292		
43	Higher Education Academic Support (100104).....	\$65,591,518	\$65,591,518		
44			\$67,940,691		
45	Higher Education Student Services (100105).....	\$16,494,100	\$16,494,100		
46			\$17,085,911		
47	Higher Education Institutional Support (100106).....	\$48,867,185	\$48,867,185		
48			\$50,623,337		
49	Operation and Maintenance of Plant (100107).....	\$58,440,775	\$58,440,775		
50			\$60,531,892		
51	Fund Sources: General.....	\$136,463,558	\$140,532,623		
52	Higher Education Operating.....	\$398,463,118	\$401,249,494		
53			\$418,999,518		

ITEM 223.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Authority: Title 23, Chapter 11, Code of Virginia.			
2	A. This Item includes general and nongeneral fund appropriations to support institutional			
3	initiatives that help meet statewide goals described in the Restructured Higher Education			
4	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of			
5	Assembly).			
6	B. Out of this appropriation shall be expended an amount estimated at \$869,882 the first year			
7	and \$869,882 the second year from the general fund and \$436,357 the first year and \$436,357			
8	the second year from nongeneral funds are designated for the educational telecommunications			
9	project to provide graduate engineering education For supplemental budget requests, the			
10	participating institutions and centers jointly shall submit a report in support of such requests to			
11	the State Council of Higher Education for Virginia for review and recommendation to the			
12	Governor and General Assembly.			
13	C. Out of this appropriation, \$128,903 the first year and \$128,903 the second year from the			
14	general fund and \$250,813 the first year and \$250,813 the second year from nongeneral funds			
15	are designated to support the Educational and General portion of the debt service for the			
16	coal-fired facility, as approved in Item D-6.1, Chapter 459, Acts of Assembly of 1991.			
17	D. Out of this appropriation, \$358,594 the first year and \$358,594 the second year from the			
18	general fund is designated to support the Marion duPont Scott Equine Center of the			
19	Virginia-Maryland Regional College of Veterinary Medicine.			
20	E. Out of this appropriation, \$112,956 and one position the first year and \$112,956 and one			
21	position the second year from the general fund is designated for the Virginia Center for Coal			
22	and Energy Research.			
23	F. Out of this appropriation, \$11,953 the first year and \$11,953 the second year from the			
24	general fund is designated to support continuing education activities at the Reynolds			
25	Homestead.			
26	G. Out of this appropriation, \$67,236 the first year and \$67,236 the second year from the			
27	general fund is designated to support the research activities of the Virginia Water Resources			
28	Center.			
29	H. Out of this appropriation, \$268,557 the first year and \$268,557 the second year from the			
30	general fund is designated to support tobacco research for medicinal purposes and field tests at			
31	sites in Blackstone and Abingdon.			
32	I. As Virginia's public colleges and universities approach full funding of the base adequacy			
33	guidelines and as the General Assembly strives to fully fund the general fund share of the base			
34	adequacy guidelines, these funds are provided with the intent that, in exercising their authority			
35	to set tuition and fees, the Board of Visitors shall take into consideration the impact of			
36	escalating college costs for Virginia students and families. In accordance with the cost-sharing			
37	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases			
38	on tuition and mandatory educational and general fees for in-state, undergraduate students to			
39	the extent possible.			
40	J. The appropriation for the fund source Higher Education Operating in this Item shall be			
41	considered a sum sufficient appropriation, which is an estimate of the amount of revenues to be			
42	collected for the educational and general program under the terms of the management			
43	agreement between Virginia Polytechnic Institute and State University and the Commonwealth,			
44	as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.			
45	K.1. Out of this appropriation, \$1,725,992 each year from the general fund is designated for			
46	base operating support.			
47	2. Out of this appropriation, \$685,667 each year from the general fund is designated to			
48	continue the increase in access for in-state undergraduate students begun in the 2011 Session,			
49	to address the growth in transfer students and support efforts to improve retention and			
50	graduation through enhanced student advising services.			
51	L.1. Out of this appropriation, \$1,175,420 each year from the general fund is designated to			

ITEM 223.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	achieve the goals of the six-year academic plan submitted by Virginia Tech in the fall 2011.			
2	Virginia Tech shall utilize these funds to implement new and expanded summer academic			
3	opportunities, expand and enhance STEM degree production and support the Virginia Vital			
4	Information for Education and Work (VIEW) Program to provide students, parents, counselors,			
5	and teachers with access to resources for career exploration, college and work force readiness,			
6	and STEM career preparation.			
7	2. Virginia Tech shall reallocate \$1,989,523 the first year and \$2,652,698 the second year from			
8	current educational and general program funds either to support the initiatives identified in			
9	paragraph L.1. and / or to address programs and strategies that serve to advance the objectives			
10	of the Higher Education Opportunity Act of 2011.			
11	3. Virginia Tech may reallocate up to an additional 1.5 percent from current educational and			
12	general program funds in the second year to address faculty compensation issues, operation and			
13	maintenance of new facilities or other institutional initiatives or priorities.			
14	4. Out of this appropriation, \$300,000 each year from the general fund is designated to			
15	develop a STEM Industry Internship program in partnership with the Virginia Space Grant			
16	Consortium, Virginia Regional Technology Councils and industry. The program will provide			
17	75 undergraduate students across the Commonwealth an opportunity to centrally apply for real			
18	world work experience and provide Virginia's industries with access to qualified interns.			
19	Virginia Tech will partner with the Virginia Space Grant Consortium and work with Virginia's			
20	Regional Technology Councils who will serve as the program's conduit to industry, advertising			
21	the program and linking with interested industry partners. The funding in paragraph L.3. will			
22	not be considered as a resource for purposes of funding guidelines.			
23	M. The 4-VA, a public-private partnership among George Mason University, James Madison			
24	University, the University of Virginia, Virginia Tech and CISCO Systems, Inc., was established			
25	to utilize emerging technologies to promote collaboration and resource sharing to increase			
26	access, reduce time to graduation and reduce unit cost while maintaining and enhancing			
27	quality. Instructional talent across the four institutions will be leveraged in the delivery of			
28	programs in foreign languages, science, technology, engineering and mathematics. It is expected			
29	that funding will be pooled by the management board as required to support continuing efforts			
30	of the 4-VA priorities and projects.			
31	224.	Not set out.		
32	225.	Not set out.		
33	226.	Not set out.		
34	227.	Not set out.		
35	Total for Virginia Polytechnic Institute and State			
36	University		\$1,093,236,698	\$1,102,779,058
37				\$1,120,529,082
38	General Fund Positions.....		1,911.53	1,911.53
39	Nongeneral Fund Positions.....		4,933.45	4,933.45
40	Position Level		6,844.98	6,844.98
41	Fund Sources: General.....		\$159,705,380	\$166,461,364
42	Higher Education Operating.....		\$923,180,818	\$925,967,194
43				\$943,717,218
44	Debt Service.....		\$10,350,500	\$10,350,500
45	228.	Not set out.		
46	Grand Total for Virginia Polytechnic Institute and State			
47	University		\$1,172,382,867	\$1,183,409,959
48				\$1,201,159,983

ITEM 228.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	General Fund Positions.....	2,633.47	2,638.77		
2	Nongeneral Fund Positions.....	5,317.92	5,321.72		
3	Position Level	7,951.39	7,960.49		
4	Fund Sources: General	\$220,197,175	\$228,366,130		
5	Higher Education Operating.....	\$941,835,192	\$944,693,329		
6			\$962,443,353		
7	Debt Service.....	\$10,350,500	\$10,350,500		
8	§ 1-26. VIRGINIA STATE UNIVERSITY (212)				
9	229. Educational and General Programs (10000).....			\$68,678,440	\$70,518,513
10					\$70,880,513
11	Higher Education Instruction (100101).....	\$40,293,760	\$42,133,833		
12			\$42,395,833		
13	Higher Education Research (100102)	\$2,110,453	\$2,110,453		
14	Higher Education Public Services (100103).....	\$120,448	\$120,448		
15	Higher Education Academic Support (100104).....	\$5,910,648	\$5,910,648		
16	Higher Education Student Services (100105).....	\$4,335,982	\$4,335,982		
17	Higher Education Institutional Support (100106).....	\$8,858,565	\$8,858,565		
18	Operation and Maintenance of Plant (100107).....	\$7,048,584	\$7,048,584		
19			\$7,148,584		
20	Fund Sources: General	\$29,672,881	\$30,167,239		
21	Higher Education Operating.....	\$39,005,559	\$40,351,274		
22			\$40,713,274		
23	Authority: Title 23, Chapter 13, Code of Virginia.				
24	A. This Item includes general and nongeneral fund appropriations to support institutional				
25	initiatives that help meet statewide goals described in the Restructured Higher Education				
26	Financial and Administrative Operations Act of 2005 (Chapters 933 and 945, 2005 Acts of				
27	Assembly).				
28	B.1. Out of this appropriation, \$3,790,639 the first year and \$3,790,639 the second year from				
29	the general fund is designated for continued enhancement of the existing Bachelor of Science				
30	academic programs in Computer Science, Manufacturing Engineering, Computer Engineering,				
31	Mass Communications and Criminal Justice, and the doctoral program in Education.				
32	2. Out of this appropriation, \$37,500 the first year and \$37,500 the second year from the				
33	general fund is provided to serve in lieu of endowment income for the Eminent Scholars				
34	Program.				
35	3. Any unexpended balances in paragraphs B.1. and B.2. in this Item at the close of business				
36	on June 30, 2012 and June 30, 2013, shall not revert to the surplus of the general fund but				
37	shall be carried forward on the books of the State Comptroller and reappropriated in the				
38	succeeding year.				
39	C. This appropriation includes \$200,000 the first year and \$200,000 the second year from the				
40	general fund to increase the number of faculty with terminal degrees to at least 85 percent of				
41	the total teaching faculty.				
42	D. Out of this appropriation, Virginia State University is authorized to use up to \$600,000 the				
43	first year and \$600,000 the second year from the general fund to address extremely critical				
44	deferred maintenance deficiencies in its facilities, including residence halls and dining facilities.				
45	E. As Virginia's public colleges and universities approach full funding of the base adequacy				
46	guidelines and as the General Assembly strives to fully fund the general fund share of the base				
47	adequacy guidelines, these funds are provided with the intent that, in exercising their authority				
48	to set tuition and fees, the Board of Visitors shall take into consideration the impact of				
49	escalating college costs for Virginia students and families. In accordance with the cost-sharing				
50	goals set forth in § 4-2.01 b. of this act, the Board of Visitors is encouraged to limit increases				
51	on tuition and mandatory educational and general fees for in-state, undergraduate students to				
52	the extent possible.				

ITEM 229.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	F. Out of this appropriation, \$1,300,000 the first year and \$1,300,000 the second year from the			
2	general fund is designated to support the Manufacturing Engineering and Logistics Technology			
3	program.			
4	G.1. Out of this appropriation, \$328,814 each year from the general fund is designated for base			
5	operating support.			
6	2. Out of this appropriation, \$962,789 each year from the general fund is designated to address			
7	the projected growth in transfer students and efforts to improve retention and graduation			
8	through enhanced advising, summer bridge programs and the VSU Cohort Program.			
9	H.1. Out of this appropriation, \$440,187 each year from the general fund is designated to			
10	achieve the goals of the six-year academic plan submitted by Virginia State University in the			
11	fall 2011. Virginia State University shall utilize these funds to restructure the summer session			
12	and create a hybrid trimester system in order to decrease time to degree, to support faculty			
13	research initiative grants to multi-disciplinary teams and to develop a center of logistics			
14	research at Fort Lee in cooperation with the University of Virginia and Longwood University.			
15	2. Virginia State University shall reallocate \$305,385 the first year and \$407,180 the second			
16	year from current educational and general program funds either to support the initiatives			
17	identified in paragraph H.1. and / or to address programs and strategies that serve to advance			
18	the objectives of the Higher Education Opportunity Act of 2011.			
19	3. Virginia State University may reallocate up to an additional 1.5 percent from current			
20	educational and general program funds in the second year to address faculty compensation			
21	issues, operation and maintenance of new facilities or other institutional initiatives or priorities.			
22	230.	Not set out.		
23	231.	Financial Assistance for Educational and General		
24		Services (11000)		
25			a sum sufficient, estimated at.....	\$28,964,447 \$30,464,447
26				\$31,575,447
27		\$28,964,447	\$30,464,447	
28			\$31,575,447	
29		\$28,964,447	\$30,464,447	
30			\$31,575,447	
31		Authority: Title 23, Chapter 13, Code of Virginia.		
32	232.	Not set out.		
33				\$149,004,036 \$157,465,817
34				\$158,938,817
35		326.77	329.97	
36		458.29	460.09	
37		785.06	790.06	
38		\$35,574,323	\$36,430,473	
39		\$106,097,168	\$110,702,799	
40			\$112,175,799	
41		\$7,332,545	\$10,332,545	
42	233.	Not set out.		
43				\$159,691,290 \$169,140,725
44				\$170,613,725
45		357.52	361.72	
46		525.29	527.09	
47		882.81	888.81	

ITEM 233.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General	\$40,711,013	\$41,744,373		
2	Higher Education Operating.....	\$111,647,732	\$117,063,807		
3			\$118,536,807		
4	Debt Service.....	\$7,332,545	\$10,332,545		
5	234. Not set out.				
6		§ 1-27. GUNSTON HALL (417)			
7	235. Museum and Cultural Services (14500)			\$759,758	\$759,787
8					\$763,447
9	Collections Management and Curatorial Services				
10	(14501)	\$68,729	\$68,729		
11	Education and Extension Services (14503)	\$157,427	\$157,427		
12	Operational and Support Services (14507)	\$533,602	\$533,634		
13			\$537,291		
14	Fund Sources: General	\$494,363	\$494,392		
15			\$498,052		
16	Special	\$265,395	\$265,395		
17	Authority: Title 23, Chapter 24, Code of Virginia.				
18	Total for Gunston Hall			\$759,758	\$759,787
19					\$763,447
20	General Fund Positions.....	8.00	8.00		
21	Nongeneral Fund Positions.....	3.00	3.00		
22	Position Level	11.00	11.00		
23	Fund Sources: General	\$494,363	\$494,392		
24			\$498,052		
25	Special	\$265,395	\$265,395		
26	236. Not set out.				
27	237. Not set out.				
28	238. Not set out.				
29	239. Not set out.				
30	240. Not set out.				
31		§ 1-28. THE SCIENCE MUSEUM OF VIRGINIA (146)			
32	241. Museum and Cultural Services (14500)			\$10,855,745	\$11,356,669
33					\$11,362,225
34	Collections Management and Curatorial Services				
35	(14501)	\$1,692,232	\$1,692,232		
36	Education and Extension Services (14503)	\$4,782,328	\$4,932,328		
37	Operational and Support Services (14507)	\$4,381,185	\$4,732,109		
38			\$4,737,665		
39	Fund Sources: General	\$4,555,367	\$5,056,294		
40			\$5,061,847		
41	Special	\$5,000,378	\$5,000,378		
42	Trust and Agency	\$300,000	\$300,000		
43	Federal Trust.....	\$1,000,000	\$1,000,000		
44	Authority: Title 23, Chapter 18, Code of Virginia.				
45	A. This appropriation from the general fund shall be in addition to any appropriation from				
46	nongeneral funds, notwithstanding any contrary provisions in this act.				

ITEM 241.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	B. Out of this appropriation, \$50,000 and two positions the first year and \$50,000 and two			
2	positions the second year from the general fund shall be provided to support the Danville			
3	Science Center in Danville, Virginia.			
4	C. Out of the appropriation for this Item, \$351,314 the second year from the general fund is			
5	included for the purchase of an IMAX digital projection system through the state's master			
6	equipment lease program.			
7	D. Out of this appropriation, \$150,000 in the second year is provided to pilot a STEM			
8	partnership between the Science Museum of Virginia, the Virginia Air and Space Center, and			
9	the Virginia Living Museum for programs that promote achievement for K-12 students in			
10	Hampton Roads and across the state, leveraging technology in the vital STEM component of			
11	the workforce pipeline.			
12	Total for The Science Museum of Virginia		\$10,855,745	\$11,356,669
13				\$11,362,225
14	General Fund Positions.....	57.19	57.19	
15	Nongeneral Fund Positions.....	34.81	34.81	
16	Position Level	92.00	92.00	
17	Fund Sources: General.....	\$4,555,367	\$5,056,291	
18			\$5,061,847	
19	Special.....	\$5,000,378	\$5,000,378	
20	Trust and Agency	\$300,000	\$300,000	
21	Federal Trust.....	\$1,000,000	\$1,000,000	
22	242.	Not set out.		
23	243.	Not set out.		
24	244.	Not set out.		
25	245.	Not set out.		
26	246.	Not set out.		
27	247.	Not set out.		
28	248.	Not set out.		
29	249.	Not set out.		
30	§ 1-29. SOUTHERN VIRGINIA HIGHER EDUCATION CENTER (937)			
31	250.	Administrative and Support Services (19900).....		\$4,216,144
32				\$4,341,161
33		Operation of Higher Education Centers (19931).....	\$4,216,144	\$4,344,068
34				\$4,344,068
35		Fund Sources: General.....	\$2,158,993	\$2,284,010
36				\$2,286,917
37		Special.....	\$2,057,151	\$2,057,151
38	Authority: Title 23, Chapter 16.5, Code of Virginia.			
39	A. It is the intent of the General Assembly that the Southern Virginia Higher Education Center,			
40	the Institute for Advanced Learning and Research, and the New College Institute coordinate			
41	their activities, both instructional and research, to the maximum extent possible to best meet			
42	the needs of the citizens of the region, to ensure effective utilization of resources, and to avoid			
43	unnecessary duplication. The three entities shall report annually by October 1 to the Secretary			
44	of Education and the State Council of Higher Education for Virginia on their joint efforts in			
45	this regard.			

ITEM 250.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	B. Out of this appropriation, \$29,050 the first year and \$29,050 the second year from the				
2	general fund is designated for the educational telecommunications project to provide graduate				
3	engineering education. For supplemental budget requests, the participating institutions and				
4	centers jointly shall submit a report in support of such requests to the State Council of Higher				
5	Education for Virginia for review and recommendation to the Governor and the General				
6	Assembly.				
7	C. Out of this appropriation, \$266,000 and three positions the first year and \$266,000 and three				
8	positions the second year from the general fund is designated for additional operational support				
9	of the Southern Virginia Higher Education Center and its efforts to provide specialized				
10	workforce training to the citizens of Southside Virginia.				
11	D. The requirements of § 4-5.05 shall not apply to this appropriation.				
12	Total for Southern Virginia Higher Education Center.....			\$4,216,144	\$4,341,161
13					\$4,344,068
14	General Fund Positions.....	19.80	19.80		
15	Nongeneral Fund Positions.....	24.00	24.00		
16	Position Level	43.80	43.80		
17	Fund Sources: General.....	\$2,158,993	\$2,284,010		
18			\$2,286,917		
19	Special.....	\$2,057,151	\$2,057,151		
20	251. Not set out.				
21	252. Not set out.				
22	253. Not set out.				
23	254. Not set out.				
24	TOTAL FOR OFFICE OF EDUCATION.....			\$16,108,740,831	\$16,409,968,385
25					\$16,529,662,409
26	General Fund Positions.....	18,309.05	18,327.47		
27			18,366.46		
28	Nongeneral Fund Positions.....	38,388.99	38,583.92		
29			38,784.07		
30	Position Level	56,698.04	56,911.39		
31			57,150.53		
32	Fund Sources: General.....	\$6,942,335,280	\$7,176,933,611		
33			\$7,102,326,920		
34	Special.....	\$41,694,247	\$41,811,747		
35	Higher Education Operating.....	\$7,249,218,532	\$7,337,077,438		
36			\$7,478,428,153		
37	Commonwealth Transportation	\$2,416,919	\$2,416,919		
38	Enterprise	\$5,226,870	\$5,221,870		
39	Internal Service.....	\$290,000	\$290,000		
40	Trust and Agency	\$640,526,091	\$598,970,376		
41			\$651,670,376		
42	Debt Service.....	\$292,675,217	\$312,888,749		
43			\$313,138,749		
44	Dedicated Special Revenue	\$10,019,457	\$10,019,457		
45	Federal Trust.....	\$924,338,218	\$924,338,218		

ITEM 255.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

OFFICE OF FINANCE

2 255. Not set out.

§ 1-30. DEPARTMENT OF ACCOUNTS (151)

4 256. Not set out.

5 257. Not set out.

6 258. Not set out.

7 259. Not set out.

8 260. Not set out.

9 261. Not set out.

10 262. Not set out.

11 263. Not set out.

12 264. Not set out.

Department of Accounts Transfer Payments (162)

14 265.	Financial Assistance to Localities - General (72800)			
15	a sum sufficient, estimated at			\$603,960,000
16				\$546,299,150
17	Distribution of Rolling Stock Taxes (72806)	\$6,900,000	\$6,900,000	\$546,499,150
18	Distribution of Recordation Taxes (72808)	\$40,000,000	\$40,000,000	
19	Financial Assistance to Localities - Rental Vehicle Tax			
20	(72810)	\$36,000,000	\$36,000,000	
21	Distribution of Sales Tax Revenues From Certain			
22	Public Facilities (72811)	\$1,040,000	\$1,040,000	
23	Distribution of Tennessee Valley Authority Payments			
24	in Lieu of Taxes (72812)	\$1,420,000	\$1,200,000	
25			\$1,400,000	
26	Distribution of Sales Tax on Fuel in Certain			
27	Transportation Districts (72815)	\$78,600,000	\$0	
28	Distribution of the Virginia Communications Sales and			
29	Use Tax (72816)	\$440,000,000	\$440,000,000	
30	Distribution of Payments to Localities for Enhanced			
31	Emergency Communications Services (72817)	\$0	\$21,159,150	
32	Fund Sources: General	\$49,360,000	\$49,140,000	
33			\$49,340,000	
34	Trust and Agency	\$36,000,000	\$36,000,000	
35	Dedicated Special Revenue	\$518,600,000	\$461,159,150	

36 Authority: §§ 4.1-116, 4.1-117, 4.1-235, 15.2-5814, 15.2-5914, 58.1-608.3, 58.1-662,
 37 58.1-815.1, 58.1-816, 58.1-1720, 58.1-1736, 58.1-1741, 58.1-2658.1, and 58.1-3406, Code of
 38 Virginia.

39 A. Out of this appropriation, amounts estimated at \$20,000,000 the first year and \$20,000,000
 40 the second year from the general fund shall be deposited into the Northern Virginia
 41 Transportation District Fund, as provided in § 58.1-815.1, Code of Virginia. Said amount shall
 42 consist of recordation taxes attributable to and transferable to the cities of Alexandria, Fairfax,
 43 Falls Church, Manassas, and Manassas Park and the counties of Arlington, Fairfax, Loudoun,
 44 and Prince William, pursuant to § 58.1-816, Code of Virginia. This amount shall be transferred
 45 to Item 450 of this act and shall be used to support the Northern Virginia Transportation
 46 District Program as defined in § 33.1-221.1:3, Code of Virginia. The Commonwealth
 47 Transportation Board shall make such allocations and expenditures from the fund as are

ITEM 265.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	provided in the Northern Virginia Transportation District, Commonwealth of Virginia Revenue				
2	Bond Act of 1993 (Chapter 391, 1993 Acts of Assembly). The Commonwealth Transportation				
3	Board also shall make such allocations and expenditures from the fund as are provided in				
4	Chapters 470 and 597 of the 1994 Acts of Assembly (amendments to Chapter 391, 1993 Acts				
5	of Assembly).				
6	B. Pursuant to Chapters 233 and 662, 1994 Acts of Assembly, out of this appropriation, an				
7	amount estimated at \$1,000,000 the first year and \$1,000,000 the second year from the general				
8	fund shall be deposited into the set-aside fund as requested in an ordinance adopted March 28,				
9	1995, and in compliance with the requirements provided for in § 58.1-816.1, Code of Virginia,				
10	for an account for the City of Chesapeake. These amounts shall be transferred to Item 450 of				
11	this act and shall be allocated by the Commonwealth Transportation Board to provide for the				
12	debt service pursuant to the Oak Grove Connector, City of Chesapeake, Commonwealth of				
13	Virginia Transportation Program Revenue Bond Act of 1994 (Chapters 233 and 662, 1994 Acts				
14	of Assembly).				
15	C. Out of this appropriation, the Virginia Baseball Stadium Authority shall be paid a sum				
16	sufficient equal to the state personal, corporate, and pass-through entity income and sales and				
17	use tax revenues to which the authority is entitled.				
18	D. Out of this appropriation, amounts estimated at \$78,600,000 the first year from the				
19	additional sales tax on fuel in certain transportation districts revenues collected pursuant to				
20	§ 58.1-1720 et seq., Code of Virginia, are designated for payment to the Northern Virginia				
21	Transportation Commission and the Potomac Rappahannock Transportation Commission. Such				
22	funds shall be returned to the respective commissions in amounts equivalent to the shares				
23	collected in the respective member jurisdictions.				
24	E 1. In order to carry out the provisions of § 58.1-645 et seq., Code of Virginia, there is				
25	hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at				
26	\$440,000,000 in the first year and \$440,000,000 in the second year equal to the revenues				
27	collected pursuant to § 58.1-645 et seq., Code of Virginia, from the Virginia Communications				
28	Sales and Use Tax. All revenue received by the Commonwealth pursuant to the provisions of				
29	§ 58.1-645 et seq., Code of Virginia, shall be paid into the state treasury and deposited to the				
30	Virginia Communications Sales and Use Tax Fund and shall be distributed pursuant to				
31	§ 58.1-662, Code of Virginia and Item 288 of this act. For the purposes of the State				
32	Comptroller's preliminary and final annual reports required by § 2.2-813, Code of Virginia,				
33	however, all deposits to and disbursements from the fund shall be accounted for as part of the				
34	general fund of the state treasury.				
35	2. It is the intent of the General Assembly that all such revenues be distributed to counties,				
36	cities, and towns, the Department for the Deaf and Hard-of-Hearing, and to the Department of				
37	Taxation for the costs of administering the Virginia Communications Sales and Use Tax Fund.				
38	F. In order to carry out the provisions of § 58.1-1734 et seq., Code of Virginia, there is hereby				
39	appropriated a sum sufficient amount of nongeneral fund revenues estimated at \$36,000,000 in				
40	the first year and \$36,000,000 in the second year equal to the revenues collected pursuant to A.				
41	2 of § 58.1-1736 Code of Virginia, from the Virginia Motor Vehicle Rental Tax.				
42	266.	Revenue Stabilization Fund (73500).....		\$132,688,650	\$339,645,117
43		Payments to the Revenue Stabilization Fund (73501).....	\$132,688,650	\$339,645,117	
44		Fund Sources: General.....	\$132,688,650	\$339,645,117	
45	Authority: Title 2.2, Chapter 18, Article 4, Code of Virginia.				
46	A. On or before November 1 of each year, the Auditor of Public Accounts shall report to the				
47	General Assembly the certified tax revenues collected in the most recently ended fiscal year.				
48	The auditor shall, at the same time, provide his report on the 10 percent limitation and the				
49	amount that could be paid into the fund in order to satisfy the mandatory deposit requirement				
50	of Article X, Section 8 of the Constitution of Virginia as well as the additional deposit				
51	requirement of § 2.2-1829, Code of Virginia.				
52	B. Out of this appropriation, \$132,688,650 the first year from the general fund attributable to				
53	actual tax collections for FY 2011 shall be paid by the State Comptroller on or before June 30,				

ITEM 266.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2013, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia. This			
2	amount is based on the certification of the Auditor of Public Accounts of actual tax revenues			
3	for FY 2011. This appropriation meets the mandatory deposit requirement of Article X, Section			
4	8 of the Constitution of Virginia.			
5	C. Out of this appropriation, \$244,645,117 the second year from the general fund attributable			
6	to estimated tax collections for FY 2012 shall be paid by the State Comptroller on or before			
7	June 30, 2014, into the Revenue Stabilization Fund pursuant to § 2.2-1829, Code of Virginia.			
8	This amount is contingent on the certification of the Auditor of Public Accounts of actual tax			
9	revenues for FY 2012. This appropriation meets the mandatory deposit requirement of Article			
10	X, Section 8 of the Constitution of Virginia.			
11	D.1. Out of this appropriation, \$95,000,000 the second year from the general fund is included			
12	in this item in excess of the minimum deposit for fiscal year 2014 as certified by the Auditor			
13	of Public Accounts on November 1, 2012. This amount is an advance reservation of any			
14	required deposit to the Revenue Stabilization Fund attributable to actual tax collections for FY			
15	2013 or FY 2014, as determined by the Auditor of Public Accounts, for deposit to the Revenue			
16	Stabilization Fund in the 2014-2016 biennium.			
17	2. The State Comptroller shall deposit <i>reflect the unexpended balance of</i> the advance			
18	reservation of \$95,000,000 referenced in paragraph D.1., above, <i>as a commitment against</i>			
19	<i>general fund assets on the balance sheet for to a reserve account for the Revenue Stabilization</i>			
20	<i>Fund prior to June 30, 2014.</i>			
21	267.	Not set out.		
22	268.	Not set out.		
23	269.	Not set out.		
24	269.10.	Not set out.		
25	270.	Not set out.		
26	Total for Department of Accounts Transfer Payments		\$1,730,314,179	\$1,879,609,796
27				\$1,879,809,796
28	Nongeneral Fund Positions.....		1.00	1.00
29	Position Level		1.00	1.00
30	Fund Sources: General		\$1,132,048,650	\$1,338,785,117
31				\$1,338,985,117
32	Trust and Agency		\$78,339,185	\$78,339,185
33	Dedicated Special Revenue		\$519,926,344	\$462,485,494
34	Grand Total for Department of Accounts.....		\$1,741,155,228	\$1,891,279,450
35				\$1,891,479,450
36	General Fund Positions.....		100.00	104.00
37	Nongeneral Fund Positions.....		39.00	55.00
38	Position Level		139.00	159.00
39	Fund Sources: General		\$1,142,067,743	\$1,349,632,815
40				\$1,349,832,815
41	Special.....		\$821,956	\$821,956
42	Trust and Agency		\$78,339,185	\$78,339,185
43	Dedicated Special Revenue		\$519,926,344	\$462,485,494
44	§ 1-31. DEPARTMENT OF PLANNING AND BUDGET (122)			
45	271.	Planning, Budgeting, and Evaluation Services (71500)....		\$7,099,898
46				\$7,314,064
47	Budget Development and Budget Execution Services			\$7,322,094
48	(71502)	\$4,571,488	\$4,613,507	

ITEM 271.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1				\$4,621,537
2	Legislation and Executive Order Review Service			
3	(71504)	\$40,402	\$40,402	
4	Forecasting and Regulatory Review Services (71505).....	\$596,999	\$596,999	
5	Program Evaluation Services (71506).....	\$1,540,923	\$1,720,923	
6	Administrative Services (71598)	\$350,086	\$342,233	
7	Fund Sources: General.....	\$6,849,898	\$7,014,064	
8			\$7,022,094	
9	Special.....	\$250,000	\$300,000	
10	Authority: Title 2.2, Chapter 15 and Chapter 26, Article 8, Code of Virginia.			
11	A. The Department of Planning and Budget shall be responsible for continued development and			
12	coordination of an integrated, systematic policy analysis, planning, budgeting, performance			
13	measurement and evaluation process within state government. The department shall collaborate			
14	with the Governor's Secretaries and all other agencies of state government and other entities as			
15	necessary to ensure that information generated from these processes is useful for managing and			
16	improving the efficiency and effectiveness of state government operations.			
17	B. The Department of Planning and Budget shall be responsible for the continued development			
18	and coordination of a review process for strategic plans and performance measures of the state			
19	agencies. The review process shall assess on a periodic basis the structure and content of the			
20	plans and performance measures, the processes used to develop and implement the plans and			
21	measures, the degree to which agencies achieve intended goals and results, and the relation			
22	between intended and actual results and budget requirements.			
23	C.1. Notwithstanding § 2.2-1508, Code of Virginia, or any other provisions of law, on or			
24	before December 20, the Department of Planning and Budget shall deliver to the presiding			
25	officer of each house of the General Assembly a copy of the budget document containing the			
26	explanation of the Governor's budget recommendations. This copy may be in electronic format.			
27	2. The Department of Planning and Budget shall include in the budget document the amount of			
28	projected spending and projected net tax-supported state debt for each year of the biennium on			
29	a per capita basis. For this purpose, "spending" is defined as total appropriations from all funds			
30	for the cited fiscal years as shown in the Budget Bill. The most current population estimates			
31	from the Weldon Cooper Center for Public Services shall be used to make the calculations.			
32	E.1. Out of this appropriation, \$200,000 the first year and \$325,000 the second year from the			
33	general fund is provided to support the continuation of the school efficiency reviews program.			
34	Any school division undergoing an efficiency review shall provide a report to the Department			
35	of Planning and Budget indicating what action has been taken on each recommendation			
36	identified in the efficiency review along with any budget savings realized for each			
37	recommendation. The report shall also include a schedule for implementation of the remaining			
38	recommendations not implemented to date. The Department of Planning and Budget shall			
39	forward copies of the reports to the Chairmen of the House Appropriations, House Finance, and			
40	Senate Finance Committees within 30 days of receiving such reports. The first report shall be			
41	made within six months following the receipt of the final efficiency review, and subsequent			
42	follow-up reports shall be submitted annually by June 30 until 100 percent of the			
43	recommendations have been implemented or rationale reported that explain and address the			
44	division's lack of such implementation. The Department of Planning and Budget shall provide			
45	the format for such report that shall include budget savings realized for each recommendation			
46	implemented.			
47	2.a. Notwithstanding any contrary provision of law, each participating school division shall pay			
48	a local share of the cost incurred by the state for that school division's efficiency review to be			
49	conducted. The local share of cost for the review shall be computed using the composite index			
50	of local ability-to-pay for each participating school division, however, such share shall not be			
51	less than 50 percent of the total cost. However, consistent with language and intent contained			
52	in Item 134, any school division that elects to participate in a school efficiency review as a			
53	component unit of a division level academic review shall be exempt from the local share of the			

ITEM 271.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	costs of the review but will not be exempt from paying a recovery cost of 25 percent if the			
2	school division does not initiate at least 50 percent of the review's recommendations within 24			
3	months of receiving their final school efficiency review report.			
4	b. Effective for all reviews after July 1, 2013, the local share payment shall be made prior to			
5	the initiation of the review and shall be based upon the contracted price for the review. All			
6	subsequent payments to recover the local share of the balance of the cost of the review shall be			
7	made in the fiscal year immediately following the completion of the final school efficiency			
8	review report. The cost shall include the direct cost incurred by the state for that fiscal year to			
9	coordinate the school efficiency review and 100 percent of the costs awarded to the			
10	contractor(s) to conduct that school division's review.			
11	3. Additionally, commencing in FY 2007, a recovery of a separate and additional 25 percent			
12	payment not to exceed 100 percent of the cost of individual reviews shall be made in the fiscal			
13	year beginning not less than 12 months and not more than 24 months following the release of			
14	a final efficiency review report for an individual school division. Such recovery shall occur if			
15	the affected school division superintendent or superintendent's designee has not certified that at			
16	least half the recommendations have been initiated or at least half of the equivalent savings of			
17	such efficiency review have been realized. Lacking such certification the school division shall			
18	reimburse the state for an additional 25 percent of the cost, not to exceed 100 percent of the			
19	cost, of the school efficiency review. Such reimbursement shall be paid into the general fund of			
20	the state treasury. The Department of Planning and Budget shall provide the format for such			
21	certification.			
22	4.a. Notwithstanding any contrary provision of law, commencing in FY 2014, any school			
23	division may also request the Department of Planning and Budget to coordinate a school			
24	efficiency review for the division, including but not limited to the selection of the contractor to			
25	conduct that school division's review, by entering into an agreement with the Department of			
26	Planning and Budget to participate in a locally-funded school efficiency review. Each			
27	participating school division shall pay 100 percent of the cost of the review. Any division that			
28	elects to participate in a locally-funded school efficiency review shall not be subject to the			
29	availability of state general fund appropriation provided in paragraph E.1 above; however, the			
30	number of divisions that could make use of this provision is limited to the amount of			
31	nongeneral fund appropriation provided for this purpose in this paragraph. A nongeneral fund			
32	appropriation of \$300,000 the second year is provided for use by the Department of Planning			
33	and Budget to facilitate the collection of payments from school divisions for the purposes of			
34	this item.			
35	b. Payment shall be made in full from the participating school division to the Department of			
36	Planning and Budget following successful award of the contract to conduct the review. Under			
37	no circumstances shall state general fund appropriation be used to pay the costs of contracts			
38	awarded for a locally-funded school efficiency review under the provisions of paragraph E.4.a			
39	above.			
40	5. The Department shall conduct a follow-up review of the implementation status of the			
41	recommendations from the 2007 Petersburg Schools efficiency review and submit a report to			
42	the Chairmen of the Senate Finance and House Appropriations Committees by December 1,			
43	2013. If contractual support is needed for such a follow-up review, the Department may use a			
44	portion of the funds in this section of this Item.			
45	Total for Department of Planning and Budget.....		\$7,099,898	\$7,314,064
46				\$7,322,094
47	General Fund Positions.....	67.00	63.00	
48	Nongeneral Fund Positions.....	2.00	2.00	
49	Position Level	69.00	65.00	
50	Fund Sources: General.....	\$6,849,898	\$7,014,064	
51			\$7,022,094	
52	Special.....	\$250,000	\$300,000	

ITEM 272.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	§ 1-32. DEPARTMENT OF TAXATION (161)			
2	272.	Not set out.		
3	273.	Revenue Administration Services (73200).....		\$60,198,015
4				\$59,311,398
5		Tax Return Processing (73214).....	\$9,854,471	\$9,582,590
6		Customer Services (73217).....	\$10,703,047	\$10,500,892
7		Compliance Audit (73218).....	\$19,320,439	\$18,907,858
8				\$19,140,474
9		Compliance Collections (73219).....	\$20,320,058	\$20,320,058
10		Fund Sources: General.....	\$47,775,700	\$47,114,083
11				\$47,346,699
12		Special.....	\$11,496,559	\$11,526,559
13		Commonwealth Transportation.....	\$250,000	\$250,000
14		Dedicated Special Revenue.....	\$675,756	\$420,756
15		Authority: Title 3.2; Title 58.1, Code of Virginia.		
16		A. Pursuant to § 58.1-1803, Code of Virginia, the Tax Commissioner is hereby authorized to		
17		contract with private collection agencies for the collection of delinquent accounts. The State		
18		Comptroller is hereby authorized to deposit collections from such agencies into the Contract		
19		Collector Fund (§ 58.1-1803, Code of Virginia). Revenue in the Contract Collector Fund may		
20		be used to pay private collection agencies/attorneys and perform oversight of their operations,		
21		upgrade audit and collection systems and data interfaces, and retain experts to perform analysis		
22		of receivables and collection techniques. Any balance in the fund remaining after such		
23		payment shall be deposited into the appropriate general, nongeneral, or local fund no later than		
24		June 30 of each year.		
25		B. There is hereby appropriated, for the first year of the biennium, revenues from the sales tax		
26		on fuel in certain transportation districts to cover only the direct cost of administration incurred		
27		by the department in collecting these taxes as provided by § 58.1-1724, Code of Virginia.		
28		C.1. The Department of Taxation is authorized to retain, as special revenue, its reasonable		
29		share of any court fines and fees to reimburse the department for any ongoing operational		
30		collection expenses.		
31		2. Any form of state debt assigned to the Department of Taxation for collection may be		
32		collected by the department in the same manner and means as state taxes may be collected		
33		pursuant to Title 58.1, Chapter 18, Code of Virginia.		
34		D. The Department of Taxation is authorized to make tax incentive payments to small tobacco		
35		product manufacturers who do not participate in the 1998 Tobacco Master Settlement		
36		Agreement, pursuant to Chapter 901 of the 2005 Acts of Assembly.		
37		E. The Department of Taxation is hereby appropriated revenues from the Communications		
38		Sales and Use Tax Trust Fund to recover the direct cost of administration incurred by the		
39		department in implementing and collecting this tax as provided by § 58.1-662, Code of		
40		Virginia.		
41		F. The Tax Commissioner shall have the authority to waive penalties and grant extensions of		
42		time to file a return or pay a tax, or both, to any class of taxpayers when the Tax		
43		Commissioner in his discretion finds that the normal due date has, or would, cause undue		
44		hardship to taxpayers who were, or would be, unable to use electronic means to file a return or		
45		pay a tax because of a power or systems failure that causes the department's electronic filing or		
46		payment systems to be nonfunctional for all or a portion of a day on or about the due date for		
47		a return or payment.		
48		G. The Department of Taxation is hereby appropriated Land Conservation Incentive Act fees		
49		imposed under § 58.1-513 C. 2., Code of Virginia, on the transferring of the value of the		
50		donated interest. The Code of Virginia specifies such fees will be used by the Departments of		
51		Taxation and Conservation and Recreation to recover the direct cost of administration incurred		
52		in implementing the Virginia Land Conservation Act.		

ITEM 273.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	H. In the event that the United States Congress adopts legislation allowing local governments,			
2	with the assistance of the Commonwealth, to collect delinquent local taxes using offsets from			
3	federal income taxes, the Department of Accounts shall provide a treasury loan to the			
4	Department of Taxation to finance the costs of modifying the agency's computer systems to			
5	implement this federal debt setoff program. This treasury loan shall be repaid from the			
6	proceeds collected from the offsets of federal income taxes collected on behalf of localities by			
7	the Department of Taxation.			
8	I. Funds collected pursuant to § 58.1-1720 et seq., Code of Virginia, from the additional sales			
9	tax on fuel in certain transportation districts under § 58.1-1720 et seq., Code of Virginia, shall			
10	be returned to the respective commissions in amounts equivalent to the shares collected in the			
11	respective member jurisdictions.			
12	J. 1. All revenue received by the Commonwealth pursuant to the provisions of § 58.1-645 et			
13	seq., Code of Virginia, shall be paid into the state treasury and deposited to the Virginia			
14	Communications Sales and Use Tax Fund and shall be distributed pursuant to § 58.1-662, Code			
15	of Virginia, and items 265 and 288 of this act. For the purposes of the Comptroller's			
16	preliminary and final annual reports required by § 2.2-813, Code of Virginia, however, all			
17	deposits to and disbursements from the Fund shall be accounted for as part of the general fund			
18	of the state treasury.			
19	2. It is the intent of the General Assembly that all such revenues be distributed to counties,			
20	cities, and towns, the Department for the Deaf and Hard-of-Hearing, and for the costs of			
21	administering the Virginia Communications Sales and Use Tax.			
22	K. Notwithstanding the provisions of § 58.1-478, Code of Virginia, effective July 1, 2011,			
23	every employer whose average monthly liability can reasonably be expected to be \$1,000 or			
24	more and the aggregate amount required to be withheld by any employer exceeds \$500 shall			
25	file the annual report required by § 58.1-478, Code of Virginia, and all forms required by			
26	§ 58.1-472, Code of Virginia, using an electronic medium using a format prescribed by the Tax			
27	Commissioner. Waivers shall be granted only if the Tax Commissioner finds that this			
28	requirement creates an unreasonable burden on the employer. All requests for waiver shall be			
29	submitted to the Tax Commissioner in writing.			
30	L. Notwithstanding the provisions of § 58.1-214, Code of Virginia, the department shall not be			
31	required to mail its forms and instructions unless requested by a taxpayer or his representative.			
32	M. Notwithstanding the provisions of § 58.1-609.12, Code of Virginia, no report on the fiscal,			
33	economic and policy impact of the miscellaneous Retail Sales and Use Tax exemptions under			
34	§ 58.1-609.10, Code of Virginia shall be required after the completion of the final report in the			
35	first five-year cycle of the study, due December 1, 2011. The Department of Taxation shall			
36	satisfy the requirement of § 58.1-609.12 that it study and report on the annual fiscal impact of			
37	the Retail Sales and Use Tax exemptions for nonprofit entities provided for in § 58.1-609.11,			
38	Code of Virginia, by publishing such fiscal impact on its website.			
39	N. 1. Notwithstanding any provision of the Code of Virginia or this act to the contrary,			
40	a. Effective January 1, 2013, all corporations are required to file estimated tax payments and			
41	their annual income tax return and final payment using an electronic medium in a format			
42	prescribed by the Tax Commissioner.			
43	b. Effective July 1, 2013, every employer shall file the annual report required by § 58.1-478			
44	and all forms required by § 58.1-472, Code of Virginia, using an electronic medium in a format			
45	prescribed by the Tax Commissioner.			
46	2. The Tax Commissioner shall have the authority to waive the requirement to file or pay by			
47	electronic means. Waivers shall be granted only if the Tax Commissioner finds that this			
48	requirement creates an unreasonable burden on the person required to use an electronic			
49	medium. All requests for waiver shall be submitted to the Tax Commissioner in writing.			
50	O.1. Notwithstanding any other provision of law, Retail Sales and Use Tax returns and			
51	payments shall be made using an electronic medium prescribed by the Tax Commissioner			
52	beginning with the June 2012 return, due July 2012, for monthly filers and, for less frequent			
53	filers, with the first return they are required to file after July 1, 2013.			

ITEM 273.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2. The Tax Commissioner shall have the authority to waive the requirement to file by				
2	electronic means upon a determination that the requirement would cause an undue hardship.				
3	All requests for waiver shall be transmitted to the Tax Commissioner in writing.				
4	P. The Department of Taxation is hereby appropriated revenues from the Virginia Motor				
5	Vehicle Rental Tax to recover the direct cost of administration incurred by the department in				
6	implementing and collecting this tax as provided by § 58.1-1741, Code of Virginia.				
7	Q. The Virginia Department of Taxation shall develop a return for a pass-through entity				
8	required by § 58.1-392, Code of Virginia, to file using an electronic medium in a format				
9	prescribed by the Tax Commissioner before, but no later than, January 1, 2015.				
10	274. Not set out.				
11	275. Not set out.				
12	Total for Department of Taxation.....			\$96,335,384	\$98,654,565
13					\$98,887,181
14	General Fund Positions.....	890.00	888.00		
15	Nongeneral Fund Positions.....	37.00	42.00		
16	Position Level	927.00	930.00		
17	Fund Sources: General.....	\$82,800,439	\$85,344,620		
18			\$85,577,236		
19	Special.....	\$12,609,189	\$12,639,189		
20	Commonwealth Transportation	\$250,000	\$250,000		
21	Dedicated Special Revenue.....	\$675,756	\$420,756		
22	276. Not set out.				
23	277. Not set out.				
24	278. Not set out.				
25		§ 1-33. TREASURY BOARD (155)			
26	279. Not set out.				
27	280. Bond and Loan Retirement and Redemption (74300)			\$654,696,794	\$663,082,662
28					\$659,515,397
29	Debt Service Payments on General Obligation Bonds				
30	(74301)	\$105,983,892	\$98,827,066		
31			\$98,866,267		
32	Capital Lease Payments (74302).....	\$12,762,630	\$14,089,879		
33	Debt Service Payments on Public Building Authority				
34	Bonds (74303).....	\$295,531,851	\$283,102,027		
35			\$278,354,331		
36	Debt Service Payments on College Building Authority				
37	Bonds (74304).....	\$240,418,421	\$267,063,690		
38			\$268,204,920		
39	Fund Sources: General.....	\$605,053,516	\$613,451,785		
40			\$609,884,520		
41	Special.....	\$899,122	\$524,772		
42	Higher Education Operating.....	\$29,394,107	\$29,774,267		
43	Federal Trust.....	\$19,350,049	\$19,331,838		
44	Authority: Title 2.2, Chapter 18; Title 33.1, Chapter 3, Article 5, Code of Virginia; Article X,				
45	Section 9, Constitution of Virginia.				
46	A. The Director, Department of Planning and Budget is authorized to transfer appropriations				
47	between Items in the Treasury Board to address legislation affecting the Treasury Board passed				
48	by the General Assembly.				

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

1 B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the
 2 following amounts are hereby appropriated from the general fund for debt service on general
 3 obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:

4

5 Series

FY 2013

FY 2014

6

	General Fund	Federal Funds	General Fund	Federal Funds
7				
8	2002 Refunding	\$0	\$0	\$0
9	2003A	\$2,646,000	\$0	\$0
10	2004A	\$8,964,000	\$0	\$8,536,501
11	2004B Refunding	\$11,361,050	\$0	\$10,908,300
12	2005	\$7,424,727	\$0	\$7,115,976 \$297,501
13				
14	2006A Refunding	\$9,005,500	\$0	\$8,468,000
15	2006	\$8,390,088	\$0	\$8,094,088 \$6,183,250
16				
17	2007A	\$10,740,463	\$0	\$10,427,963 \$7,750,001
18				
19	2007B	\$6,738,025	\$0	\$6,538,025 \$5,319,550
20				
21	2008A	\$8,257,563	\$0	\$8,060,563
22	2008B	\$8,651,438	\$0	\$8,501,438
23	2008B Refunding	\$5,052,062	\$0	\$0
24	2009A	\$7,085,000	\$0	\$6,885,000
25	2009B	\$3,409,968	\$562,675	\$3,376,148 \$3,415,349
26				
27	2009 Refunding	\$6,064,750	\$0	\$6,064,750
28	2012 Refunding	\$3,308,850	\$0	\$12,323,850
29	Projected debt service & expenses	\$40,000	\$0	\$40,000
30				\$5,607,750
31				
32	Refunding Savings			
33	- Series 2005A,			
34	2006B, 2007A,			
35	2007B	(\$1,718,267)	\$0	(\$7,058,000) \$0
36				
37	Total Service			
38	Area	\$105,421,217	\$562,675	\$98,282,602 \$98,321,803
39				

40 2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums needed
 41 to fund issuance costs and other expenses are hereby appropriated.

42 C. Out of the amounts for Capital Lease Payments, the following amounts are hereby
 43 appropriated for capital lease payments:

	FY 2013	FY 2014	
44			
45	Big Stone Gap RHA (DOC) (Wallens Ridge, 1995)	\$6,012,500	\$6,008,625
46	Norfolk RHA (VCCS-TCC), Series 1995	\$2,018,055	\$2,012,610
47	Innovative and Entrepreneurship Investment Authority (VEDP)		
48	(1997)	\$1,333,600	\$1,311,744
49	Virginia Biotech Research Park, 2009	\$3,398,475	\$4,756,900
50	Total Capital Lease Payments	\$12,762,630	\$14,089,879

51 D.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority
 52 Bonds shall be paid to the Virginia Public Building Authority the following amounts for use by
 53 the authority for its various bond issues:

ITEM 280.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	FY 2013		FY 2014		
2					
3	Series	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
4	2002	\$2,593,250	\$0	\$0	\$0
5	2003 Refunding	\$4,866,787	\$176,113	\$4,867,859	\$176,016
6	2004A	\$23,867,256	\$0	\$23,294,756	\$0
7	2004B	\$14,996,481	\$0	\$14,976,775	\$0
8	2004C	\$4,551,500	\$0	\$4,555,500	\$0
9	2004D	\$12,533,338	\$0	\$12,520,963	\$0
10	2005A Refunding	\$5,123,125	\$0	\$5,104,875	\$0
11	2005B Refunding	\$14,935,982	\$348,543	\$14,946,269	\$348,756
12	2005C	\$4,488,375	\$0	\$4,489,500	\$0
13	STARS 2005C	\$12,248,875	\$0	\$12,251,375	\$0
14	2005D		\$0		\$0
15		\$1,220,000		\$2,220,000	
16				\$1,250,000	
17	2006A	\$5,955,993	\$0	\$5,953,118	\$0
18				\$1,346,876	
19	STARS 2006A	\$7,143,125	\$0	\$7,145,500	\$0
20				\$4,891,532	
21	2006B	\$13,999,925	\$0	\$13,996,925	\$0
22				\$11,291,175	
23	STARS 2006B	\$4,469,250	\$0	\$4,466,250	\$0
24	2007A	\$14,714,850	\$0	\$14,719,475	\$0
25	STARS 2007A	\$7,515,500	\$0	\$7,517,625	\$0
26	2008A Refunding	\$16,281,784	\$374,466	\$0	\$0
27	2008B	\$11,994,813	\$0	\$11,993,225	\$0
28	2009A	\$4,677,085	\$0	\$4,679,738	\$0
29	2009B	\$16,742,305	\$0	\$16,745,680	\$0
30	2009B STARS	\$6,583,725	\$0	\$6,585,100	\$0
31	2009C	\$1,086,531	\$0	\$1,088,693	\$0
32	2009D	\$3,684,125	\$0	\$6,277,400	\$0
33	2010A	\$22,020,957	\$4,511,477	\$21,894,332	\$4,511,477
34				\$22,252,994	
35	2010B	\$22,235,001	\$3,484,627	\$22,234,826	\$3,484,627
36				\$22,511,854	
37	2011A STARS	\$627,000	\$0	\$630,800	\$0
38	2011A	\$20,818,500	\$0	\$20,815,900	\$0
39	2011B	\$1,298,924	\$0	\$1,299,774	\$0
40	2012 Refunding	\$3,262,263	\$0	\$3,474,600	\$0
41	Projected debt service and expenses	\$100,000	\$0	\$7,115,500	\$0
42				\$8,986,892	
43	Refunding Savings - Series				
44	2006A and 2006B	\$0	\$0	(\$3,281,182)	\$0
45				\$0	
46	Total Service Area	\$286,636,625	\$8,895,226	\$274,581,151	\$8,520,876
47				\$269,833,455	
48					
49	2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of				
50	the approved capital costs as determined by the Board of Corrections and other interest costs as				
51	provided in §§ 53.1-80 through 53.1-82.2 of the Code of Virginia, for the following:				
52				Commonwealth Share of	
53	Project			Approved Capital Costs	
54	Loudoun County Adult Detention Center Phase 2			\$8,389,677	
55	Blue Ridge Regional Jail			\$31,664,995	
56	Meherrin River Regional Jail			\$32,189,469	
57	Richmond City Jail Replacement			\$29,702,708	
58	Newport News Public Safety Building Life Safety Renovation			\$875,294	
59	RSW Regional Jail			\$32,840,850	
60	Southwest Virginia Regional Jail			\$16,910,186	

ITEM 280.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

1	Central Virginia Regional Jail			\$8,464,891
2	Total Approved Capital Costs			\$161,038,070

3 b. The Commonwealth's share of the total cost of construction for Meherrin River Regional Jail
4 shall not exceed \$32,189,469. The Commonwealth's share of the total cost of construction of
5 the Richmond City Jail Replacement shall not exceed \$29,702,708. The Commonwealth's
6 share of the total cost of construction of the Newport News Public Safety Building Life Safety
7 Renovation project shall not exceed \$875,294. The Commonwealth's share of the total cost of
8 construction of the RSW Regional Jail project shall not exceed \$32,840,850. Reimbursement
9 of the Commonwealth's portion of the construction costs of these projects shall be subject to
10 the approval of the Department of Corrections of the final expenditures and will not occur
11 before July 1, 2012.

12 c. This paragraph shall constitute the authority for the Virginia Public Building Authority to
13 issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.

14 E.I. Out of the amounts for Debt Service Payments on Virginia College Building Authority
15 Bonds shall be paid to the Virginia College Building Authority the following amounts for use
16 by the Authority for payments on obligations issued for financing authorized projects under the
17 21st Century College Program:

18	Series	FY 2013	FY 2014
19	2003A	\$5,262,400	\$0
20	2004A	\$6,245,750	\$6,247,500
21	2004B Refunding	\$9,469,825	\$9,470,275
22	2005A	\$3,483,250	\$3,483,250
23	2006	\$9,569,050	\$9,557,000
24			\$8,058,657
25	2007A Refunding	\$2,937,300	\$3,867,300
26	2007B	\$2,852,925	\$2,854,125
27	2008A	\$7,445,231	\$7,446,981
28	2009A&B	\$33,304,325	\$33,301,007
29	2009C Refunding	\$2,363,050	\$1,297,550
30	2009E Refunding	\$14,252,350	\$19,514,750
31	2009F	\$34,234,136	\$34,229,886
32			\$34,762,641
33	2010B	\$28,164,064	\$28,162,314
34			\$28,487,465
35	2011 A	\$17,777,344	\$17,778,100
36	Projected 21st Century debt service & expenses	\$21,600,000	\$41,127,277
37			\$48,908,944
38	Subtotal 21st Century	\$197,487,988	\$224,337,315
39			\$225,478,545

40 2. Out of the amounts for Debt Service Payments on Virginia College Building Authority
41 Bonds shall be paid to the Virginia College Building Authority the following amounts for the
42 payment of debt service on authorized bond issues to finance equipment:

43	Series	FY 2013	FY 2014
44	2008A	\$8,230,750	\$8,230,250
45	2009D	\$9,046,175	\$9,048,925
46	2010A	\$8,756,500	\$8,550,000
47	2011A	\$8,534,115	\$8,535,200
48	Projected debt service & expenses	\$8,362,893	\$8,362,000
49			
50	Subtotal Equipment	\$42,930,433	\$42,726,375
51			
52	Total Service Area	\$240,418,421	\$267,063,690
53			\$268,204,920

54 3. Beginning with the FY 2008 allocation of the higher education equipment trust fund, the
55 Treasury Board shall amortize equipment purchases at seven years, which is consistent with the
56 useful life of the equipment.

ITEM 280.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	4. Out of the amounts for Debt Service Payments on Virginia College Building Authority				
2	Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state				
3	students at institutions of higher education shall be paid to the Virginia College Building				
4	Authority in each year for debt service on bonds issued under the 21st Century Program:				
5					
6	Institution	FY 2013		FY 2014	
7	George Mason University	\$2,281,257		\$2,535,489	
8	Old Dominion University	\$1,063,161		\$1,059,300	
9	University of Virginia	\$4,768,632		\$4,670,622	
10	Virginia Polytechnic Institute and State				
11	University	\$4,625,280		\$4,656,663	
12	Virginia Commonwealth University	\$1,714,383		\$2,132,460	
13	College of William and Mary	\$1,412,532		\$1,493,811	
14	Christopher Newport University	\$119,097		\$112,167	
15	University of Virginia's College at Wise	\$41,085		\$48,510	
16	James Madison University	\$2,672,109		\$2,635,578	
17	Norfolk State University	\$499,356		\$458,766	
18	Longwood University	\$118,701		\$111,276	
19	University of Mary Washington	\$339,669		\$293,535	
20	Radford University	\$277,002		\$275,022	
21	Virginia Military Institute	\$347,490		\$370,260	
22	Virginia State University	\$858,726		\$845,856	
23	Richard Bland College	\$6,930		\$9,900	
24	Virginia Community College System	\$3,406,095		\$3,222,450	
25	TOTAL	\$24,551,505		\$24,931,665	
26					
27	5. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the				
28	following is the estimated general and nongeneral fund breakdown of each institution's share of				
29	the debt service on the Virginia College Building Authority bond issues to finance equipment.				
30	The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each				
31	year for debt service on bonds issued under the equipment program:				
32		FY 2013		FY 2014	
33					
34	Institution	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
35	College of William &				
36	Mary	\$1,541,950	\$259,307	\$1,469,205	\$259,307
37	University of Virginia	\$10,093,515	\$1,088,024	\$9,339,830	\$1,088,024
38	Virginia Polytechnic				
39	Institute and State				
40	University	\$9,354,885	\$992,321	\$8,755,725	\$992,321
41	Virginia Military				
42	Institute	\$593,290	\$88,844	\$505,625	\$88,844
43	Virginia State				
44	University	\$949,330	\$108,886	\$872,855	\$108,886
45	Norfolk State				
46	University	\$1,337,165	\$108,554	\$806,885	\$108,554
47	Longwood University	\$520,085	\$54,746	\$487,775	\$54,746
48	University of Mary				
49	Washington	\$494,188	\$97,063	\$437,530	\$97,063
50	James Madison				
51	University	\$1,671,180	\$254,504	\$1,511,855	\$254,504
52	Radford University	\$1,115,115	\$135,235	\$1,066,500	\$135,235
53	Old Dominion				
54	University	\$3,379,770	\$374,473	\$3,147,225	\$374,473
55	Virginia				
56	Commonwealth				
57	University	\$7,726,995	\$401,647	\$7,322,975	\$401,647

ITEM 280.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Richard Bland				
2	College	\$121,730	\$2,027	\$111,875	\$2,027
3	Christopher Newport				
4	University	\$558,715	\$17,899	\$512,725	\$17,899
5	University of				
6	Virginia's College at				
7	Wise	\$211,295	\$19,750	\$184,280	\$19,750
8	George Mason				
9	University	\$3,520,240	\$205,665	\$3,357,410	\$205,665
10	Virginia Community				
11	College System	\$9,426,165	\$633,657	\$8,675,410	\$633,657
12	Virginia Institute of				
13	Marine Science	\$516,760	\$0	\$489,925	\$0
14	Roanoke Higher				
15	Education Authority	\$56,105	\$0	\$52,315	\$0
16	Southwest Virginia				
17	Higher Education				
18	Center	\$53,375	\$0	\$49,810	\$0
19	Institute for				
20	Advanced Learning				
21	and Research	\$680,565	\$0	\$135,475	\$0
22	Southern Virginia				
23	Higher Education				
24	Center	\$19,175	\$0	\$23,435	\$0
25	New College Institute	\$24,205	\$0	\$34,845	\$0
26	TOTAL	\$38,491,738	\$4,842,602	\$47,995,653	\$4,842,602
27	F. Pursuant to various Payment Agreements between the Treasury Board and the				
28	Commonwealth Transportation Board, funds required to pay the debt service due on				
29	Commonwealth Transportation Board bonds shall be paid to the Trustee for the bondholders by				
30	the Treasury Board after transfer of these funds to the Treasury Board from the Commonwealth				
31	Transportation Board pursuant to Item 450, paragraph E of this act and §§ 58.1-815, 58.1-815.1				
32	and 58.1-816.1, Code of Virginia.				
33	G. Under the authority of this act, an agency may transfer funds to the Treasury Board for use				
34	as lease, rental, or debt service payments to be used for any type of financing where the				
35	proceeds are used to acquire equipment and to finance associated costs, including but not				
36	limited to issuance and other financing costs. In the event such transfers occur, the transfers				
37	shall be deemed an appropriation to the Treasury Board for the purpose of making the lease,				
38	rental, or debt service payments described herein.				
39	281.	Not set out.			
40	Total for Treasury Board.....			\$657,333,314	\$663,272,902
41					\$659,705,637
42	Fund Sources: General.....	\$607,690,036	\$613,642,025		
43			\$610,074,760		
44	Special.....	\$899,122	\$524,772		
45	Higher Education Operating.....	\$29,394,107	\$29,774,267		
46	Federal Trust.....	\$19,350,049	\$19,331,838		
47	TOTAL FOR OFFICE OF FINANCE.....			\$2,521,765,967	\$2,679,451,218
48					\$2,676,324,599
49	General Fund Positions.....	1,096.50	1,094.50		
50	Nongeneral Fund Positions.....	163.50	184.50		
51	Position Level.....	1,260.00	1,279.00		
52	Fund Sources: General.....	\$1,848,512,465	\$2,063,825,967		
53			\$2,060,699,348		
54	Special.....	\$14,921,861	\$14,627,511		
55	Higher Education Operating.....	\$29,394,107	\$29,774,267		
56	Commonwealth Transportation.....	\$435,187	\$435,187		

ITEM 281.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Trust and Agency	\$87,844,441	\$87,844,441		
2	Dedicated Special Revenue	\$521,307,857	\$463,612,007		
3	Federal Trust.....	\$19,350,049	\$19,331,838		

ITEM 282.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

1 OFFICE OF HEALTH AND HUMAN RESOURCES

- 2 282. Not set out.
- 3 283. Not set out.
- 4 284. Not set out.
- 5 285. Not set out.
- 6 286. Not set out.
- 7 287. Not set out.

8 § 1-34. DEPARTMENT FOR THE DEAF AND HARD-OF-HEARING (751)

9 288.	Social Services Research, Planning, and Coordination (45000)			\$11,406,109	\$11,783,168
10	Technology Services for Deaf and Hard-Of-Hearing (45004)	\$10,442,176	\$10,819,226		
11	Consumer, Interpreter, and Community Support Services (45005).....	\$635,591	\$635,591		
12	Administrative Services (45006)	\$328,342	\$328,351		
13					
14	Fund Sources: General	\$844,985	\$844,994		
15	Special.....	\$10,461,124	\$10,838,174		
16	Federal Trust.....	\$100,000	\$100,000		

19 Authority: Title 51.5, Chapter 13, Code of Virginia.

20 A. - ~~The Virginia Department for the Deaf and Hard-of-Hearing shall locate the relay center in Norton, Virginia. Any request for proposals issued for basic relay services shall require an employment level of 85 at the center unless, during the previous contract period, the employment level has been reduced to less than 85 through attrition, voluntary separation, transfers, voluntary retirements, and disability retirement, in which case the employment level of the subsequent contract may reflect the employment level at the end of the previous contract period, but may not be less than that level. The center is also prohibited from filling vacant positions, unless employment at the center drops below 75 positions.~~

28 B. Out of this appropriation, \$40,000 the first year and \$40,000 the second year from the general fund shall be provided to the Connie Reasor Deaf Resource Center in Planning District 1.

31 C. Notwithstanding § 58.1-662 of the Code of Virginia, prior to the distribution of monies from the Communications Sales and Use Tax Trust Fund to counties, cities and towns, there shall be distributed monies in the fund to pay for the Technology Assistance Program. This requirement shall not change any other distributions required by law from the Communications Sales and Use Tax Trust Fund.

36	Total for Department for the Deaf and Hard-Of-Hearing.....			\$11,406,109	\$11,783,168
37					
38	General Fund Positions.....	8.37	8.37		
39	Nongeneral Fund Positions.....	2.63	2.63		
40	Position Level	11.00	11.00		
41	Fund Sources: General	\$844,985	\$844,994		
42	Special.....	\$10,461,124	\$10,838,174		
43	Federal Trust.....	\$100,000	\$100,000		

ITEM 289.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	§ 1-35. DEPARTMENT OF HEALTH (601)				
2	289.				
	Not set out.				
3	290.				
	Not set out.				
4	291.				
	Not set out.				
5	292.				
	Not set out.				
6	293.				
	Not set out.				
7	294.			\$13,870,954	\$14,125,886
8	Health Research, Planning, and Coordination (40600).....				\$14,125,886
9	Health Research, Planning and Coordination (40603).....	\$2,794,251	\$2,794,251		
10			\$2,874,251		
11	Regulation of Health Care Facilities (40607).....	\$9,831,371	\$10,086,303		
12	Certificate of Public Need (40608).....	\$1,245,332	\$1,245,332		
13	Fund Sources: General.....	\$2,699,102	\$2,965,734		
14			\$3,045,734		
15	Special.....	\$1,989,234	\$1,989,234		
16	Dedicated Special Revenue.....	\$451,798	\$451,798		
17	Federal Trust.....	\$8,730,820	\$8,719,120		
18	Authority: §§ 32.1-102.1 through 32.1-102.12; 32.1-122.01 through 32.1-122.08; and 32.1-123				
19	through 32.1-138.5, Code of Virginia; and P.L. 96-79, as amended, Federal Code; and Title				
20	XVIII and Title XIX of the U.S. Social Security Act, Federal Code.				
21	A. Supplemental funding for the regional health planning agencies shall be provided from the				
22	following sources:				
23	1. Special funds from Certificate of Public Need (40608) application fees in excess of those				
24	required to operate the COPN Program, provided the program may retain special fund balances				
25	each year equal to of one month's operational needs in case of revenue shortfalls in the				
26	subsequent year.				
27	2. The Department of Health shall revise annual agreements with the regional health planning				
28	agencies to require an annual independent financial audit to examine the use of state funds and				
29	the reasonableness of those expenditures.				
30	B. Failure of any regional health planning agency to establish or sustain business operations				
31	shall cause funds to revert to the Central Office to support health planning and Certificate of				
32	Public Need functions.				
33	C. The State Health Commissioner shall continue implementation of the "Five-Year Action				
34	Plan: Improving Access to Primary Health Care Services in Medically Underserved Areas and				
35	Populations of the Commonwealth." A minimum of \$150,000 the first year and \$150,000 the				
36	second year from the general fund shall be provided to the Virginia Office of Rural Health, as				
37	the state match for the federal Office of Rural Health Policy Grant. The commissioner is				
38	authorized to contract for services to accomplish the plan.				
39	D. Out of the this appropriation, \$278,000 the first year and \$278,000 the second year is				
40	appropriated to the department from statewide indirect cost recoveries to match federal funds				
41	and support the programs of the Office of Licensure and Certification. Amounts recovered in				
42	excess of the special fund appropriation shall be deposited to the general fund.				
43	E. The State Health Commissioner shall accept applications for, and may issue a Certificate of				
44	Public Need authorizing an application for an increase of five licensed nursing home beds in				
45	Planning District 14, provided that any such application shall come from a facility (i) which				
46	offers independent living, assisted living, skilled nursing and rehabilitation on the same site, (ii)				
47	that is not a registered continuing care provider with the State Corporation Commission				
48	pursuant to Section 38.2-4900 et seq. of the Code of Virginia, and (iii) which is located within				
49	10 miles of a general hospital.				

ITEM 295.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	295.				
	Not set out.				
2	296.				
	Not set out.				
3	297.				
	Not set out.				
4	298.				
	Not set out.				
5	299.				
	Not set out.				
6	300.				
	Not set out.				
7	301.				
	Not set out.				
8	Total for Department of Health.....			\$621,434,928	\$626,963,628
9					\$627,043,628
10	General Fund Positions.....	1,544.00	1,544.00		
11	Nongeneral Fund Positions.....	2,215.00	2,215.00		
12	Position Level	3,759.00	3,759.00		
13	Fund Sources: General.....	\$156,842,622	\$153,929,573		
14			\$154,009,573		
15	Special.....	\$138,646,382	\$138,702,416		
16	Dedicated Special Revenue.....	\$101,568,122	\$101,568,122		
17	Federal Trust.....	\$224,377,802	\$232,763,517		
18	302.				
	Not set out.				
19	303.				
	Not set out.				
20	§ 1-36. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)				
21	304.			\$12,383,986	\$12,930,761
22	Pre-Trial, Trial, and Appellate Processes (32100).....				\$12,405,178
23	Reimbursements for Medical Services Related to				
24	Involuntary Mental Commitments (32107).....	\$12,383,986	\$12,930,761		
25			\$12,405,178		
26	Fund Sources: General.....	\$12,383,986	\$12,930,761		
27			\$12,405,178		
28	Authority: § 37.2-809, Code of Virginia.				
29	A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to				
30	Involuntary Mental Commitments (32107), may be transferred between Items 43, 44, 45, and				
31	304 as needed, to address any deficits incurred for Involuntary Mental Commitments by the				
32	Supreme Court or the Department of Medical Assistance Services.				
33	B. Out of this appropriation, payments may be made to licensed health care providers for				
34	medical screening and assessment services provided to persons with mental illness while in				
35	emergency custody pursuant to § 37.2-808, Code of Virginia.				
36	C. To the extent that the appropriation in this Item is insufficient, the Department of Planning				
37	and Budget shall transfer general fund appropriation from Items 306, 307, and 309 to this Item,				
38	if available.				
39	305.				
	Not set out.				

ITEM 305.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1 306. Children’s Health Insurance Program Delivery (44600)...			\$162,328,462	\$196,844,869
2				\$172,201,266
3 Reimbursements for Medical Services Provided Under				
4 the Family Access to Medical Insurance Security Plan				
5 (44602)	\$162,328,462	\$196,844,869		
6		\$172,201,266		
7 Fund Sources: General.....	\$42,749,335	\$54,830,077		
8		\$46,204,816		
9 Dedicated Special Revenue.....	\$14,065,627	\$14,065,627		
10 Federal Trust.....	\$105,513,500	\$127,949,165		
11		\$111,930,823		
12 Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act, Federal				
13 Code.				
14 A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission				
15 shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium				
16 differential between: (i) 0.75 percent of the direct gross subscriber fee income derived from				
17 eligible contracts and (ii) the amount of license tax revenue generated pursuant to subdivision				
18 A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the Comptroller of				
19 the Commonwealth to transfer such amounts to the Family Access to Medical Insurance				
20 Security Plan Trust Fund as established on the books of the State Comptroller.				
21 B. As a condition of this appropriation, revenues from the Family Access to Medical Insurance				
22 Security Plan Trust Fund, shall be used to match federal funds for the Children’s Health				
23 Insurance Program.				
24 C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13, Code				
25 of Virginia, shall be enrolled and served in the program.				
26 D. To the extent that appropriations in this Item are insufficient, the Department of Planning				
27 and Budget shall transfer general fund appropriation from Items 307 and 309, if available, into				
28 this Item, to be used as state match for federal Title XXI funds.				
29 E. The Department of Medical Assistance Services shall make the monthly capitation payment				
30 to managed care organizations for the member months of each month in the first week of the				
31 subsequent month.				
32 F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application				
33 thereof is declared by the United States Department of Health and Human Services or the				
34 Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation,				
35 such decisions shall not affect the validity of the remaining portions of this Item, which shall				
36 remain in force as if this Item had passed without the conflicting part, section, subsection,				
37 paragraph, clause, or phrase. Further, if the United States Department of Health and Human				
38 Services or the Centers for Medicare and Medicaid Services determines that the process for				
39 accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item				
40 is out of compliance or in conflict with federal law and regulation and recommends another				
41 method of accomplishing the same intent, the Director, Department of Medical Assistance				
42 Services, after consultation with the Attorney General, is authorized to pursue the alternative				
43 method.				
44 G. The Department of Medical Assistance Services shall have authority to amend the Virginia				
45 State Plan for Title XXI of the Social Security Act and the Virginia Health Insurance				
46 Flexibility and Accountability (HIFA) Waiver to require that Family Access to Medical				
47 Insurance Security (FAMIS) and FAMIS MOMS applicants and enrollees furnish their Social				
48 Security numbers as a condition of eligibility in order to have citizenship and identity verified				
49 by the Social Security Administration, unless the applicant is otherwise exempt from this				
50 requirement. The department shall have the authority to implement this change prior to the				
51 completion of any regulatory process undertaken in order to effect such change.				
52 H. The Department of Medical Assistance Services is directed to develop enrollment and				
53 retention provisions, consistent with those outlined in Section 104 of the Children’s Health				
54 Insurance Program (CHIP) Reauthorization Act of 2009, P.L. 111-3, and implement provisions				

ITEM 306.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	determined to be budget-neutral, cost-effective or that would lead to an award of a CHIP				
2	performance bonus.				
3	I. The Department of Medical Assistance Services shall have the authority to amend the Title				
4	XIX State Plan of Medical Assistance Services, the Virginia Plan for Title XXI of the Social				
5	Security Act and the Family Access to Medical Insurance Security Plan (FAMIS) MOMS				
6	waiver to include coverage of pregnant women who are lawfully residing in the United States				
7	and who are otherwise eligible for Medicaid services, pursuant to Section 214 of the Children's				
8	Health Insurance Program Reauthorization Act of 2009. The department shall have the				
9	authority to promulgate emergency regulations to implement this change effective July 1, 2012.				
10	307.	Medicaid Program Services (45600).....		\$7,610,298,210	\$8,061,586,025
11					\$8,002,553,539
12		Reimbursements to State-Owned Mental Health and			
13		Intellectual Disabilities Facilities (45607).....	\$263,128,981	\$263,128,981	
14		Reimbursements for Behavioral Health Services			
15		(45608)	\$663,363,194	\$725,639,169	\$696,565,922
16					
17		Reimbursements for Professional and Institutional			
18		Medical Services (45609)	\$4,427,240,033	\$4,682,278,063	\$4,702,593,142
19		Reimbursements for Medical Services (45609)			
20		Reimbursements for Long-Term Care Services (45610)...	\$2,256,566,002	\$2,390,539,812	\$2,340,265,494
21					
22		Fund Sources: General.....	\$3,401,990,672	\$3,690,739,927	\$3,526,780,406
23					
24		Dedicated Special Revenue	\$450,208,672	\$370,765,117	\$461,105,474
25					
26		Federal Trust.....	\$3,758,098,866	\$4,000,080,981	\$4,014,667,659
27					
28		Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Title XIX,			
29		Social Security Act, Federal Code.			
30		A. Out of this appropriation, \$131,564,490 the first year and \$131,564,490 the second year			
31		from the general fund and \$131,564,490 the first year and \$131,564,490 the second year from			
32		the federal trust fund is provided for reimbursement to the institutions within the Department of			
33		Behavioral Health and Developmental Services.			
34		B.1. Included in this appropriation is \$69,408,988 the first year and \$66,984,546 \$67,872,189			
35		the second year from the general fund and \$85,375,471 the first year and \$86,665,429			
36		\$84,973,939 the second year from nongeneral funds to reimburse the Virginia Commonwealth			
37		University Health System for indigent health care costs. This funding is composed of			
38		disproportionate share hospital (DSH) payments, indirect medical education (IME) payments,			
39		and any Medicaid profits realized by the Health System. Payments made from the federal DSH			
40		fund shall be made in accordance with 42 USC 1396r-4.			
41		2. Included in this appropriation is \$37,921,346 the first year and \$38,172,887 \$39,128,622 the			
42		second year from the general fund and \$48,940,486 the first year and \$51,955,177 \$51,160,627			
43		the second year from nongeneral funds to reimburse the University of Virginia Health System			
44		for indigent health care costs. This funding is comprised of disproportionate share hospital			
45		(DSH) payments, indirect medical education (IME) payments, and any Medicaid profits realized			
46		by the Health System. Payments made from the federal DSH fund shall be made in accordance			
47		with 42 USC 1396r-4.			
48		3. The general fund amounts for the state teaching hospitals have been reduced to mirror the			
49		general fund impact of no inflation for inpatient services, including DSH, GME and IME, for			
50		private hospitals plus an additional reduction for indigent care. However, the nongeneral funds			
51		are appropriated. In order to receive the nongeneral funds in excess of the amount of the			
52		general fund appropriated, the health systems shall certify the public expenditures.			
53		4. The Department of Medical Assistance Service shall have the authority to increase Medicaid			
54		payments for Type One hospitals and physicians consistent with the appropriations to			
55		compensate for limits on disproportionate share hospital (DSH) payments to Type One			

ITEM 307.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	hospitals that the department would otherwise make. In particular, the department shall have			
2	the authority to amend the State Plan for Medical Assistance to increase physician			
3	supplemental payments for physician practice plans affiliated with Type One hospitals up to the			
4	average commercial rate as demonstrated by University of Virginia Health System and Virginia			
5	Commonwealth University Health System, to change reimbursement for Graduate Medical			
6	Education to cover costs for Type One hospitals, to case mix adjust the formula for indirect			
7	medical education reimbursement for HMO discharges for Type One hospitals and to increase			
8	the adjustment factor for Type One hospitals to 1.0. The department shall have the authority to			
9	implement these changes prior to completion of any regulatory process undertaken in order to			
10	effect such change.			
11	C.1. The estimated revenue for the Virginia Health Care Fund is \$450,208,672 the first year			
12	and \$370,765,117 \$461,105,474 the second year, to be used pursuant to the uses stated in			
13	§32.1-367, Code of Virginia.			
14	2. Notwithstanding §32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5			
15	percent of the Commonwealth's allocation of the Master Settlement Agreement with tobacco			
16	product manufacturers, as defined in §3.2-3100, Code of Virginia, to the Virginia Health Care			
17	Fund.			
18	3. Notwithstanding any other provision of law, the State Comptroller shall deposit 50 percent			
19	of the Commonwealth's allocation of the Strategic Contribution Fund payment pursuant to the			
20	Master Settlement Agreement with tobacco product manufacturers into the Virginia Health Care			
21	Fund.			
22	4. Notwithstanding any other provision of law, revenues deposited to the Virginia Health Care			
23	Fund shall only be used as the state share of Medicaid unless specifically authorized by this			
24	act.			
25	D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application			
26	thereof is declared by the United States Department of Health and Human Services or the			
27	Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation,			
28	such decisions shall not affect the validity of the remaining portions of this Item, which shall			
29	remain in force as if this Item had passed without the conflicting part, section, subsection,			
30	paragraph, clause, or phrase. Further, if the United States Department of Health and Human			
31	Services or the Centers for Medicare and Medicaid Services determines that the process for			
32	accomplishing the intent of a part, section, subsection, paragraph, clause, or phrase of this Item			
33	is out of compliance or in conflict with federal law and regulation and recommends another			
34	method of accomplishing the same intent, the Director, Department of Medical Assistance			
35	Services, after consultation with the Attorney General, is authorized to pursue the alternative			
36	method.			
37	E.1. The Director, Department of Medical Assistance Services shall seek the necessary waivers			
38	from the United States Department of Health and Human Services to authorize the			
39	Commonwealth to cover health care services and delivery systems, as may be permitted by			
40	Title XIX of the Social Security Act, which may provide less expensive alternatives to the			
41	State Plan for Medical Assistance.			
42	2. The director shall promulgate such regulations as may be necessary to implement those			
43	programs which may be permitted by Titles XIX and XXI of the Social Security Act, in			
44	conformance with all requirements of the Administrative Process Act.			
45	F. It is the intent of the General Assembly to develop and cause to be developed appropriate,			
46	fiscally responsible methods for addressing the issues related to the cost and funding of			
47	long-term care. It is the further intent of the General Assembly to promote home-based and			
48	community-based care for individuals who are determined to be in need of nursing facility care.			
49	G. To the extent that appropriations in this Item are insufficient, the Department of Planning			
50	and Budget shall transfer general fund appropriation from Item 306 and 309, if available, to be			
51	used as state match for federal Title IX funds.			
52	H. It is the intent of the General Assembly that the medically needy income limits for the			
53	Medicaid program are adjusted annually to account for changes in the Consumer Price Index.			

ITEM 307.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	I. It is the intent of the General Assembly that the use of the new atypical medications to treat			
2	seriously mentally ill Medicaid recipients should be supported by the formularies used to			
3	reimburse claims under the Medicaid fee-for-service and managed care plans.			
4	J. The Department of Medical Assistance Services shall establish a program to more effectively			
5	manage those Medicaid recipients who receive the highest cost care. To implement the			
6	program, the department shall establish uniform criteria for the program, including criteria for			
7	the high cost recipients, providers and reimbursement, service limits, assessment and			
8	authorization limits, utilization review, quality assessment, appeals and other such criteria as			
9	may be deemed necessary to define the program. The department shall seek any necessary			
10	approval from the Centers for Medicare and Medicaid Services, and shall promulgate such			
11	regulations as may be deemed necessary to implement this program.			
12	K. The Department of Medical Assistance Services and the Virginia Department of Health shall			
13	work with representatives of the dental community: to expand the availability and delivery of			
14	dental services to pediatric Medicaid recipients; to streamline the administrative processes; and			
15	to remove impediments to the efficient delivery of dental services and reimbursement thereof.			
16	The Department of Medical Assistance Services shall report its efforts to expand dental services			
17	to the Chairmen of the House Appropriations and Senate Finance Committees and the			
18	Department of Planning and Budget by December 15 each year.			
19	L. The Department of Medical Assistance Services shall not require dentists who agree to			
20	participate in the delivery of Medicaid pediatric dental care services, or services provided to			
21	enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any variation of			
22	FAMIS, to also deliver services to subscribers enrolled in commercial plans of the managed			
23	care vendor, unless the dentist is a willing participant in the commercial managed care plan.			
24	M. The Department of Medical Assistance Services shall implement continued enhancements to			
25	the drug utilization review (DUR) program. The department shall continue the Pharmacy			
26	Liaison Committee and the DUR Board. The department shall continue to work with the			
27	Pharmacy Liaison Committee to implement initiatives for the promotion of cost-effective			
28	services delivery as may be appropriate. The department shall report on the Pharmacy Liaison			
29	Committee's and the DUR Board's activities to the Board of Medical Assistance Services and			
30	to the Chairmen of the House Appropriations and Senate Finance Committees and the			
31	Department of Planning and Budget no later than December 15 each year of the biennium.			
32	N.1. The Department of Medical Assistance Services shall have the authority to seek federal			
33	approval of changes to its MEDALLION waiver and its Medallion II waiver.			
34	2. In order to conform the state regulations to the federally approved changes and to implement			
35	the provisions of this act, the department shall promulgate emergency regulations to become			
36	effective within 280 days or less from the enactment of this act. The department shall			
37	implement these necessary regulatory changes to be consistent with federal approval of the			
38	waiver changes.			
39	O. The Department of Medical Assistance Services shall have the authority to seek federal			
40	approval of changes to its managed care waiver to limit the Primary Case Management			
41	program to localities of the state with only one participating managed care organization. The			
42	department shall have the authority to promulgate emergency regulations to implement this			
43	amendment within 280 days or less from the enactment of this act.			
44	P.1. The Department of Medical Assistance Services shall develop and pursue cost saving			
45	strategies internally and with the cooperation of the Department of Social Services, Virginia			
46	Department of Health, Office of the Attorney General, Comprehensive Services Act program,			
47	Department of Education, Department of Juvenile Justice, Department of Behavioral Health and			
48	Developmental Services, Virginia Department for the Aging, Department of the Treasury,			
49	University of Virginia Health System, Virginia Commonwealth University Health System			
50	Authority, Department of Corrections, federally qualified health centers, local health			
51	departments, local school divisions, community service boards, local hospitals, and local			
52	governments, that focus on optimizing Medicaid claims and cost recoveries. Any revenues			
53	generated through these activities shall be transferred to the Virginia Health Care Fund to be			
54	used for the purposes specified in this Item.			
55	2. The Department of Medical Assistance Services shall retain the savings necessary to			

ITEM 307.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	reimburse a vendor for its efforts to implement paragraph . P 1. of this Item. However, prior to				
2	reimbursement, the department shall identify for the Secretary of Health and Human Resources				
3	each of the vendor's revenue maximization efforts and the manner in which each vendor would				
4	be reimbursed. No reimbursement shall be made to the vendor without the prior approval of the				
5	above plan by the Secretary.				
6	Q. The Department of Medical Assistance Services shall have the authority to pay contingency				
7	fee contractors, engaged in cost recovery activities, from the recoveries that are generated by				
8	those activities. All recoveries from these contractors shall be deposited to a special fund. After				
9	payment of the contingency fee any prior year recoveries shall be transferred to the Virginia				
10	Health Care Fund. Beginning November 1, 2011, and each year thereafter, the Director,				
11	Department of Medical Assistance Services shall report to the Chairmen of the House				
12	Appropriations and Senate Finance Committees the increase in recoveries associated with this				
13	program as well as the areas of audit targeted by contractors.				
14	R. The Department of Medical Assistance Services in cooperation with the State Executive				
15	Council, shall provide semi-annual training to local Comprehensive Services Act teams on the				
16	procedures for use of Medicaid for residential treatment and treatment foster care services,				
17	including, but not limited to, procedures for determining eligibility, billing, reimbursement, and				
18	related reporting requirements. The department shall include in this training information on the				
19	proper utilization of inpatient and outpatient mental health services as covered by the Medicaid				
20	State Plan.				
21	S.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical				
22	Assistance Services, in consultation with the Department of Behavioral Health and				
23	Developmental Services, shall amend the State Plan for Medical Assistance Services to modify				
24	the delivery system of pharmaceutical products to include a Preferred Drug List. In developing				
25	the modifications, the department shall consider input from physicians, pharmacists,				
26	pharmaceutical manufacturers, patient advocates, and others, as appropriate.				
27	2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the				
28	development and ongoing administration of the Preferred Drug List program. The Pharmacy				
29	and Therapeutics Committee shall be composed of 8 to 12 members, including the				
30	Commissioner, Department of Behavioral Health and Developmental Services, or his designee.				
31	Other members shall be selected or approved by the department. The membership shall include				
32	a ratio of physicians to pharmacists of 2:1 and the department shall ensure that at least one-half				
33	of the physicians and pharmacists are either direct providers or are employed with organizations				
34	that serve recipients for all segments of the Medicaid population. Physicians on the committee				
35	shall be licensed in Virginia, one of whom shall be a psychiatrist, and one of whom specializes				
36	in care for the aging. Pharmacists on the committee shall be licensed in Virginia, one of whom				
37	shall have clinical expertise in mental health drugs, and one of whom has clinical expertise in				
38	community-based mental health treatment. The Pharmacy and Therapeutics Committee shall				
39	recommend to the department (i) which therapeutic classes of drugs should be subject to the				
40	Preferred Drug List program and prior authorization requirements; (ii) specific drugs within				
41	each therapeutic class to be included on the preferred drug list; (iii) appropriate exclusions for				
42	medications, including atypical anti-psychotics, used for the treatment of serious mental				
43	illnesses such as bi-polar disorders, schizophrenia, and depression; (iv) appropriate exclusions				
44	for medications used for the treatment of brain disorders, cancer and HIV-related conditions;				
45	(v) appropriate exclusions for therapeutic classes in which there is only one drug in the				
46	therapeutic class or there is very low utilization, or for which it is not cost-effective to include				
47	in the Preferred Drug List program; and (vi) appropriate grandfather clauses when prior				
48	authorization would interfere with established complex drug regimens that have proven to be				
49	clinically effective. In developing and maintaining the preferred drug list, the cost effectiveness				
50	of any given drug shall be considered only after it is determined to be safe and clinically				
51	effective.				
52	b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-annually				
53	and may meet at other times at the discretion of the chairperson and members. At the				
54	meetings, the Pharmacy and Therapeutics committee shall review any drug in a class subject to				
55	the Preferred Drug List that is newly approved by the Federal Food and Drug Administration,				
56	provided there is at least thirty (30) days notice of such approval prior to the date of the				
57	quarterly meeting.				
58	3. The department shall establish a process for acting on the recommendations made by the				

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1	Pharmacy and Therapeutics Committee, including documentation of any decisions which			
2	deviate from the recommendations of the committee.			
3	4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-hour			
4	emergency supply of the prescribed drug when requested by a physician and a dispensing fee			
5	to be paid to the pharmacy for such supply; (ii) prior authorization decisions to be made within			
6	24 hours and timely notification of the recipient and/or the prescribing physician of any delays			
7	or negative decisions; (iii) an expedited review process of denials by the department; and (iv)			
8	consumer and provider education, training and information regarding the Preferred Drug List			
9	prior to implementation, and ongoing communications to include computer access to			
10	information and multilingual material.			
11	5. The Preferred Drug List program shall generate savings as determined by the department that			
12	are net of any administrative expenses to implement and administer the program.			
13	6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes, the			
14	Department of Medical Assistance Services shall promulgate emergency regulations to become			
15	effective within 280 days or less from the enactment of this act. With respect to such state plan			
16	amendments and regulations, the provisions of § 32.1-331.12 et seq., Code of Virginia, shall			
17	not apply. In addition, the department shall work with the Department of Behavioral Health and			
18	Development Services to consider utilizing a Preferred Drug List program for its non-Medicaid			
19	clients.			
20	7. The Department of Medical Assistance Services shall (i) exempt antidepressant, antianxiety			
21	and antipsychotic medications used for the treatment of mental illness from the Medicaid			
22	Preferred Drug List program through June 30, 2014; (ii) continually review utilization of			
23	behavioral health medications under the State Medicaid Program for Medicaid recipients; and			
24	(iii) ensure appropriate use of these medications according to federal Food and Drug			
25	Administration (FDA) approved indications and dosage levels. The department may also			
26	require retrospective clinical justification according to FDA approved indications and dosage			
27	levels for the use of multiple behavioral health drugs for a Medicaid patient. For individuals			
28	18 years of age and younger who are prescribed three or more behavioral health drugs, the			
29	department may implement clinical edits that target inefficient, ineffective, or potentially			
30	harmful prescribing patterns in accordance with FDA-approved indications and dosage levels.			
31	8. The Department of Medical Assistance Services shall ensure that in the process of			
32	developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the			
33	value of including those prescription medications which improve drug regimen compliance,			
34	reduce medication errors, or decrease medication abuse through the use of medication delivery			
35	systems that include, but are not limited to, transdermal and injectable delivery systems.			
36	T.1. The Department of Medical Assistance Services may amend the State Plan for Medical			
37	Assistance Services to modify the delivery system of pharmaceutical products to include a			
38	specialty drug program. In developing the modifications, the department shall consider input			
39	from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy			
40	Liaison Committee, and others as appropriate.			
41	2. In developing the specialty drug program to implement appropriate care management and			
42	control drug expenditures, the department shall contract with a vendor who will develop a			
43	methodology for the reimbursement and utilization through appropriate case management of			
44	specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization			
45	guidelines to medical and pharmacy providers in a timely manner prior to the implementation			
46	of the specialty drug program and publish the same on the department's website.			
47	3. In the event that the Department of Medical Assistance Services contracts with a vendor, the			
48	department shall establish the fee paid to any such contractor based on the reasonable cost of			
49	services provided. The department may not offer or pay directly or indirectly any material			
50	inducement, bonus, or other financial incentive to a program contractor based on the denial or			
51	administrative delay of medically appropriate prescription drug therapy, or on the decreased use			
52	of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who			
53	receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on the			
54	percentage of cost savings generated under the benefit management of services.			
55	4. The department shall: (i) review, update and publish the list of authorized specialty drugs,			

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1	utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to				
2	revise the list or modify specialty drug program utilization guidelines and rates, consistent with				
3	changes in the marketplace; and (iii) provide an administrative appeals procedure to allow				
4	dispensing or prescribing provider to contest the listed specialty drugs and rates.				
5	5. The department shall report on savings and quality improvements achieved through the				
6	implementation measures for the specialty drug program to the Chairmen of the House				
7	Appropriations and Senate Finance Committees, the Joint Commission on Health Care, and the				
8	Department of Planning and Budget by November 1 of each year.				
9	6. The department shall have authority to enact emergency regulations under § 2.2-4011 of the				
10	Administrative Process Act to effect these provisions.				
11	U.1. The Department of Medical Assistance Services shall reimburse school divisions who sign				
12	an agreement to provide administrative support to the Medicaid program and who provide				
13	documentation of administrative expenses related to the Medicaid program 50 percent of the				
14	Federal Financial Participation by the department.				
15	2. The Department of Medical Assistance Services shall retain five percent of the Federal				
16	Financial Participation for reimbursement to school divisions for medical and transportation				
17	services.				
18	V. In the event that the Department of Medical Assistance Services decides to contract for				
19	pharmaceutical benefit management services to administer, develop, manage, or implement				
20	Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor				
21	based on the reasonable cost of services provided. The department may not offer or pay				
22	directly or indirectly any material inducement, bonus, or other financial incentive to a program				
23	contractor based on the denial or administrative delay of medically appropriate prescription				
24	drug therapy, or on the decreased use of a particular drug or class of drugs, or a reduction in				
25	the proportion of beneficiaries who receive prescription drug therapy under the Medicaid				
26	program. Bonuses cannot be based on the percentage of cost savings generated under the				
27	benefit management of services.				
28	W. The Department of Medical Assistance Services, in cooperation with the Department of				
29	Social Services' Division of Child Support Enforcement (DSCE), shall identify and report third				
30	party coverage where a medical support order has required a custodial or noncustodial parent to				
31	enroll a child in a health insurance plan. The Department of Medical Assistance Services				
32	shall also report to the DCSE third party information that has been identified through their third				
33	party identification processes for children handled by DCSE.				
34	X.1. Within the limits of this appropriation, the Department of Medical Assistance Services				
35	shall work with its contracted managed care organizations and fee-for-service health care				
36	providers to: (i) raise awareness among the providers who serve the Medicaid population about				
37	the health risks of chronic kidney disease; (ii) establish effective means of identifying patients				
38	with this condition; and (iii) develop strategies for improving the health status of these				
39	patients. The department shall work with the National Kidney Foundation to prepare and				
40	disseminate information for physicians and other health care providers regarding generally				
41	accepted standards of clinical care and the benefits of early identification of individuals at				
42	highest risk of chronic kidney disease.				
43	2. The department shall request any clinical laboratory performing a serum creatinine test on a				
44	Medicaid recipient over the age of 18 years to calculate and report to the physician the				
45	estimated glomerular filtration rate (eGFR) of the patient and shall report it as a percent of				
46	kidney function remaining.				
47	Y.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying that				
48	an overpayment for medical assistance services has been made to a provider, the Director,				
49	Department of Medical Assistance Services shall notify the provider of the amount of the				
50	overpayment. Such notification of overpayment shall be issued within the earlier of (i) four				
51	years after payment of the claim or other payment request, or (ii) four years after filing by the				
52	provider of the complete cost report as defined in the Department of Medical Assistance				
53	Services' regulations, or (iii) 15 months after filing by the provider of the final complete cost				
54	report as defined in the Department of Medical Assistance Services' regulations subsequent to				
55	sale of the facility or termination of the provider.				

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1	2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall issue an			
2	informal fact-finding conference decision concerning provider reimbursement in accordance			
3	with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code of Virginia, and			
4	applicable federal law. The informal fact-finding conference decision shall be issued within 180			
5	days of the receipt of the appeal request. If the agency does not render an informal fact-finding			
6	conference decision within 180 days of the receipt of the appeal request, the decision is			
7	deemed to be in favor of the provider. An appeal of the director's informal fact-finding			
8	conference decision concerning provider reimbursement shall be heard in accordance with			
9	§ 2.2-4020 of the Administrative Process Act (§ 2.2-4020 et seq.) and the State Plan for			
10	Medical Assistance provided for in § 32.1-325, Code of Virginia. Once a final agency case			
11	decision has been made, the director shall undertake full recovery of such overpayment whether			
12	or not the provider disputes, in whole or in part, the informal fact-finding conference decision			
13	or the final agency case decision. Interest charges on the unpaid balance of any overpayment			
14	shall accrue pursuant to § 32.1-313, Code of Virginia, from the date the Director's agency case			
15	decision becomes final.			
16	Z. Any hospital that was designated a Medicare-dependent small rural hospital, as defined in 42			
17	U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be designated a rural hospital			
18	pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after September 30, 2004.			
19	AA. The Department of Medical Assistance Services shall implement one or more Program for			
20	All Inclusive Care for the Elderly (PACE) programs.			
21	BB. The Department of Medical Assistance Services shall amend its State Plan for Medical			
22	Assistance Services to develop and implement a regional model for the integration of acute and			
23	long-term care services. This model would be offered to elderly and disabled clients on a			
24	mandatory basis. The department shall promulgate emergency regulations to implement this			
25	amendment within 280 days or less from the enactment of this act.			
26	CC.I. Contingent upon approval by the Centers for Medicare and Medicaid Services as part of			
27	the Money Follows the Person demonstration grant, the Department of Medical Assistance			
28	Services shall seek federal approval for necessary changes to home and community-based			
29	1915(c) waivers to allow individuals transitioning from institutions to receive care in the			
30	community. The Department of Medical Assistance Services shall promulgate any necessary			
31	emergency regulations within 280 days or less from the enactment date of this act.			
32	2. The Department of Medical Assistance Services shall amend the Individual and Family			
33	Developmental Disabilities Support (DD) Waiver to add up to 30 new slots (up to 15 each			
34	fiscal year) and the Intellectual Disabilities (ID) Waiver to add up to 220 new slots (up to 110			
35	each fiscal year) which will be reserved for individuals transitioning out of institutional settings			
36	through the Money Follows the Person Demonstration. The Department of Medical Assistance			
37	Services shall seek federal approval for necessary changes to the DD and ID waiver			
38	applications to add the additional slots.			
39	DD. The Department of Medical Assistance Services shall have the authority to implement			
40	prior authorization and utilization review for community-based mental health services for			
41	children and adults. The department shall have the authority to promulgate emergency			
42	regulations to implement this amendment within 280 days or less from the enactment of this			
43	act.			
44	EE. The Department of Medical Assistance Services shall delay the last quarterly payment of			
45	certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first			
46	quarter of the following year. Quarterly payments that shall be delayed from each June to each			
47	July shall be Disproportionate Share Hospital payments, Indirect Medical Education payments,			
48	and Direct Medical Education payments. The department shall have the authority to implement			
49	this reimbursement change effective upon passage of this act, and prior to the completion of			
50	any regulatory process undertaken in order to effect such change.			
51	FF. The Department of Medical Assistance Services shall make the monthly capitation payment			
52	to managed care organizations for the member months of each month in the first week of the			
53	subsequent month. The department shall have the authority to implement this reimbursement			
54	schedule change effective upon passage of this act, and prior to the completion of any			
55	regulatory process undertaken in order to effect such change.			

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1	GG. In every June the remittance that would normally be paid to providers on the last			
2	remittance date of the state fiscal year shall be delayed one week longer than is normally the			
3	practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This			
4	change does not apply to providers who are paid a per-month capitation payment. The			
5	department shall have the authority to implement this reimbursement change effective upon			
6	passage of this act, and prior to the completion of any regulatory process undertaken in order			
7	to effect such change.			
8	HH. Upon approval by the Centers for Medicare and Medicaid Services of the application for			
9	renewal of the Intellectual Disabilities Waiver, expeditious implementation of any revisions			
10	shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process			
11	Act. Therefore, to meet this emergency situation, the Department of Medical Assistance			
12	Services shall promulgate emergency regulations to implement the provisions of this act.			
13	II. The Department of Medical Assistance Services shall provide information to personal care			
14	agency providers regarding the options available to meet staffing requirements for personal care			
15	aides including the completion of provider-offered training or DMAS Personal Care Aide			
16	Training Curriculum.			
17	JJ. The Department of Medical Assistance Services, in consultation with the Department of			
18	Behavioral Health and Developmental Services, shall amend the State Plan for Medical			
19	Assistance Services in order to comply with the payor of last resort requirements of Part C of			
20	the Individuals with Disabilities Education Act (IDEA) of 2004. The Department of Medical			
21	Assistance Services shall promulgate regulations to become effective within 280 days or less			
22	from the enactment date of this act. The department shall implement these necessary regulatory			
23	changes to be consistent with federal requirements for the Part C program.			
24	KK. The Department of Medical Assistance Services shall impose an assessment equal to 5.5			
25	percent of revenue on all ICF-MR providers. The department shall determine procedures for			
26	collecting the assessment, including penalties for non-compliance. The department shall have			
27	the authority to adjust interim rates to cover new Medicaid costs as a result of this assessment.			
28	LL. The Department of Medical Assistance Services shall make programmatic changes in the			
29	provision of Intensive In-Home services and Community Mental Health services in order ensure			
30	appropriate utilization and cost efficiency. The department shall consider all available options			
31	including, but not limited to, prior authorization, utilization review and provider qualifications.			
32	The Department of Medical Assistance Services shall promulgate regulations to implement			
33	these changes within 280 days or less from the enactment date of this act.			
34	MM. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and			
35	§32.1-323.2 of the Code of Virginia, the Department of Medical Assistance Services shall not			
36	add any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and Family			
37	Developmental Disabilities and Support Medicaid Waiver other than those slots authorized to			
38	specifically to support the Money Follows the Person Demonstration, individuals who are			
39	exiting state institutions, any slots authorized under Chapters 724 and 729 of the 2011 Virginia			
40	Acts of Assembly or §37.2-319, Code of Virginia, or authorized elsewhere in this act.			
41	NN. The Department of Medical Assistance Services shall not adjust rates or the rate ceiling of			
42	residential psychiatric facilities for inflation.			
43	OO.1. Effective July 1, 2010, the Department of Medical Assistance Services (DMAS) shall			
44	amend the State Plan for Medical Assistance to modify reimbursement for Durable Medical			
45	Equipment (DME) to:			
46	a. Reduce reimbursement for DME that has a Durable Medical Equipment Regional Carrier			
47	(DMERC) rate from 100 percent of Medicare reimbursement level to 90 percent of the			
48	Medicare level.			
49	b. Reduce fee schedule rates for DME and supplies by category-specific amounts as			
50	recommended in the November 1, 2009, Report on Durable Medical Equipment Reimbursement			
51	to the Senate Finance and House Appropriations Committees. The Department of Medical			
52	Assistance Services shall also modify the pricing of incontinence supplies from case to item,			
53	which is the industry standard.			

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1	c. Establish rates for additional procedure codes where benchmark rates are available.			
2	d. Reimburse at cost plus 30 percent for any item not on the fee schedule. Cost shall be no			
3	more than the net manufacturer's charge to the provider, less shipping and handling.			
4	e. Determine alternate pricing for any code that does not have a rate.			
5	f. Limit service day reimbursement to intravenous and oxygen therapy equipment.			
6	2. The department shall promulgate regulations to implement this amendment within 280 days			
7	or less from the enactment of this act. The department shall implement these reimbursement			
8	changes prior to the completion of the regulatory process.			
9	PP. The Department of Medical Assistance Services shall have the authority to modify			
10	reimbursement for Durable Medical Equipment for incontinence supplies based on competitive			
11	bidding subject to approval by the Centers for Medicare and Medicaid Services (CMS). The			
12	department shall have the authority to promulgate regulations to become effective within 280			
13	days or less from the enactment of this act.			
14	QQ. The Department of Medical Assistance Services shall work with the Department of			
15	Behavioral Health and Developmental Services in consultation with the Virginia Association of			
16	Community Services Boards, the Virginia Network of Private Providers, the Virginia Coalition			
17	of Private Provider Associations, and the Association of Community Based Providers, to			
18	establish rates for the Intensive In-Home Service based on quality indicators and standards,			
19	such as the use of evidence-based practices.			
20	RR. The Department of Medical Assistance Services shall seek federal authority through the			
21	necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social			
22	Security Act to expand principles of care coordination to all geographic areas, populations, and			
23	services under programs administered by the department. The expansion of care coordination			
24	shall be based on the principles of shared financial risk such as shared savings, performance			
25	benchmarks or risk and improving the value of care delivered by measuring outcomes,			
26	enhancing quality, and monitoring expenditures. The department shall engage stakeholders,			
27	including beneficiaries, advocates, providers, and health plans, during the development and			
28	implementation of the care coordination projects. Implementation shall include specific			
29	requirements for data collection to ensure the ability to monitor utilization, quality of care,			
30	outcomes, costs, and cost savings. The department shall report by November 1 of each year to			
31	the Governor and the Chairmen of the House Appropriations and Senate Finance Committees			
32	detailing implementation progress including, but not limited to, the number of individuals			
33	enrolled in care coordination, the geographic areas, populations and services affected and cost			
34	savings achieved. Unless otherwise delineated, the department shall have authority to			
35	implement necessary changes upon federal approval and prior to the completion of any			
36	regulatory process undertaken in order to effect such change. The intent of this Item may be			
37	achieved through several steps, including, but not limited to, the following:			
38	a. In fulfillment of this Item, the department may seek any necessary federal authority through			
39	amendment to the State Plans under Title XIX and XXI of the Social Security Act, and			
40	appropriate waivers to such, to expand the current managed care program, Medallion II, to the			
41	Roanoke/Alleghany area by January 1, 2012, and far Southwest Virginia by July 1, 2012. The			
42	department shall have authority to promulgate emergency regulations to implement this			
43	amendment within 280 days or less from the enactment of this act.			
44	b. In fulfillment of this Item, the department may seek federal authority through amendments to			
45	the State Plans under Title XIX and XXI of the Social Security Act, and appropriate waivers to			
46	such, to allow, on a pilot basis, foster care children, under the custody of the City of Richmond			
47	Department of Social Services, to be enrolled in Medicaid managed care (Medallion II)			
48	effective July 1, 2011. The department shall have the authority to promulgate emergency			
49	regulations to implement this amendment within 280 days or less from the enactment date of			
50	this act.			
51	c. In fulfillment of this item, the department may seek federal authority to implement a care			
52	coordination program for Elderly or Disabled with Consumer Direction (EDCD) waiver			
53	participants effective October 1, 2011. This service would be provided to adult ED CD waiver			
54	participants on a mandatory basis. The department shall have authority to promulgate			

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1	emergency regulations to implement this amendment within 280 days or less from the			
2	enactment of this act.			
3	d. In fulfillment of this item, the department may seek federal authority through amendments to			
4	the State Plan under Title XIX of the Social Security Act, and any necessary waivers, to allow			
5	individuals enrolled in Home and Community Based Care (HCBC) waivers to also be enrolled			
6	in contracted Medallion II managed care organizations for the purposes of receiving acute and			
7	medical care services. The department shall have authority to promulgate emergency regulations			
8	to implement this amendment within 280 days or less from the enactment of this act.			
9	e. In fulfillment of this item, the department and the Department of Behavioral Health and			
10	Developmental Services, in collaboration with the Community Services Boards and in			
11	consultation with appropriate stakeholders, shall develop a blueprint for the development and			
12	implementation of a care coordination model for individuals in need of behavioral health			
13	services not currently provided through a managed care organization. The overall goal of the			
14	project is to improve the value of behavioral health services purchased by the Commonwealth			
15	of Virginia without compromising access to behavioral health services for vulnerable			
16	populations. Targeted case management services will continue to be the responsibility of the			
17	Community Services Boards. The blueprint shall: (i) describe the steps for development and			
18	implementation of the program model(s) including funding, populations served, services			
19	provided, timeframe for program implementation, and education of clients and providers; (ii)			
20	set the criteria for medical necessity for community mental health rehabilitation services; and			
21	(iii) include the following principles:			
22	1. Improves value so that there is better access to care while improving equity.			
23	2. Engages consumers as informed and responsible partners from enrollment to care delivery.			
24	3. Provides consumer protections with respect to choice of providers and plans of care.			
25	4. Improves satisfaction among providers and provides technical assistance and incentives for			
26	quality improvement.			
27	5. Improves satisfaction among consumers by including consumer representatives on provider			
28	panels for the development of policy and planning decisions.			
29	6. Improves quality, individual safety, health outcomes, and efficiency.			
30	7. Develops direct linkages between medical and behavioral services in order to make it easier			
31	for consumers to obtain timely access to care and services, which could include up to full			
32	integration.			
33	8. Builds upon current best practices in the delivery of behavioral health services.			
34	9. Accounts for local circumstances and reflects familiarity with the community where services			
35	are provided.			
36	10. Develops service capacity and a payment system that reduces the need for involuntary			
37	commitments and prevents default (or diversion) to state hospitals.			
38	11. Reduces and improves the interface of vulnerable populations with local law enforcement,			
39	courts, jails, and detention centers.			
40	12. Supports the responsibilities defined in the Code of Virginia relating to Community			
41	Services Boards and Behavioral Health Authorities.			
42	13. Promotes availability of access to vital supports such as housing and supported			
43	employment.			
44	14. Achieves cost savings through decreasing avoidable episodes of care and hospitalizations,			
45	strengthening the discharge planning process, improving adherence to medication regimens, and			
46	utilizing community alternatives to hospitalizations and institutionalization.			
47	15. Simplifies the administration of acute psychiatric, community mental health rehabilitation,			

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2	and medical health services for the coordinating entity, providers, and consumers.			
3	16. Requires standardized data collection, outcome measures, customer satisfaction surveys, and			
4	reports to track costs, utilization of services, and outcomes. Performance data should be			
5	explicit, benchmarked, standardized, publicly available, and validated.			
6	17. Provides actionable data and feedback to providers.			
7	18. In accordance with federal and state regulations, includes provisions for effective and			
8	timely grievances and appeals for consumers.			
9	f. The department may seek the necessary waiver(s) and/or State Plan authorization under Titles			
10	XIX and XXI of the Social Security Act to develop and implement a care coordination model,			
11	that is consistent with the principles in Paragraph e, for individuals in need of behavioral health			
12	services not currently provided through managed care to be effective July 1, 2012. This model			
13	may be applied to individuals on a mandatory basis. The department shall have authority to			
14	promulgate emergency regulations to implement this amendment within 280 days or less from			
15	the enactment date of this act.			
16	g. The department may seek the necessary waiver(s) and/or State Plan authorization under Title			
17	XIX of the Social Security Act to develop and implement a care coordination model for			
18	individuals dually eligible for services under both Medicare and Medicaid. The Director of the			
19	Department of Medical Assistance Services, in consultation with the Secretary of Health and			
20	Human Resources, shall establish a stakeholder advisory committee to support implementation			
21	of dual-eligible care coordination systems. The advisory committee shall support the			
22	dual-eligible initiatives by identifying care coordination and quality improvement priorities,			
23	assisting in securing analytic and care management support resources from federal, private and			
24	other sources and helping design and communicate performance reports. The advisory			
25	committee shall include representation from health systems, health plans, long-term care			
26	providers, health policy researchers, physicians, and others with expertise in serving the aged,			
27	blind, and disabled, and dual-eligible populations. The department shall have authority to			
28	implement necessary changes upon federal approval and prior to the completion of any			
29	regulatory process undertaken in order to effect such change.			
30	h. In fulfillment of this item, the department may seek the federal authority through amendment			
31	to the State Plan under Title XIX of the Social Security Act, and any necessary waivers, to			
32	allow for the implementation of a Health Home Program for Chronic Kidney Disease utilizing			
33	available funding included in the Patient Protection and Affordable Care Act of 2010 to be			
34	effective May 1, 2012. The department shall have authority to implement necessary changes			
35	upon federal approval and prior to the completion of any regulatory process undertaken in			
36	order to effect such change.			
37	SS. The Department of Medical Assistance Services shall make programmatic changes in the			
38	provision of Residential Treatment Facility (Level C) and Levels A and B residential services			
39	(group homes) for children with serious emotional disturbances in order ensure appropriate			
40	utilization and cost efficiency. The department shall consider all available options including,			
41	but not limited to, prior authorization, utilization review and provider qualifications. The			
42	department shall have authority to promulgate regulations to implement these changes within			
43	280 days or less from the enactment date of this act.			
44	TT. The Department of Medical Assistance Services, in consultation with the appropriate			
45	stakeholders, shall seek federal authority to implement a pricing methodology to modify or			
46	replace the current pricing methodology for pharmaceutical products as defined in 12 VAC			
47	30-80-40, including the dispensing fee, with an alternative methodology that is budget neutral			
48	or that creates cost savings. The department shall have the authority to promulgate emergency			
49	regulations to implement this amendment within 280 days or less from the enactment of this			
50	act.			
51	UU. The Department of Medical Assistance Services shall make programmatic changes to the			
52	recipient utilization (Client Medical Management) program in order ensure appropriate			
53	utilization, prevent abuse, and promote improved and cost efficient medical management of			
54	essential Medicaid client health care. The department shall consider all available options			
55	including, but not limited to, utilization review, program criteria, and client enrollment. The			
	Department of Medical Assistance Services shall promulgate regulations to implement these			

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1	changes within 280 days or less from the enactment date of this act.				
2	VV. The Department of Medical Assistance Services shall mandate that payment rates				
3	negotiated between participating Medicaid managed care organizations and out-of-network				
4	providers for emergency or otherwise authorized treatment shall be considered payment in full.				
5	In the absence of rates negotiated between the managed care organization and the				
6	out-of-network provider, these services shall be reimbursed at the Virginia Medicaid fees and/or				
7	rates and shall be considered payment in full. The department shall have the authority to				
8	promulgate emergency regulations to implement this amendment within 280 days or less from				
9	the enactment date of this act.				
10	WW. The Department of Medical Assistance Services shall, contingent on federal approval,				
11	amend the Elderly and Disabled with Consumer Direction waiver to allow individuals in the				
12	waiver with special needs, who have a diagnosis of intellectual disability (ID), to receive				
13	respite services from a residential facility licensed for respite for individuals with ID. The				
14	department shall promulgate emergency regulations to become effective within 280 days or less				
15	from the enactment of this act. The department shall implement these changes to be consistent				
16	with federal approval of the waiver changes.				
17	XX. The Department of Medical Assistance Services shall have the authority to amend the				
18	State Plan for Medical Assistance to convert the current cost-based reimbursement methodology				
19	for outpatient hospitals to an Enhanced Ambulatory Patient Group (EAPG) methodology.				
20	Reimbursement for laboratory services shall be included in the new outpatient hospital				
21	reimbursement methodology. The new EAPG reimbursement methodology shall be				
22	implemented in a budget-neutral manner. The department shall have the authority to				
23	promulgate regulations to become effective within 280 days or less from the enactment of this				
24	act.				
25	YY. The Department of Medical Assistance Services shall amend certain 1915 (c) home- and				
26	community-based waivers to cap agency and consumer directed personal care at 56 hours per				
27	week. The 1915 (c) waivers shall include the Elderly or Disabled with Consumer Direction,				
28	and HIV/AIDS Waivers. The department shall provide for individual exceptions to this limit				
29	using criteria based on dependency in activities of daily living, level of care, and taking into				
30	account the risk of institutionalization if additional hours are not provided. The department				
31	shall have authority to promulgate emergency regulations to implement this amendment within				
32	280 days or less from the enactment date of this act.				
33	ZZ. The Department of Medical Assistance Services shall seek federal authority to move the				
34	family planning eligibility group from a demonstration waiver to the State Plan for Medical				
35	Assistance. The department shall seek approval of coverage under this new state plan option for				
36	individuals with income up to 200 percent of the federal poverty level. For the purposes of				
37	this section, family planning services shall not cover payment for abortion services and no				
38	funds shall be used to perform, assist, encourage or make direct referrals for abortions. The				
39	department shall have authority to implement necessary changes upon federal approval and				
40	prior to the completion of any regulatory process undertaken in order to effect such change.				
41	AAA. The Department of Medical Assistance Services (DMAS) shall have the authority to				
42	amend the State Plan for Medical Assistance to enroll and reimburse freestanding birthing				
43	centers accredited by the Commission for the Accreditation of Birthing Centers.				
44	Reimbursement shall be based on the Enhanced Ambulatory Patient Group methodology				
45	applied in a manner similar to the reimbursement methodology for ambulatory surgery centers.				
46	The department shall have authority to implement necessary changes upon federal approval and				
47	prior to the completion of any regulatory process undertaken in order to effect such change.				
48	BBB. The Department of Medical Assistance Services shall amend the State Plan for Medical				
49	Assistance to pay Medicare rates for primary care services performed by primary care				
50	physicians as mandated in §1202 of the federal Health Care and Education Reconciliation Act				
51	of 2010 ("HCERA"; P.L. 111-152). Primary care services are defined as certain evaluation and				
52	management (E&M) services and services related to immunization administration for vaccines				
53	and toxoids. Eligible physicians are defined as physicians with a primary specialty designation				
54	of family medicine, general internal medicine, or pediatric medicine. The department shall have				
55	the authority to establish procedures to determine which providers meet the criteria. The rate				
56	increase shall be effective for a two-year period with dates of service beginning January 1,				
57	2013, through December 31, 2014. As prescribed in HCERA, the department shall claim 100				

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1	percent federal matching funds for the difference in payments between the Medicaid fee			
2	schedule effective July 1, 2009, and the Medicare rate effective January 1, 2013. HCERA also			
3	mandates that the increase be applied to Managed Care services. The department shall have			
4	authority to implement these reimbursement changes, including any requirements as a result of			
5	the federal rule implementing §1202 of HCERA and consistent with the State Plan Amendment			
6	approved by the Centers for Medicare and Medicaid Services, prior to the completion of any			
7	regulatory process undertaken in order to effect such change.			
8	CCC.I. In response to the unfavorable outcome to an appeal by the Department of Medical			
9	Assistance Services in federal court regarding reimbursement for services furnished to Medicaid			
10	members in a residential treatment center or freestanding psychiatric hospital, the department			
11	shall have the authority to implement this paragraph.			
12	2. Notwithstanding current regulations, the department shall have the authority to implement			
13	the amendment to the State Plan for Medical Assistance submitted by the department and as			
14	approved by the Centers for Medicare and Medicaid Services (CMS) effective April 1, 2010,			
15	until a new prospective reimbursement methodology is finalized. The department has the			
16	authority to recover payments, which have been disallowed by CMS, to providers for services			
17	furnished to Medicaid members in residential treatment centers or freestanding psychiatric			
18	hospitals for dates of service on or after April 1, 2010. Subject to approval of the State Plan			
19	Amendment by CMS, the department shall make supplemental payments to residential			
20	treatment centers or freestanding psychiatric hospitals so that they can reimburse providers for			
21	services furnished to Medicaid members in residential treatment centers or freestanding			
22	psychiatric hospitals for dates of service on or after April 1, 2010. The supplemental payment			
23	shall be determined based on the number of services furnished times the Medicaid rate. For			
24	claims after the effective date of this act, the department shall establish an interim rate for			
25	residential treatment centers and freestanding psychiatric facilities to cover the cost of			
26	reimbursing other providers. Providers shall submit information to DMAS on reimbursement			
27	paid to providers, which DMAS will settle.			
28	3. The department shall develop a prospective payment methodology to be implemented as			
29	soon as practicable after the unfavorable federal court decision to reimburse residential			
30	treatment centers and freestanding psychiatric hospitals for services furnished by the facility			
31	and services furnished by other providers in and by the facility. The department shall revise			
32	reimbursement for services furnished Medicaid members in residential treatment centers and			
33	freestanding psychiatric hospitals to include professional, pharmacy and other services to be			
34	reimbursed separately as long as the services are in the plan of care developed by the			
35	residential treatment center or the freestanding psychiatric hospital and arranged by the			
36	residential treatment center or the freestanding psychiatric hospital. The department shall			
37	require residential treatment centers to include all services in the plan of care needed to meet			
38	the member's physical and psychological well-being while in the facility but may also include			
39	services in the community or as part of an emergency.			
40	4. The department shall have the authority to promulgate emergency regulations to implement			
41	this amendment within 280 days from the enactment of this act.			
42	DDD. The Department of Medical Assistance Services may seek federal authority through			
43	amendments to the State Plans under Title XIX and XXI of the Social Security Act, and			
44	appropriate waivers to such, to allow foster care children, on a regional basis to be determined			
45	by the department, to be enrolled in Medicaid managed care (Medallion II). The department			
46	shall have the authority to promulgate emergency regulations to implement this amendment			
47	within 280 days or less from the enactment date of this act.			
48	EEE. The Department of Medical Assistance Services shall have the authority to amend the			
49	State Plans under Title XIX and Title XXI of the Social Security Act in order to comply with			
50	the mandated provider screening provisions of the federal Affordable Care Act (P.L. 111-148			
51	and 111-152). The department shall have authority to promulgate emergency regulations to			
52	implement this amendment within 280 days or less from the enactment of this act.			
53	FFF. The department may seek federal authority through amendments to the State Plans under			
54	Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to develop and			
55	implement programmatic and system changes that allow expedited enrollment of Medicaid			
56	eligible recipients into Medicaid managed care, most importantly for pregnant women. The			
57	department shall have the authority to promulgate emergency regulations to implement this			

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1	amendment within 280 days or less from the enactment date of this act.			
2	GGG.1. The Department of Medical Assistance Services shall amend the State Plan for Medical			
3	Assistance to eliminate inflation adjustments in FY 2013 and FY 2014 for: (i) outpatient			
4	rehabilitation agency rates; and (ii) home health agency rates.			
5	2. The department shall have the authority to implement these reimbursement changes effective			
6	July 1, 2012, and prior to completion of any regulatory process undertaken in order to effect			
7	such changes.			
8	HHH. The Department of Medical Assistance Services shall amend the Children's Mental			
9	Health demonstration program to provide coverage of transition coordinator services for up to			
10	15 months. The department shall have authority to promulgate regulations to implement these			
11	changes within 280 days or less from the enactment date of this act.			
12	III.1. The Department of Medical Assistance Services, related to appeals administered by and			
13	for the department, shall have authority to amend regulations to:			
14	i. Utilize the method of transmittal of documentation to include email, fax, courier, and			
15	electronic transmission.			
16	ii. Clarify that the day of delivery ends at normal business hours of 5:00 pm.			
17	iii. Eliminate an automatic dismissal against DMAS for alleged deficiencies in the case			
18	summary that do not relate to DMAS's obligation to substantively address all issues specified			
19	in the provider's written notice of informal appeal. A process shall be added, by which the			
20	provider shall file with the informal appeals agent within 12 calendar days of the provider's			
21	receipt of the DMAS case summary, a written notice that specifies any such alleged			
22	deficiencies that the provider knows or reasonably should know exist. DMAS shall have 12			
23	calendar days after receipt of the provider's timely written notification to address or cure any			
24	of said alleged deficiencies. The current requirement that the case summary address each			
25	adjustment, patient, service date, or other disputed matter identified in the provider's written			
26	notice of informal appeal in the detail set forth in the current regulation shall remain in force			
27	and effect, and failure to file a written case summary with the Appeals Division in the detail			
28	specified within 30 days of the filing of the provider's written notice of informal appeal shall			
29	result in dismissal in favor of the provider on those issues not addressed by DMAS.			
30	iv. Clarify that appeals remanded to the informal appeal level via Final Agency Decision or			
31	court order shall reset the timetable under DMAS' appeals regulations to start running from the			
32	date of the remand.			
33	v. Clarify the department's authority to administratively dismiss untimely filed appeal requests.			
34	vi. Clarify the time requirement for commencement of the formal administrative hearing.			
35	2. The Department of Medical Assistance Services shall have authority to promulgate			
36	regulations to implement these changes within 280 days or less from the enactment date of this			
37	act.			
38	JJJ. The Department of Medical Assistance Services shall have the authority to amend the			
39	1915(c) home-and-community-based Elderly or Disabled with Consumer-Direction waiver,			
40	subject to approval by the Centers for Medicare and Medicaid Services to incorporate the			
41	HIV/AIDS waiver. Pending CMS approval, the HIV/AIDS waiver will cease as of June 30,			
42	2012. The department shall implement this change effective July 1, 2012, and prior to the			
43	completion of any regulatory process undertaken in order to effect such changes.			
44	LLL. The Department of Medical Assistance Services shall amend the State Plan for Medical			
45	Assistance to limit hospital inflation to 2.6 percent in fiscal year 2013 and 0 percent in fiscal			
46	year 2014. This shall apply to inpatient hospital (including long-stay and freestanding			
47	psychiatric) operating, graduate medical education (GME) and disproportionate share hospital			
48	(DSH) rates. The department shall have the authority to implement these reimbursement			
49	changes effective July 1, 2012, and prior to completion of any regulatory process undertaken in			
50	order to effect such changes.			

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1	MMM. The Department of Medical Assistance Services shall amend the State Plan for Medical			
2	Assistance to eliminate ceiling rebasing in fiscal year 2013, to increase rates and current			
3	ceilings for regular and specialized care nursing facilities by 2.2 percent in fiscal year 2013 and			
4	2.2 percent in fiscal year 2014, and to increase ceilings an additional one percent in fiscal year			
5	2013. The department shall have the authority to implement these reimbursement changes			
6	effective July 1, 2012, and prior to completion of any regulatory process undertaken in order to			
7	effect such changes.			
8	NNN. Out of this appropriation, \$3,187,405 from the general fund and \$3,187,405 from			
9	nongeneral funds the first year and \$3,527,562 from the general fund and \$3,527,526 from			
10	nongeneral funds the second year shall be used to increase personal care reimbursement rates			
11	provided under community-based Medicaid waiver programs by one percent effective July 1,			
12	2012.			
13	OOO. The Department of Medical Assistance Services shall increase reimbursement rates for			
14	congregate care provided through Medicaid home- and community-based waivers by one			
15	percent effective July 1, 2012.			
16	PPP. The Department of Medical Assistance Services shall amend the State Plan for Medical			
17	Assistance to increase the rate for Part C Early Intervention Targeted Case Management from			
18	\$120 to \$132 per month. The department shall have the authority to implement this			
19	reimbursement change effective July 1, 2012, and prior to the completion of any regulatory			
20	process undertaken in order to effect such change.			
21	QQQ. The Department of Medical Assistance Services shall amend the State Plan for Medical			
22	Assistance to set reimbursement rates for ground and air emergency transportation and neonatal			
23	transport at 40 percent of the Medicare Virginia urban rates in effect for calendar year 2011.			
24	The department shall have the authority to implement these reimbursement changes effective			
25	July 1, 2012, and prior to the completion of any regulatory process undertaken in order to			
26	effect such a change.			
27	RRR. The Department of Medical Assistance Services shall amend the 1915 (c) home- and			
28	community-based Intellectual Disabilities waiver to add 75 slots effective July 1, 2012 and an			
29	additional 350 slots effective July 1, 2013.			
30	SSS. The Department of Medical Assistance Services shall amend the Individual and Family			
31	Developmental Disabilities Support (DD) waiver to add 25 new slots effective July 1, 2012 and			
32	an additional 105 slots effective July 1, 2013. The Department of Medical Assistance Services			
33	shall seek federal approval for necessary changes to the DD waiver to add the additional slots.			
34	TTT. The Department of Medical Assistance Services shall have the authority to amend the			
35	Title XIX State Plan of Medical Assistance Services, the Virginia Plan for Title XXI of the			
36	Social Security Act and the Family Access to Medical Insurance Security Plan (FAMIS)			
37	MOMS waiver to include coverage of pregnant women who are lawfully residing in the United			
38	States and who are otherwise eligible for Medicaid services, pursuant to Section 214 of the			
39	Children's Health Insurance Program Reauthorization Act of 2009. The department shall have			
40	the authority to promulgate emergency regulations to implement this change effective July 1,			
41	2012.			
42	UUU. Effective July 1, 2012, the Department of Medical Assistance Services shall amend the			
43	State Plan for Medical Assistance to provide that the reimbursement floor for the nursing			
44	facility FRV "rental rate" shall be 8.5 percent in fiscal year 2013 and fiscal year 2014. The			
45	department shall have the authority to implement these reimbursement changes prior to the			
46	completion of any regulatory process undertaken in order to effect such change.			
47	VVV. The Director of the Department of Medical Assistance Services, in consultation with the			
48	Secretary of Health and Human Resources and the Director of the Medicaid Fraud Control Unit			
49	within the Office of the Attorney General, shall develop a report containing recommendations			
50	to strengthen the prevention, detection, and prosecution of Medicaid fraud and abuse committed			
51	by recipients and service providers. To the extent feasible, the report shall provide estimates of			
52	the cost of implementing any new strategies to reduce and prevent Medicaid fraud and abuse as			
53	well as the potential cost savings that might be achieved. Specific consideration shall be given			
54	to enhancing the Commonwealth's ability, within federal law, of excluding or removing			
55	providers that are determined to pose a threat to the health and safety of recipients and/or to			

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2	the fiscal integrity of the program. The report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by December 1, 2012.			
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4	WWW. The Department of Medical Assistance Services shall develop a plan to strengthen its authority to use liens to recover the cost of providing long-term care services to Medicaid recipients. In developing the plan, the department shall survey other state Medicaid programs to determine the most effective strategies to impose Medicaid liens for estate recovery. The plan shall explain at what stage of the application process individuals will be notified about the department's use of liens to recover Medicaid costs. The plan shall also detail the additional resources that may be required to enforce lien authority and the potential cost-savings that might be achieved. The report shall be provided to the Chairmen of the Senate Finance and House Appropriations Committees by October 1, 2012.			
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13	XXX. The Department of Medical Assistance Services shall amend its regulations, subject to the federal Centers for Medicare and Medicaid Services approval, to strengthen the qualifications and responsibilities of the Consumer Directed Service Facilitator to ensure the health, safety and welfare of Medicaid home- and community-based waiver enrollees. The department shall have the authority to promulgate emergency regulations to implement this change effective July 1, 2012.			
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19	YYY. The Department of Medical Assistance Services shall establish an advisory group of representatives of providers of home- and community-based care services to continue improvements in the audit process and procedures for home- and community-based utilization and review audits. The Department of Medical Assistance Services shall report on any revisions to the methodology for home- and community-based utilization and review audits, including progress made in addressing provider concerns and solutions to improve the process for providers while ensuring program integrity. The report shall be provided to the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2012.			
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27	ZZZ. It is the intent of the General Assembly that the implementation and administration of the care coordination contract for behavioral health services be conducted in a manner that insures system integrity and engages private providers in the independent assessment process. In addition, it is the intent that in the provision of services that ethical and professional conflicts are avoided and that sound clinical decisions are made in the best interests of the individuals receiving behavioral health services. As part of this process, the department shall monitor the performance of the contract to ensure that these principles are met and that stakeholders are involved in the assessment, approval, provision, and use of behavioral health services provided as a result of this contract.			
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36	AAAA. 1. Notwithstanding the requirements of Code of Virginia §2.2-4000, et seq., the Department of Medical Assistance Services shall amend the state plan and appropriate waivers under Title XIX of the Social Security Act to implement a process for administrative appeals of Medicaid/Medicare dual eligible recipients in accordance with terms of the Memorandum of Understanding between the department and the Centers for Medicare and Medicaid Services for the financial alignment demonstration program for dual eligible recipients. The department shall implement this change within 280 days or less from the enactment of this Appropriation Act.			
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44	2. The department shall report by November 1 of each year to the Governor, the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, Department of Planning and Budget detailing implementation progress of the financial alignment demonstration waiver. This report shall include, but is not limited to, costs of implementation, projected cost savings, number of individuals enrolled, and any other implementation issues that arise.			
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50	BBBB.1. Effective July 1, 2013, the Department of Medical Assistance Services shall have the authority, to establish a 25 percent higher reimbursement rate for congregate residential services for individuals with complex medical or behavioral needs currently residing in an institution and unable to transition to integrated settings in the community due to the need for services that cannot be provided within the maximum allowable rate, or individuals whose needs present imminent risk of institutionalization and enhanced waiver services are needed beyond those available within the maximum allowable rate. The department shall have authority to promulgate regulations to implement this change within 280 days or less from the enactment of this act.			
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1	2. The department, in cooperation with the Department of Behavioral Health and			
2	Developmental Services, shall report to the Governor, the Chairmen of the House			
3	Appropriations and Senate Finance Committees, and the Director, Department of Planning and			
4	Budget on the effectiveness of this rate increase in addressing the transition of institutionalized			
5	individuals to the community. This report shall include, but is not limited to, the number of			
6	individuals eligible for the higher reimbursement rate, whether they transitioned from an			
7	institution or were already receiving community services, and the costs to the Medicaid			
8	program. A report shall be due by February 1, 2014, that covers the first six months of FY			
9	2014 and another report is due by August 1, 2014, that covers the last six months of FY 2014.			
10	CCCC. The Department of Medical Assistance Services shall amend the State Plan for Medical			
11	Assistance to reduce the occupancy requirement for indirect operating and capital			
12	reimbursement for nursing facilities from 90 percent to 88 percent. The department shall have			
13	the authority to implement these reimbursement changes effective July 1, 2013, and prior to the			
14	completion of any regulatory process undertaken in order to effect such change.			
15	DDDD. The Department of Medical Assistance Services shall not rebase hospital			
16	Disproportionate Share Hospital (DSH) amounts in FY 2014 and instead shall freeze DSH at			
17	the FY 2013 eligible providers and amounts. The department shall have the authority to			
18	implement these reimbursement changes effective July 1, 2013, and prior to the completion of			
19	any regulatory process undertaken in order to effect such change.			
20	EEEE. The Department of Medical Assistance Services shall amend the State Plan for Medical			
21	Assistance to allow for delivery of notices of program reimbursement or other items referred to			
22	in the regulations related to provider appeals by electronic means consistent with the Uniform			
23	Electronic Transactions Act. The department shall implement this change effective July 1,			
24	2013, and prior to completion of any regulatory process undertaken in order to effect such			
25	changes.			
26	FFFF. The Department of Medical Assistance Services shall have the authority to amend the			
27	State Plan for Medical Assistance to convert the current cost-based reimbursement methodology			
28	for nursing facility operating rates to a price-based methodology. The new price-based			
29	reimbursement methodology shall be implemented in a budget neutral manner. The department			
30	shall promulgate regulations to become effective within 280 days or less from the enactment of			
31	this act.			
32	GGGG. The Department of Medical Assistance Services shall amend its State Plan under Title			
33	XIX of the Social Security Act to implement reasonable restrictions on the amount of incurred			
34	dental expenses allowed as a deduction from income for nursing facility residents. Such			
35	limitations shall include: (i) that routine exams and x-rays, and dental cleaning shall be limited			
36	to twice yearly; (ii) full mouth x-rays shall be limited to once every three years; and (iii)			
37	deductions for extractions and fillings shall be permitted only if medically necessary as			
38	determined by the department.			
39	HHHH. Notwithstanding §32.1-325, et seq. and §32.1-351, et seq. of the Code of Virginia, and			
40	effective upon the availability of subsidized private health insurance offered through a Health			
41	Benefits Exchange in Virginia as articulated through the federal Patient Protection and			
42	Affordable Care Act (PPACA), the Department of Medical Assistance Services shall eliminate,			
43	to the extent not prohibited under federal law, Medicaid Plan First and FAMIS Moms program			
44	offerings to populations eligible for said subsidized coverage in order to remove disincentives			
45	for subsidized private healthcare coverage through publicly-offered alternatives. To ensure, to			
46	the extent feasible, a smooth transition from public coverage, DMAS shall endeavor to phase			
47	out such coverage for existing enrollees once subsidized private insurance is available through			
48	a Health Benefits Exchange in Virginia. The department shall implement any necessary			
49	changes upon federal approval and prior to the completion of any regulatory process			
50	undertaken in order to effect such change.			
51	IIII. The Department of Medical Assistance Services shall have authority to amend the State			
52	Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any			
53	waivers thereof, to implement requirements of the federal Patient Protection and Affordable			
54	Care Act (PPACA) as it pertains to implementation of Medicaid and CHIP eligibility			
55	determination and case management standards and practices, including the Modified Adjusted			
56	Gross Income (MAGI) methodology. The department shall have authority to implement such			
57	standards and practices upon federal approval and prior to the completion of any regulatory			

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1	process undertaken in order to effect such change.			
2	JJJJ. Out of this appropriation, \$800,000 the first year and \$870,000 the second year from the			
3	general fund is provided for a contract with George Mason University for health innovation			
4	efforts as well as grants to public and private organizations for projects designed to reduce the			
5	rising cost of health care. The department shall provide a report on the allocation of funds to			
6	the Chairmen of the House Appropriations and Senate Finance Committee by September 30,			
7	2013.			
8	KKKK. Out of this appropriation, \$754,854 from the general fund and \$754,854 from			
9	nongeneral funds the second year shall be used to increase reimbursement rates by 5 percent			
10	for private duty nursing services provided under the Medicaid home- and community-based			
11	Technology Assisted waiver program. The department shall have the authority to implement			
12	this reimbursement change effective July 1, 2013, and prior to the completion of any regulatory			
13	process undertaken in order to effect such change.			
14	LLLL. Out of this appropriation, \$667,902 from the general fund and \$667,902 from			
15	nongeneral funds the second year shall be used to increase reimbursement rates for adult day			
16	health services provided through Medicaid home- and community-based waiver programs by			
17	\$10.00 per unit. The department shall have the authority to implement this reimbursement			
18	change effective July 1, 2013, and prior to the completion of any regulatory process undertaken			
19	in order to effect such change.			
20	MMMM. Effective July 1, 2013, the Department of Medical Assistance Services shall establish			
21	a Medicaid Physician and Managed Care Liaison Committee including, but not limited to,			
22	representatives from the following organizations: the Virginia Academy of Family Physicians;			
23	the American Academy of Pediatricians - Virginia Chapter; the Virginia College of Emergency			
24	Physicians; the American College of Obstetrics and Gynecology - Virginia Section; Virginia			
25	Chapter, American College of Radiology; the Psychiatric Society of Virginia; the Virginia			
26	Medical Group Management Association; and the Medical Society of Virginia. The committee			
27	shall also include representatives from each of the department's contracted managed care			
28	organizations and a representative from the Virginia Association of Health Plans. The			
29	committee will work with the department to investigate the implementation of quality,			
30	cost-effective health care initiatives, to identify means to increase provider participation in the			
31	Medicaid program, to remove administrative obstacles to quality, cost-effective patient care, and			
32	to address other matters as raised by the department or members of the committee. The			
33	committee shall meet semi-annually, or more frequently if requested by the department or			
34	members of the committee. The department, in cooperation with the committee, shall report on			
35	the committee's activities annually to the Board of Medical Assistance Services and to the			
36	Chairmen of the House Appropriations and Senate Finance Committees and the Department of			
37	Planning and Budget no later than October 1 each year.			
38	NNNN. The Department of Medical Assistance Services shall establish a work group of			
39	representatives of providers of home- and community-based care services to continue			
40	improvements in the audit process and procedures for home- and community-based utilization			
41	and review audits. The Department of Medical Assistance Services shall report on any			
42	revisions to the methodology for home- and community-based utilization and review audits,			
43	including progress made in addressing provider concerns and solutions to improve the process			
44	for providers while ensuring program integrity. In addition, the report shall include			
45	documentation of the past year's audits, a summary of the number of audits to which			
46	retractions were assessed and the total amount, the number of appeals received and the results			
47	of appeals. The report shall be provided to the Chairmen of the House Appropriations and			
48	Senate Finance Committees by December 1 of each year.			
49	OOOO. The Department of Medical Assistance Services shall amend the State Plan for Medical			
50	Assistance to calculate an indirect medical education (IME) factor for Virginia freestanding			
51	children's hospitals with greater than 50 percent Medicaid utilization in 2009. Total payments			
52	for IME in combination with other payments for freestanding children's hospitals with greater			
53	than 50 percent Medicaid utilization in 2009 may not exceed the federal uncompensated care			
54	cost limit that disproportionate share hospital payments are subject to. The department shall			
55	have the authority to implement these reimbursement changes effective July 1, 2013, and prior			
56	to completion of any regulatory process undertaken in order to effect such change.			
57	PPPP. The Department of Medical Assistance Services shall realign the billable activities paid			

ITEM 307.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	for individual supported employment provided under the Medicaid home- and community-based			
2	waivers to be consistent with job development and job placement services provided through			
3	employment services organizations that are reimbursed by the Department for Aging and			
4	Rehabilitative Services. The department shall have the authority to implement this			
5	reimbursement change effective July 1, 2013, and prior to the completion of any regulatory			
6	process undertaken in order to effect such change.			
7	QQQQ. Effective July 1, 2013, the Department of Medical Assistance Services shall take the			
8	steps necessary to amend the Intellectual Disability Waiver and the Individual and Family			
9	Developmental Disabilities Support Waiver to change the unit of service for skilled and private			
10	duty nursing from the current one hour to one-quarter of an hour. The department shall			
11	implement this change using a methodology that is budget neutral.			
12	RRRR.1. The Department of Medical Assistance Services shall seek federal authority through			
13	any necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the Social			
14	Security Act to implement a comprehensive value-driven, market-based reform of the Virginia			
15	Medicaid/FAMIS programs. This reform shall be implemented in three phases as outlined in			
16	paragraphs 2, 3 and 4. The department shall have authority to implement necessary changes			
17	when feasible after federal approval and prior to the completion of any regulatory process			
18	undertaken in order to effect such change.			
19	2. In the first phase of reform, the Department of Medical Assistance Services shall continue			
20	currently authorized reforms of the Virginia Medicaid/FAMIS service delivery model that shall,			
21	at a minimum, include (i) implementation of a Medicare-Medicaid Enrollee (dual eligible)			
22	Financial Alignment demonstration as evidenced by a Memorandum of Understanding with the			
23	Centers for Medicare and Medicaid Services (CMS), signing of a three-way contract with CMS			
24	and participating plans, and approval of the necessary amendments to the State Plan for			
25	Medical Assistance and any waivers thereof; (ii) enhanced program integrity and fraud			
26	prevention efforts to include at a minimum: recovery audit contracting (RAC), data mining,			
27	service authorization, enhanced coordination with the Medicaid Fraud Control Unit (MFCU),			
28	and Payment Error Rate Measurement (PERM); (iii) inclusion of children enrolled in foster			
29	care in managed care; (iv) implementation of a new eligibility and enrollment information			
30	system for Medicaid and other social services; (v) improved access to Veterans services			
31	through creation of the Veterans Benefit Enhancement Program; and (vi) expedite the			
32	tightening of standards, services limits, provider qualifications, and licensure requirements for			
33	community behavioral health services.			
34	3. In the second phase of reform, the Department of Medical Assistance Services shall			
35	implement value-based purchasing reforms for all recipients subject to a Modified Adjusted			
36	Gross Income (MAGI) methodology for program eligibility and any other recipient categories			
37	not excluded from the Medallion II managed care program. Such reforms shall, at a minimum,			
38	include the following: (i) the services and benefits provided are the types of services and			
39	benefits provided by commercial insurers and may include appropriate and reasonable limits on			
40	services such as occupational, physical, and speech therapy, and home care with the exception			
41	of non-traditional behavioral health and substance use disorder services; (ii) reasonable			
42	limitations on non-essential benefits such as non-emergency transportation are implemented;			
43	and (iii) patient responsibility is required including reasonable cost-sharing and active patient			
44	participation in health and wellness activities to improve health and control costs.			
45	To administer this reformed delivery model, the department is authorized to contract with			
46	qualified health plans to offer recipients a Medicaid benefit package adhering to these			
47	principles. Any coordination of non-traditional behavioral health services covered under			
48	contract with qualified health plans or through other means shall adhere to the principles			
49	outlined in paragraph RR. e. This reformed service delivery model shall be mandatory, to the			
50	extent allowed under the relevant authority granted by the federal government and shall, at a			
51	minimum, include (i) limited high-performing provider networks and medical/health homes; (ii)			
52	financial incentives for high quality outcomes and alternative payment methods; (iii)			
53	improvements to encounter data submission, reporting, and oversight; (iv) standardization of			
54	administrative and other processes for providers; and (v) support of the health information			
55	exchange.			
56	The second phase of reform shall also include administrative simplification of the Medicaid			
57	program through any necessary waiver(s) and/or State Plan authorization under Titles XIX and			
58	XXI of the Social Security Act and outline agreed upon parameters and metrics to provide			

ITEM 307.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	maximum flexibility and expedited ability to develop and implement pilot programs to test				
2	innovative models that (i) leverage innovations and variations in regional delivery systems; (ii)				
3	link payment and reimbursement to quality and cost containment outcomes; or (iii) encourage				
4	innovations that improve service quality and yield cost savings to the Commonwealth.				
5	4. In the third phase of reform, the Department of Medical Assistance Services shall seek				
6	reforms to include all remaining Medicaid populations and services, including long-term care				
7	and home- and community-based waiver services into cost-effective, managed and coordinated				
8	delivery systems. The department shall begin designing the process and obtaining federal				
9	authority to transition all remaining Medicaid beneficiaries into a coordinated delivery system.				
10	A report shall be provided to the 2014 General Assembly regarding the progress of designing				
11	and implementing such reforms.				
12	5. The Department of Medical Assistance Services shall provide a report to the Medicaid				
13	Innovation and Reform Commission on the specific waiver and/or State Plan changes that have				
14	been approved and status of implementing such changes, and associated cost savings or cost				
15	avoidance to Medicaid/FAMIS expenditures.				
16	6.a. The Department shall seek the approval of the Medicaid Innovation and Reform				
17	Commission to amend the State Plan for Medicaid Assistance under Title XIX of the Social				
18	Security Act, and any waivers thereof, to implement coverage for newly eligible individuals				
19	pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act. If				
20	the Medicaid Innovation and Reform Commission determines that the conditions in paragraphs				
21	2, 3, 4, and 5 have been met, then the Commission shall approve implementation of coverage				
22	for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient				
23	Protection and Affordable Care Act.				
24	b. Upon approval by the Medicaid Innovation and Reform Commission, the department shall				
25	implement the provisions in paragraph 6.a. of this item by July 1, 2014, or as soon as feasible				
26	thereafter.				
27	7.a. Contingent upon the expansion of eligibility in paragraph 6.a., there is hereby created in				
28	the state treasury a special nonreverting fund to be known as the Virginia Health Reform and				
29	Innovation Fund, hereafter referred to as the "Fund." The Fund shall be established on the				
30	books of the Comptroller and any moneys remaining in the Fund at the end of each fiscal year				
31	shall not revert to the general fund but shall remain in the Fund. For purposes of the				
32	Comptroller's preliminary and final annual reports required by § 2.2-813, however, all deposits				
33	to and disbursements from the Fund shall be accounted for as part of the general fund of the				
34	state treasury.				
35	b. The Director of the Department of Medical Assistance Services, in consultation with the				
36	Director of the Department of Planning and Budget, shall annually identify projected general				
37	fund savings attributable to enrollment of newly eligible individuals included in 42 U.S.C.				
38	§ 1396d(y)(1)[2010] of the PPACA, including behavioral health services, inmate health care,				
39	and indigent care. Beginning with development of the fiscal year 2015 budget, these projected				
40	savings shall be reflected in reduced appropriations to the affected agencies and the amounts				
41	deposited into the Fund net of any appropriation increases necessary to meet resulting				
42	programmatic requirements of the Department of Medical Assistance Services. Beginning in				
43	fiscal year 2015, funding to support health innovations described in Paragraph 3 shall be				
44	appropriated from the Fund not to exceed \$3.5 million annually. Funding shall be distributed				
45	through health innovation grants to private and public entities in order to reduce the annual rate				
46	of growth in health care spending or improve the delivery of health care in the Commonwealth.				
47	When the department, in consultation with the Department of Planning and Budget, determines				
48	that the general fund expenses incurred from coverage of newly eligible individuals included in				
49	42 U.S.C. § 1396d(y)(1)[2010] of the PPACA exceed any associated savings, a percentage of				
50	the principle of the Fund as determined necessary by the department and the Department of				
51	Planning and Budget to cover the cost of the newly eligible population shall be reallocated to				
52	the general fund and appropriated to the department to offset the cost of this population.				
53	Principle shall be allocated on an annual basis for as long as funding is available.				
54	8. In the event that the increased federal medical assistance percentages for newly eligible				
55	individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA is modified through				
56	federal law or regulation from the methodology in effect on January 1, 2014, resulting in a				
57	reduction in federal medical assistance as determined by the department in consultation with				

ITEM 307.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	the Department of Planning and Budget, the Department of Medical Assistance Services shall			
2	disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C.			
3	§ 1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written			
4	notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other			
5	providers that coverage will cease as soon as allowable under federal law from the date the			
6	department is notified of a reduction in Federal Medical Assistance Percentage.			
7	9. There is hereby appropriated sum sufficient nongeneral funds for such costs as may be			
8	incurred to implement coverage for newly eligible individuals pursuant to 42 U.S.C.			
9	§ 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act.			
10	SSSS.1. The Director of the Department of Medical Assistance Services shall continue to make			
11	improvements in the provision of health and long-term care services under Medicaid/FAMIS			
12	that are consistent with evidence-based practices and delivered in a cost effective manner to			
13	eligible individuals.			
14	2. In order to effect such improvements and ensure that reform efforts are cost effective relative			
15	to current forecasted Medicaid/FAMIS expenditure levels, the Department of Medical			
16	Assistance Services shall (i) develop a five-year consensus forecast of expenditures and savings			
17	associated with the Virginia Medicaid/FAMIS reform efforts by November 15 of each year in			
18	conjunction with the Department of Planning and Budget, and with input from the House			
19	Appropriations and Senate Finance Committees, and (ii) engage stakeholder involvement in			
20	meeting annual targets for quality and cost-effectiveness.			
21	TTTT. Contingent upon the Commonwealth not receiving the expected revenue in fiscal year			
22	2013 from the arbitration settlement with tobacco companies as part of the Master Settlement			
23	Agreement, the Director, Department of Planning and Budget, is authorized to appropriate from			
24	the unappropriated general fund balance in this act, and, if necessary, transfer general fund			
25	appropriation from the second year to the first year to backfill the shortage of up to			
26	\$21,680,000 in general fund for the Medicaid program.			
27	308.	Not set out.		
28	309.	Medical Assistance Services for Low Income Children		
29			(46600)	\$120,286,661
30				\$135,725,727
31			Reimbursements for Medical Services Provided to	\$124,693,194
32		\$120,286,661	Low-Income Children (46601)	
33				\$135,725,727
				\$124,693,194
34		\$41,607,923	Fund Sources: General	\$46,478,149
35				\$43,642,618
36		\$78,678,738	Federal Trust	\$89,247,578
37				\$81,050,576
38	Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended, Titles			
39	XIX and XXI, Social Security Act, Federal Code.			
40	To the extent that appropriations in this Item are insufficient, the Director, Department of			
41	Planning and Budget shall transfer general fund appropriation from Items 306 and 307, if			
42	available, into this Item, to be used as state match for federal Title XXI funds.			
43	310.	Administrative and Support Services (49900)		\$146,765,841
44				\$123,141,276
45		\$129,808,704	General Management and Direction (49901)	\$138,177,186
46				\$103,245,833
47		\$10,970,975	Information Technology Services (49902)	\$119,039,920
48			Administrative Support for the Family Access to	\$13,969,281
49		\$5,986,162	Medical Insurance Security Plan (49932)	\$5,926,162
50				\$5,167,985
51		\$48,247,694	Fund Sources: General	\$44,883,941
52				\$46,608,428
53		\$1,465,000	Special	\$1,565,000

ITEM 310.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Dedicated Special Revenue	\$300,000		\$0
2	Federal Trust.....	\$96,753,147		\$76,692,335
3				\$90,003,758
4	Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles XIX			
5	and XXI, Social Security Act, Federal Code.			
6	A. By November 15 of each year, the Department of Planning and Budget, in cooperation with			
7	the Department of Medical Assistance Services, shall prepare and submit a forecast of			
8	Medicaid expenditures, upon which the Governor’s budget recommendations will be based, for			
9	the current and subsequent two years to the Chairmen of the House Appropriations and Senate			
10	Finance Committees.			
11	B. The Department of Medical Assistance Services shall submit expenditure reports of the			
12	Medicaid program to the Department of Planning and Budget and the Chairmen of the House			
13	Appropriations and Senate Finance Committees. These reports shall be submitted on a quarterly			
14	basis.			
15	C. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the			
16	special fund is appropriated to the Department of Medical Assistance Services for the			
17	administration of the disbursement of civil money penalties levied against and collected from			
18	Medicaid nursing facilities for violations of rules identified during survey and certification as			
19	required by federal law and regulation. Based on the nature and seriousness of the deficiency,			
20	the Agency or the Centers for Medicare and Medicaid Services may impose a civil money			
21	penalty, consistent with the severity of the violations, for the number of days a facility is not in			
22	substantial compliance with the facility’s Medicaid participation agreement. Civil money			
23	penalties collected by the Commonwealth must be applied to the protection of the health or			
24	property of residents of nursing facilities found to be deficient. Penalties collected are to be			
25	used for (1) the payment of costs incurred by the Commonwealth for relocating residents to			
26	other facilities; (2) payment of costs incurred by the Commonwealth related to operation of the			
27	facility pending correction of the deficiency or closure of the facility; and (3) reimbursement of			
28	residents for personal funds or property lost at a facility as a result of actions by the facility or			
29	individuals used by the facility to provide services to residents. These funds are to be			
30	administered in accordance with the revised federal regulations and law, 42 CFR 488.400 and			
31	the Social Security Act § 1919(h), for Enforcement of Compliance for Long-Term Care			
32	Facilities with Deficiencies. Any special fund revenue received for this purpose, but			
33	unexpended at the end of the fiscal year, shall remain in the fund for use in accordance with			
34	this provision.			
35	D. The Department of Medical Assistance Services, to the extent permissible under federal law,			
36	shall enter into an agreement with the Department of Behavioral Health and Developmental			
37	Services to share Medicaid claims and expenditure data on all Medicaid-reimbursed mental			
38	health, intellectual disability and substance abuse services, and any new or expanded mental			
39	health, intellectual disability retardation and substance abuse services that are covered by the			
40	State Plan for Medical Assistance. The information shall be used to increase the effective and			
41	efficient delivery of publicly funded mental health, intellectual disability and substance abuse			
42	services.			
43	E. In addition to any regional offices that may be located across the Commonwealth, any			
44	statewide, centralized call center facility that operates in conjunction with a brokerage			
45	transportation program for persons enrolled in Medicaid or the Family Access to Medical			
46	Insurance Security plan shall be located in Norton, Virginia.			
47	F. The Department of Planning and Budget, is authorized to transfer amounts, as needed, from			
48	Medicaid Program Services (45600), Medical Assistance Services for Low Income Children			
49	(46600) and Children’s Health Insurance Program Delivery (44600), to Administrative and			
50	Support Services (49900), to fund administrative expenditures associated with contracts between			
51	the department and companies providing dental benefit services, consumer-directed payroll			
52	services, claims processing, behavioral health management services and disease state / chronic			
53	care programs for Medicaid and FAMIS recipients.			
54	G. The Department of Medical Assistance Services shall report on the results of the federally			
55	required review in the Payment Error Rate Measurement program for federal fiscal year 2012.			
56	This report shall include the error rates for both claims and eligibility determinations. If			

ITEM 310.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	locality specific error rates for the eligibility review are available, they should be included in			
2	the report. The department shall report the findings to the Governor and the Chairmen of the			
3	House Appropriations and Senate Finance Committees by December 1, 2013.			
4	H. The Department of Medical Assistance Services shall report on the feasibility and potential			
5	savings to the Medicaid program of an initiative, in cooperation with the Department of			
6	Veterans Services, to assist veterans, who also happen to be Medicaid members, in accessing			
7	veterans benefits through the federal government. The department shall submit the report to the			
8	Governor and Chairmen of the House Appropriations and Senate Finance Committees by			
9	November 1, 2012.			
10	I. The Department of Medical Assistance Services shall, to the extent possible, require			
11	web-based electronic submission of provider enrollment applications, revalidations and other			
12	related documents necessary for participation in the fee-for-service program under the State			
13	Plans for Title XIX and XXI of the Social Security Act.			
14	J. The Department of Medical Assistance Services shall be authorized to issue a Request for			
15	Proposals (RFP) in order to contract with a single vendor to provide a centralized customer			
16	service call center for applicants/recipients of programs administered by the department under			
17	Titles XIX and XXI of the Social Security Act for application assistance functions necessary			
18	under provisions of the Patient Protection and Affordable Care Act (PPACA), and other related			
19	functions necessary for the efficient and effective implementation of Medicaid and CHIP			
20	eligibility determinations and enrollment. The RFP shall include a provision for a cost			
21	structure with tiered levels of service based on workload. The procurement of this contract is			
22	deemed an emergency and the provisions of §2.2-4303 F., Code of Virginia, shall apply in			
23	order for the department to comply with federal law and initiate the contract by October 1,			
24	2013, or as soon as practicable thereafter. The department shall have authority to amend the			
25	State Plans for Medical Assistance under Titles XIX and XXI, and any waivers thereof, and			
26	shall have authority to implement this contract upon federal approval, and prior to the			
27	completion of any regulatory process undertaken to effect such change.			
28	Total for Department of Medical Assistance Services.....		\$8,072,884,862	\$8,579,861,305
29				\$8,499,663,010
30	General Fund Positions.....	183.82	198.32	
31	Nongeneral Fund Positions.....	212.18	226.68	
32	Position Level	396.00	425.00	
33	Fund Sources: General.....	\$3,547,761,312	\$3,850,644,557	
34			\$3,676,423,148	
35	Special.....	\$1,465,000	\$1,565,000	
36	Dedicated Special Revenue.....	\$464,614,299	\$384,870,744	
37			\$475,211,101	
38	Federal Trust.....	\$4,059,044,251	\$4,342,781,004	
39			\$4,346,463,761	
40	§ 1-37. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)			
41	311.	Not set out.		
42	312.	Not set out.		
43	313.	Not set out.		
44	314.	Administrative and Support Services (49900).....		\$64,939,952
45				\$60,536,435
46	General Management and Direction (49901).....	\$6,999,814	\$7,811,949	
47	Information Technology Services (49902).....	\$27,683,506	\$21,207,854	
48			\$21,457,854	
49	Architectural and Engineering Services (49904).....	\$2,465,094	\$2,465,094	
50	Collection and Locator Services (49905).....	\$2,584,316	\$2,584,316	
51	Human Resources Services (49914).....	\$1,685,838	\$1,685,838	

ITEM 314.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Planning and Evaluation Services (49916).....	\$356,956	\$356,956		
2	Program Development and Coordination (49933).....	\$23,164,428	\$24,424,428		
3			\$24,578,148		
4	Fund Sources: General.....	\$36,014,066	\$34,980,102		
5			\$35,133,822		
6	Special.....	\$18,063,453	\$14,693,900		
7			\$14,943,900		
8	Federal Trust.....	\$10,862,433	\$10,862,433		
9	Authority: Title 16.1, Article 18, and Title 37.2, Chapters 2, 3, 4, 5, 6 and 7, and Title 2.2,				
10	Chapters 26 and 53 Code of Virginia; P.L. 102-119, Federal Code.				
11	A. The Commissioner, Department of Behavioral Health and Developmental Services shall, at				
12	the beginning of each fiscal year, establish the current capacity for each facility within the				
13	system. When a facility becomes full, the commissioner or his designee shall give notice of the				
14	fact to all sheriffs.				
15	B. The Commissioner, Department of Behavioral Health and Developmental Services shall				
16	work in conjunction with community services boards to develop and implement a graduated				
17	plan for the discharge of eligible facility clients to the greatest extent possible, utilizing savings				
18	generated from statewide gains in system efficiencies.				
19	C. Notwithstanding § 4-5.09 of this act and paragraph C of § 2.2-1156, Code of Virginia, the				
20	Department of Behavioral Health and Developmental Services is hereby authorized to deposit				
21	the entire proceeds of the sales of surplus land at state-owned behavioral health and intellectual				
22	disability facilities into a revolving trust fund. The trust fund may initially be used for expenses				
23	associated with restructuring such facilities. Remaining proceeds after such expenses shall be				
24	dedicated to continuing services for current patients as facility services are restructured. The				
25	trust fund will receive any savings resulting from facility restructuring. Thereafter, the fund will				
26	be used to enhance services to individuals with mental illness, intellectual disability and				
27	substance abuse problems.				
28	D. The Department of Behavioral Health and Developmental Services shall identify and create				
29	opportunities for public-private partnerships and develop the incentives necessary to establish				
30	and maintain an adequate supply of acute-care psychiatric beds for children and adolescents.				
31	E. The Department of Behavioral Health and Developmental Services, in cooperation with the				
32	Department of Juvenile Justice, where appropriate, shall identify and create opportunities for				
33	public-private partnerships and develop the incentives necessary to establish and maintain an				
34	adequate supply of residential beds for the treatment of juveniles with behavioral health				
35	treatment needs, including those who are mentally retarded, aggressive, or sex offenders, and				
36	those juveniles who need short-term crisis stabilization but not psychiatric hospitalization.				
37	F. Out of this appropriation, \$656,538 the first year and \$656,538 the second year from the				
38	general fund shall be provided for placement and restoration services for juveniles found to be				
39	incompetent to stand trial pursuant to Title 16.1, Chapter 11, Article 18, Code of Virginia.				
40	G. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the				
41	general fund shall be used to pay for legal and medical examinations needed for individuals				
42	living in the community and in need of guardianship services.				
43	H. Out of this appropriation, \$1,388,423 the first year and \$1,388,423 \$1,542,143 the second				
44	year from the general fund shall be provided for services for the civil commitment of sexually				
45	violent predators as follows: (i) \$642,700 the first year and \$642,700 the second year for				
46	clinical evaluations and court testimony for sexually violent predators who are being considered				
47	for release from state correctional facilities and who will be referred to the Clinical Review				
48	Committee for psycho-sexual evaluations prior to the state seeking civil commitment, (ii)				
49	\$529,465 the first year and \$529,465 \$683,185 the second year for conditional release services,				
50	including treatment, and (iii) \$216,528 the first year and \$216,258 the second year for the costs				
51	associated with contracting with a Global Positioning System service to closely monitor the				
52	movements of individuals who are civilly committed to the sexually violent predator program				
53	but conditionally released.				

ITEM 314.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	I. Out of this appropriation, \$25,000 the first year and \$25,000 the second year from the			
2	general fund shall be used to operate a real-time reporting system for public and private acute			
3	psychiatric beds in the Commonwealth.			
4	J.1. The Commissioner, Department of Behavioral Health and Developmental Services shall			
5	work in collaboration with the Health Planning Region (HPR) V Community Services Boards			
6	to plan, develop and implement transitional mental health services to qualified individuals			
7	discharged from the Eastern State Hospital.			
8	2. The HPR V Community Services Boards shall involve local and regional partners, including			
9	local governments, in the planning and development of these programs and services.			
10	K. The Department of Behavioral Health and Developmental Services shall submit a report to			
11	the Governor and the Chairmen of the House Appropriations and Senate Finance Committees			
12	no later than December 1 of each year for the preceding fiscal year that provides information			
13	on the operation of Virginia's publicly-funded behavioral health and developmental services			
14	system. The report shall include a brief narrative and data on the numbers of individuals			
15	receiving state facility services or CSB services, including purchased inpatient psychiatric			
16	services, the types and amounts of services received by these individuals, and CSB and state			
17	facility service capacities, staffing, revenues, and expenditures. The annual report also shall			
18	describe major new initiatives implemented during the past year and shall provide information			
19	on the accomplishment of systemic outcome and performance measures during the year.			
20	L. The Commissioner of the Department of Behavioral Health and Developmental Services			
21	shall provide a plan to the General Assembly, developed in consultation with the Secretary of			
22	Health and Human Resources and the Chairmen of the House Appropriations and Senate			
23	Finance Committees, related to the closure of state training centers by the end fiscal year 2021,			
24	in compliance with the settlement agreement relating to United States of America v.			
25	Commonwealth of Virginia (Civil Action No. 312cv0059-JAG), subject to judicial approval. In			
26	developing the plan, the Commissioner shall solicit input from all relevant stakeholders			
27	including, but not limited to, individuals with intellectual or developmental disabilities or their			
28	guardians, and public and private providers. The plan shall be completed within one year of the			
29	effective date of the settlement agreement.			
30	M. Out of this appropriation, \$250,000 the first year from the general fund is designated for			
31	the Department to preplan the construction/renovation of the Virginia Center for Behavioral			
32	Rehabilitation II (VCBR II) facility on state-owned property in and around the current VCBR			
33	site. The project options shall include costs for any relocation of current services as well as			
34	re-purposing of current facilities. The Department shall report the options for this project to the			
35	Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2013. If			
36	an agreement on an option is reached by the Secretary of Health and Human Resources and the			
37	Chairmen of the House Appropriations and Senate Finance Committees, the Secretary of			
38	Finance is authorized to allocate up to \$1,000,000 from the Central Capital Planning Fund			
39	established under § 2.2-1520, Code of Virginia for detailed planning of this project.			
40	N. Out of this appropriation, \$500,000 the second year from the general fund shall be used to			
41	develop and implement a comprehensive statewide suicide prevention program. The			
42	Commissioner of the Department of Behavioral Health and Developmental Services (DBHDS),			
43	in collaboration with the Departments of Health, Education, Veterans Services, Aging and			
44	Rehabilitative Services, and other partners shall develop and implement a statewide program of			
45	public education, evidence-based training, health and behavioral health provider			
46	capacity-building, and related suicide prevention activity. The Commissioner shall provide a			
47	progress report on this effort to the Chairmen of the House Appropriations and Senate Finance			
48	Committees by November 1, 2013.			
49	O.1. Beginning October 1, 2013, the Commissioner of the Department of Behavioral Health			
50	and Developmental Services shall provide quarterly reports to the House Appropriations and			
51	Senate Finance Committees on progress in implementing the plan to close state training centers			
52	and transition residents to the community. The reports shall provide the following information			
53	on each state training center: (i) the number of authorized representatives who have made			
54	decisions regarding the long-term type of placement for the resident they represent and the type			
55	of placement they have chosen; (ii) the number of authorized representatives who have not yet			
56	made such decisions; (iii) barriers to discharge; (iv) the general fund and nongeneral fund cost			
57	of the services provided to individuals transitioning from training centers; and (v) the use of			

ITEM 314.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	increased Medicaid reimbursement for congregate residential services to meet exceptional needs				
2	of individuals transitioning from state training centers in fiscal year 2014, provided in item				
3	307, paragraphs BBB.1. and BBB.2.				
4	2. At least six months prior to the closure of a state intellectual disabilities training center, the				
5	Commissioner of Behavioral Health and Developmental Services shall complete a				
6	comprehensive survey of each individual residing in the facility slated for closure to determine				
7	the services and supports the individual will need to receive appropriate care in the community.				
8	The survey shall also determine the adequacy of the community to provide care and treatment				
9	for the individual, including but not limited to, the appropriateness of current provider rates,				
10	adequacy of waiver services, and availability of housing. The Commissioner shall report				
11	quarterly findings to the Governor and Chairmen of the House Appropriations and Senate				
12	Finance Committees beginning October 1, 2013.				
13	3. The department shall convene quarterly meetings with authorized representatives, families,				
14	and service providers in Health Planning Regions I, II, III and IV to provide a mechanism to				
15	(i) promote routine collaboration between families and authorized representatives, the				
16	department, community services boards, and private providers; (ii) ensure the successful				
17	transition of training center residents to the community; and (iii) gather input on Medicaid				
18	waiver redesign to better serve individuals with intellectual and developmental disability.				
19	4. In the event that provider capacity cannot meet the needs of individuals transitioning from				
20	training centers to the community, the department shall work with community services boards				
21	and private providers to explore the feasibility of developing (i) a limited number of small				
22	community group homes or intermediate care facilities to meet the needs of residents				
23	transitioning to the community, and/or (ii) a regional support center to provide specialty				
24	services to individuals with intellectual and developmental disabilities whose medical, dental,				
25	rehabilitative or other special needs cannot be met by community providers. The Commissioner				
26	shall report on these efforts to the House Appropriations and Senate Finance Committees as				
27	part of his quarterly report, pursuant to paragraph 1."				
28	<i>P. The State Comptroller shall provide the Department of Behavioral Health and</i>				
29	<i>Developmental Services an interest-free anticipation loan not to exceed \$3,100,000 to serve as</i>				
30	<i>an advance stream of funds in anticipation of Medicare Meaningful Use funds related to</i>				
31	<i>successful implementation of the Electronic Health Records project at state-operated behavioral</i>				
32	<i>health and intellectual disability facilities. The loan will be repaid no later than June 30, 2015.</i>				
33	Total for Department of Behavioral Health and				
34	Developmental Services.....			\$67,673,350	\$62,760,014
35					\$63,163,734
36	General Fund Positions.....	208.85	214.85		
37	Nongeneral Fund Positions.....	13.40	11.40		
38	Position Level	222.25	226.25		
39	Fund Sources: General	\$38,542,721	\$37,153,681		
40			\$37,307,401		
41	Special.....	\$18,268,196	\$14,743,900		
42			\$14,993,900		
43	Federal Trust.....	\$10,862,433	\$10,862,433		
44					
		Grants to Localities (790)			
45	315. Financial Assistance for Health Services (44500).....			\$347,621,560	\$331,621,560
46	Community Substance Abuse Services (44501).....	\$95,871,968	\$95,871,968		
47	Community Mental Health Services (44506)	\$187,403,320	\$192,553,320		
48	Community Developmental Disability Services (44507) ..	\$64,346,272	\$43,196,272		
49	Fund Sources: General	\$285,397,318	\$269,347,318		
50	Special.....	\$544,795	\$594,795		
51	Federal Trust.....	\$61,679,447	\$61,679,447		
52	Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.				

ITEM 315.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	A. It is the intent of the General Assembly that community mental health, intellectual disability			
2	and substance abuse services are to be improved throughout the state. Funds provided in this			
3	Item shall not be used to supplant the funding effort provided by localities for services existing			
4	as of June 30, 1996.			
5	B. Further, it is the intent of the General Assembly that funds appropriated for this Item may			
6	be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in			
7	accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the			
8	provision of residential services funded by this Item.			
9	C. Out of the appropriation for this Item, funds are provided to Community Services Boards in			
10	an amount sufficient to reimburse the Virginia Housing Development Authority for principal			
11	and interest payments on residential projects for the mentally disabled financed by the Housing			
12	Authority.			
13	D. The Department of Behavioral Health and Developmental Services shall make payments to			
14	the Community Services Boards from this Item in twenty-four equal semimonthly installments,			
15	except for necessary budget revisions or the operational phase-in of new programs.			
16	E. Failure of a board to participate in Medicaid covered services and to meet all requirements			
17	for provider participation shall result in the termination of a like amount of state grant support.			
18	F. Community Services Boards may establish a line of credit loan for up to three months'			
19	operating expenses to assure adequate cash flow.			
20	G. Out of this appropriation \$190,000 the first year and \$190,000 the second year from the			
21	general fund shall be provided to Grafton School Virginia Commonwealth University for the			
22	continued operation and expansion of the Virginia Autism Resource Center.			
23	H.1. Out of this appropriation, \$9,453,366 the first year and \$13,203,366 the second year from			
24	the general fund shall be provided for Virginia's Part C Early Intervention System for infants			
25	and toddlers with disabilities.			
26	2. By October 1 of each year, the department shall report to the Chairmen of the House			
27	Appropriations and Senate Finance Committees on the (a) total revenues used to support Part C			
28	services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and			
29	families served using all Part C revenues, and (d) services provided to those infants, toddlers,			
30	and families.			
31	3. Any additional funds received by local early intervention systems pursuant to the federal			
32	American Recovery and Reinvestment Act (ARRA) of 2009 for early intervention services			
33	through Part C of the Individuals with Disabilities Education Act (IDEA) of 2004 shall be used			
34	to supplement, not supplant federal, state and local funding at the level in effect upon the date			
35	of enactment of the ARRA.			
36	4. The Department of Behavioral Health and Developmental Services shall promulgate			
37	regulations to comply with 34 CFR Parts 300 and 303. The department shall have authority to			
38	promulgate emergency regulations to implement this amendment within 280 days or less from			
39	the enactment date of this act.			
40	I. Out of this appropriation \$6,148,128 the first year and \$6,148,128 the second year from the			
41	general fund shall be provided for mental health services for children and adolescents with			
42	serious emotional disturbances and related disorders, with priority placed on those children			
43	who, absent services, are at-risk for custody relinquishment, as determined by the Family and			
44	Assessment Planning Team of the locality. The Department of Behavioral Health and			
45	Developmental Services shall provide these funds to Community Services Boards through the			
46	annual Performance Contract. These funds shall be used exclusively for children and			
47	adolescents, not mandated for services under the Comprehensive Services Act for At-Risk			
48	Youth, who are identified and assessed through the Family and Assessment Planning Teams			
49	and approved by the Community Policy and Management Teams of the localities. The			
50	department shall provide these funds to the Community Services Boards based on an			
51	individualized plan of care methodology.			
52	J. Beginning July 1, 2007, the Commissioner, Department of Behavioral Health and			

ITEM 315.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Developmental Services shall allocate \$1,000,000 the first year and \$1,000,000 the second year				
2	from the federal Community Mental Health Services Block Grant for two specialized geriatric				
3	mental health services programs. One program shall be located in Health Planning Region II				
4	and one shall be located in Health Planning Region V. The programs shall serve elderly				
5	populations with mental illness who are transitioning from state mental health geriatric units to				
6	the community or who are at risk of admission to state mental health geriatric units. <i>The</i>				
7	<i>commissioner is authorized to reduce the allocation in each year in an amount proportionate</i>				
8	<i>to any reduction in the federal Community Mental Health Services Block Grant funds awarded</i>				
9	<i>to the Commonwealth.</i>				
10	K. Beginning July 1, 2007, the Commissioner, Department of Behavioral Health and				
11	Developmental Services shall allocate \$750,000 the first year and \$750,000 the second year				
12	from the federal Community Mental Health Services Block Grant for consumer-directed				
13	programs offering specialized mental health services that promote wellness, recovery and				
14	improved self-management.				
15	L. Out of this appropriation, \$2,197,050 the first year and \$2,197,050 the second year from the				
16	general fund shall be used for jail diversion and reentry services. Funds shall be distributed to				
17	community-based contractors based on need and community preparedness as determined by the				
18	commissioner. <i>The commissioner is authorized to reduce the allocation in each year in an</i>				
19	<i>amount proportionate to any reduction in the federal Community Mental Health Services Block</i>				
20	<i>Grant funds awarded to the Commonwealth.</i>				
21	M. Out of this appropriation, \$2,400,000 the first year and \$2,400,000 the second year from the				
22	general fund shall be used for treatment and support services for substance use disorders.				
23	Funded services shall focus on recovery models and the use of best practices.				
24	N. Out of this appropriation, \$2,780,645 the first year and \$2,780,645 the second year from the				
25	general fund shall be used to provide outpatient clinician services to children with mental				
26	health needs. Each Community Services Board shall receive funding as determined by the				
27	commissioner to increase the availability of specialized mental health services for children. The				
28	department shall require that each Community Services Board receiving these funds agree to				
29	cooperate with Court Service Units in their catchment areas to provide services to mandated				
30	and nonmandated children, in their communities, who have been brought before Juvenile and				
31	Domestic Relations Courts and for whom treatment services are needed to reduce the risk these				
32	children pose to themselves and their communities or who have been referred for services				
33	through family assessment and planning teams through the Comprehensive Services Act for				
34	At-Risk Youth and Families.				
35	P. Out of this appropriation, \$17,701,997 the first year and \$17,701,997 the second year from				
36	the general fund shall be used to provide emergency services, crisis stabilization services, case				
37	management, and inpatient and outpatient mental health services for individuals who are in				
38	need of emergency mental health services or who meet the criteria for mental health treatment				
39	set forth pursuant to House Bill 559 and Senate Bill 246, 2008 Session of the General				
40	Assembly. Funding provided in this item also shall be used to offset the fiscal impact of (i)				
41	establishing and providing mandatory outpatient treatment, pursuant to House Bill 499 and				
42	Senate Bill 246, 2008 Session of the General Assembly; and (ii) attendance at involuntary				
43	commitment hearings by community services board staff who have completed the prescreening				
44	report, pursuant to House Bill 560 and Senate Bill 246, 2008 Session of the General Assembly.				
45	Q. Out of this appropriation, \$5,000,000 the first year and \$8,800,000 the second year from the				
46	general fund shall be used to provide community crisis intervention services in each region for				
47	individuals with intellectual or developmental disabilities and co-occurring mental health or				
48	behavioral disorders.				
49	R. Out of this appropriation, \$1,900,000 the first year and \$1,900,000 the second year from the				
50	general fund shall be used to expand community-based services in Health Planning Region V.				
51	These funds shall be used for services intended to delay or deter placement, or provide				
52	discharge assistance for patients in a state mental health facility.				
53	S. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from the				
54	general fund shall be used to expand crisis stabilization and related services statewide intended				
55	to delay or deter placement in a state mental health facility.				

		Item Details(\$)		Appropriations(\$)	
ITEM 315.		First Year	Second Year	First Year	Second Year
		FY2013	FY2014	FY2013	FY2014

1 T.1. Out of this appropriation, \$30,000,000 the first year from the general fund shall be used to
 2 implement the provisions of the settlement agreement relating to United States of America v.
 3 Commonwealth of Virginia (Civil Action No. 312cv0059-JAG).

4 2. Any funds appropriated for the purposes of complying with the agreement that are unspent
 5 ~~in the first year may be carried forward into the second year~~ at the end of a fiscal year may be
 6 carried forward for expenditure into the subsequent fiscal year.

7 U. Notwithstanding any contrary provision of law, the unexpended appropriation as of June 30,
 8 2012 in the Behavioral Health and Developmental Services Trust Fund, appropriated for the
 9 expansion of community-based services in anticipation of an agreement with the U.S.
 10 Department of Justice, pursuant to Item 305, Chapter 890, 2011 Acts of Assembly, shall be
 11 reappropriated. Upon approval by the Secretary of Health and Human Resources and the
 12 Secretary of Finance, the Director, Department of Planning and Budget, shall transfer the
 13 reappropriated amount from the Trust Fund to the general fund. The general fund appropriation
 14 shall be transferred to Item 315 of this act and made available for the purposes of complying
 15 with the agreement with the U.S. Department of Justice. The State Comptroller shall transfer
 16 the equivalent amount of cash from the Trust Fund to the general fund. Any cash in the fund
 17 not associated with implementation of the agreement shall remain in the fund.

18 V.1. In order to meet the terms of the settlement agreement, the appropriations in Items 307
 19 and 315 include the following estimated general fund amounts.

20 **Estimated Amounts**

		FY 2013	FY 2014
22			
23	Facility Transition	\$11,309,540	\$19,534,660
24	Community Waiver Slots	\$19,615,150	\$27,642,275
25	Program of Individual and Family Supports	\$2,400,000	\$3,200,000
26	Rental Subsidies	\$800,000	\$0
27	Crisis Stabilization	\$5,000,000	\$10,000,000
28	Facility Closure Costs	\$2,749,885	\$8,397,855
29	Administration	\$1,313,682	\$1,807,338
30	Quality Management	\$1,787,000	\$1,537,000
31	Independent Review	\$300,000	\$300,000
32	Facility Savings	(\$5,846,989)	(\$23,364,535)
33	Total	\$39,428,269	\$49,054,594

34 These amounts may vary as needs are identified throughout the year. Changes to the amounts
 35 described above require the review and approval of the Secretary of Health and Human
 36 Resources and the Secretary of Finance. Upon approval of the Secretary of Health and Human
 37 Resources and the Secretary of Finance, the Director, Department of Planning and Budget, shall
 38 transfer appropriation between Items 307, 311, 312, and 314, as needed. The Department of
 39 Behavioral Health and Developmental Services shall provide updates on July 1 and December
 40 1 of each year to the Governor and the Chairmen of the Senate Finance and House
 41 Appropriations Committees regarding expenditures and progress in meeting implementation
 42 targets established in the agreement.

43 2.a. The Department of Medical Assistance Services shall amend the Intellectual Disabilities
 44 Waiver to add 160 slots each year for individuals who are exiting training centers and 225 slots
 45 each year to address the community waiting list in accordance with the agreement.

46 b. The Department of Medical Assistance Services shall amend the Individual and Family
 47 Developmental Disabilities Supports Waiver to add 25 slots each year in accordance with the
 48 agreement.

49 3. The State Board of Behavioral Health and Developmental Services shall promulgate
 50 emergency regulations to implement an individual and family supports program. These
 51 regulations shall become effective within 280 days or less from the enactment date of this act.

52 4. Any funds appropriated for the purposes of complying with the agreement that are unspent
 53 in the first year may be carried forward into the second year.

		Item Details(\$)		Appropriations(\$)	
ITEM 315.		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	W. Out of this appropriation, \$1,500,000 the first year and \$3,650,000 the second year from				
2	the general fund shall be used to provide child psychiatry and children's crisis response				
3	services for children with mental health and behavioral disorders. These funds, divided among				
4	the health planning regions based on the current availability of the services, shall be used to				
5	hire or contract with child psychiatrists who can provide direct clinical services, including crisis				
6	response services, as well as training and consultation with other children's health care				
7	providers in the health planning region such as general practitioners, pediatricians, nurse				
8	practitioners, and community service boards staff, to increase their expertise in the prevention,				
9	diagnosis, and treatment of children with mental health disorders. Funds may also be used to				
10	create new or enhance existing community-based crisis response services in a health planning				
11	region, including mobile crisis teams and crisis stabilization services, with the goal of diverting				
12	children from inpatient psychiatric hospitalization to less restrictive services in or near their				
13	communities. The Department of Behavioral Health and Developmental Services shall report				
14	on the use and impact of this funding to the Chairmen of the House Appropriations and Senate				
15	Finance Committees beginning on October 1, 2013 and each year thereafter.				
16	X. Out of this appropriation, \$600,000 the first year and \$1,500,000 the second year from the				
17	general fund shall be used to expand capacity for up to eight drop-off centers to provide an				
18	alternative to incarceration for people with serious mental illness. Priority for new funding				
19	shall be given to programs that have implemented Crisis Intervention Teams pursuant to				
20	§ 9.1-102 and § 9.1-187 et seq. of the Code of Virginia and have undergone planning to				
21	implement drop-off centers.				
22	Y. Out of this appropriation, \$1,250,000 the second year from the general fund shall be used to				
23	develop and implement crisis services for children with intellectual or developmental				
24	disabilities.				
25	Z. Out of this appropriation, \$1,500,000 the second year from the general fund shall be used to				
26	provide community-based services to individuals residing in state hospitals who have been				
27	determined clinically ready for discharge.				
28	AA. Out of this appropriation, \$600,000 the second year from the general fund shall be used				
29	to provide mental health first aid training and certification to recognize and respond to mental				
30	or emotional distress. Funding shall be used to cover the cost of personnel dedicated to this				
31	activity, training and certification, and manuals and certification for all those receiving the				
32	training.				
33	Total for Grants to Localities.....			\$347,621,560	\$331,621,560
34	Fund Sources: General.....	\$285,397,318	\$269,347,318		
35	Special.....	\$544,795	\$594,795		
36	Federal Trust.....	\$61,679,447	\$61,679,447		
37	316. Not set out.				
38	317. Not set out.				
39	318. Not set out.				
40	319. Not set out.				
41	320. Not set out.				
42	321. Not set out.				
43	322. Not set out.				
44	323. Not set out.				
45	324. Not set out.				
46	325. Not set out.				
47	326. Not set out.				

ITEM 326.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Virginia Center for Behavioral Rehabilitation (794)				
2	326.05.	Not set out.			
3	327.	Not set out.			
4	327.05.	Not set out.			
5	328.	Not set out.			
6	329.	Facility Administrative and Support Services (49800)			\$8,976,635
7		General Management and Direction (49801).....	\$8,930,600	\$8,930,600	
8		Information Technology Services (49802).....	\$15,345	\$15,345	
9		Food and Dietary Services (49807)	\$10,230	\$10,230	
10		Housekeeping Services (49808)	\$10,230	\$10,230	
11		Physical Plant Services (49815).....	\$10,230	\$10,230	
12		Fund Sources: General.....	\$8,976,635	\$8,976,635	
13	Authority: Title 37.1, Chapter 2, Article 1.1, and 37.1-70.1 through 37.1-70.19. Code of				
14	Virginia.				
15	1. The Department of Behavioral Health and Developmental Services (DBHDS) shall				
16	implement a plan to accommodate additional sexually violent predators committed to the				
17	Virginia Center for Behavioral Rehabilitation (VCBR). Such plan may include double-bunking				
18	dormitory-style, repurposing existing space, or the addition of new housing units at the current				
19	VCBR site. The department shall not reopen a temporary facility for the housing, confinement				
20	and treatment of civilly committed sexually violent predators at the Southside Virginia Training				
21	Center in Dinwiddie County. Further, the department shall not undertake a capital project to				
22	expand or construct additional units or facilities at a new site for the housing, confinement and				
23	treatment of these individuals until a comprehensive review of the current program for the civil				
24	commitment of sexually violent predators is completed. The Department of Corrections shall				
25	assist DBHDS in developing the plan to accommodate additional capacity and shall provide				
26	risk assessment data of the affected population. The department may make necessary capital				
27	renovations to the facility in Nottoway County to accommodate the increased capacity in order				
28	to ensure resident safety.				
29	2. In the event that services are not available in Virginia to address the specific needs of a				
30	individual committed for treatment at the VCBR or conditionally released, or additional				
31	capacity cannot be met at the VCBR, the Commissioner is authorized to seek such services				
32	from another state.				
33	3. Beginning on July 1, 2011, the department shall provide quarterly reports to the Governor				
34	and the Chairmen of the House Appropriations and Senate Finance Committees on the plan for				
35	the housing of additional individuals committed for treatment.				
36		Total for Virginia Center for Behavioral Rehabilitation...			\$27,264,911
37		General Fund Positions.....	449.00	475.50	
38		Position Level	449.00	475.50	
39		Fund Sources: General	\$27,264,911	\$28,237,999	
40		Grand Total for Department of Behavioral Health and			\$1,007,180,741
41		Developmental Services.....			\$985,791,909
42					\$986,195,629
43		General Fund Positions.....	6,635.85	6,668.35	
44		Nongeneral Fund Positions.....	2,627.40	2,625.40	
45		Position Level	9,263.25	9,293.75	
46		Fund Sources: General	\$589,718,318	\$571,803,782	
47				\$571,957,502	

ITEM 329.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Special.....	\$344,520,543	\$341,046,247		
2			\$341,296,247		
3	Federal Trust.....	\$72,941,880	\$72,941,880		
4	330. Not set out.				
5	330.05. Not set out.				
6	330.10. Not set out.				
7	330.15. Not set out.				
8	331. Not set out.				
9	332. Not set out.				
10	333. Not set out.				
11	334. Not set out.				
12	335. Not set out.				
13	§ 1-38. DEPARTMENT OF SOCIAL SERVICES (765)				
14	336. Program Management Services (45100).....			\$34,688,327	\$36,432,247
15	Training and Assistance to Local Staff (45101).....	\$4,165,605	\$4,165,605		
16	Central Administration and Quality Assurance for				
17	Benefit Programs (45102).....	\$11,811,192	\$11,618,654		
18	Central Administration and Quality Assurance for				
19	Family Services (45103).....	\$6,747,519	\$7,246,262		
20	Central Administration and Quality Assurance for				
21	Community Programs (45105).....	\$8,691,719	\$8,135,689		
22	Central Administration for the Comprehensive Services				
23	Act (Csa) (45106).....	\$1,092,728	\$1,267,728		
24	Central Administration and Quality Assurance for				
25	Child Care Activities (45107).....	\$2,179,564	\$3,998,309		
26	Fund Sources: General.....	\$15,822,104	\$15,367,182		
27	Special.....	\$100,000	\$100,000		
28	Federal Trust.....	\$18,766,223	\$20,965,065		
29	Authority: Title 2.2, Chapter 54; Title 63.2, Chapter 2, Code of Virginia; Title VI, Subtitle B,				
30	P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.				
31	A. The Department of Social Services, in collaboration with the Office of Comprehensive				
32	Services, shall provide training to local staff serving on Family Assessment and Planning				
33	Teams and Community Policy and Management Teams. Training shall include, but need not be				
34	limited to, the federal and state requirements pertaining to the provision of the foster care				
35	services funded under § 2.2-5211, Code of Virginia. The training shall also include written				
36	guidance concerning which services remain the financial responsibility of the local departments				
37	of social services. Training shall be provided on a regional basis at least once per year. Written				
38	guidance shall be updated and provided to local Comprehensive Services Act teams whenever				
39	there is a change in allowable expenses under federal or state guidelines. In addition, the				
40	Department of Social Services shall provide ongoing local oversight of its federal and state				
41	requirements related to the provision of services funded under § 2.2-5211, Code of Virginia.				
42	B. By November 1 of each year, the Department of Planning and Budget, in cooperation with				
43	the Department of Social Services, shall prepare and submit a forecast of expenditures for cash				
44	assistance provided through the Temporary Assistance for Needy Families (TANF) program,				
45	mandatory child day care services under TANF, foster care maintenance and adoption subsidy				
46	payments, upon which the Governor’s budget recommendations will be based, for the current				
47	and subsequent two years to the Chairmen of the House Appropriations and Senate Finance				
48	Committees.				

ITEM 336.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	C. Out of this appropriation, \$1,925,380 the first year and \$1,829,111 the second year from the			
2	general fund and \$1,925,380 the first year and \$1,829,111 the second year from nongeneral			
3	funds shall be provided to fund the Supplemental Nutrition Assistance Program (SNAP)			
4	Electronic Benefit Transfer (EBT) contract cost.			
5	D. The Department of Social Services may revise the current schedule for the issuance of			
6	federal Supplemental Nutrition Assistance Program (SNAP) benefits over a two-month			
7	conversion period while minimizing the impact on current recipients, provided that no general			
8	fund dollars are required to implement the conversion. If the department determines that there			
9	are any general fund costs required to implement the conversion, the department may revise the			
10	current schedule for the issuance of federal Supplemental Nutrition Assistance Program (SNAP)			
11	benefits for new enrollees only. The department may spread out the issuance of SNAP benefits			
12	over nine calendar days with payments occurring on the first, fourth, seventh, and ninth day of			
13	the month. The department has the authority to accept private donations to complete the			
14	transition to this revised schedule of payments by December 1, 2012.			
15	E. Out of this appropriation, \$175,000 the first year and \$175,000 the second year from the			
16	general fund shall be available for utilization management services. The Office of			
17	Comprehensive Services and the Department of Behavioral Health and Developmental Services,			
18	in cooperation with representatives of the Virginia Association of Counties, the Virginia			
19	Municipal League, and the State Executive Council, shall develop the criteria and guidelines to			
20	be followed when providing these utilization management services.			
21	F. 1. Out of this appropriation, ten positions and the associated funding shall be dedicated to			
22	providing on-going financial oversight of foster care services. Each of the ten positions, with			
23	two working out of each regional office, shall assess and review all foster care spending to			
24	ensure that state and federal standards are met. None of these positions shall be used for			
25	quality, information technology, or clerical functions.			
26	2. By September 1 of each year, the department shall report to the Governor, the Chairmen of			
27	the House Appropriations and Senate Finance Committees, and the Director, Department of			
28	Planning and Budget regarding the foster care program's statewide spending, error rates and			
29	compliance with state and federal reviews.			
30	G. <i>The Department of Social Services shall provide administrative support and technical</i>			
31	<i>assistance to the Family and Children's Trust Fund (FACT) Board of Trustees established in</i>			
32	<i>Sections 63.2-2100 through 63.2-2103, Code of Virginia.</i>			
33	337.	Financial Assistance for Self-Sufficiency Programs and		
34		Services (45200).....		\$264,054,765
35				\$268,063,141
36		Temporary Assistance for Needy Families (TANF)		\$249,451,028
37		Cash Assistance (45201).....	\$101,663,954	\$104,514,209
38		Temporary Assistance for Needy Families (Tanf) Cash		
39		Assistance (45201).....		\$94,118,604
40		Temporary Assistance for Needy Families (TANF)		
41		Employment Services (45212)	\$19,657,832	\$19,657,832
42		Temporary Assistance for Needy Families (Tanf)		
43		Employment Services (45212)		
44		Supplemental Nutrition Assistance Program		
45		Employment and Training (SNAPET) Services (45213)..	\$1,017,742	\$1,017,742
46		Supplemental Nutrition Assistance Program		
47		Employment and Training (Snapet) Services (45213)		
48		Temporary Assistance for Needy Families (TANF)		
49		Child Care Subsidies (45214)	\$61,363,154	\$62,513,275
50		Temporary Assistance for Needy Families (Tanf) Child		
51		Care Subsidies (45214).....		\$54,296,767
52		At-Risk Child Care Subsidies (45215)	\$71,837,914	\$71,845,914
53		Unemployed Parents Cash Assistance (45216)	\$8,514,169	\$8,514,169
54		Fund Sources: General.....	\$82,667,388	\$82,675,388
55		Federal Trust.....	\$181,387,377	\$185,387,753
56				\$166,775,640

ITEM 337.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title VI,				
2	Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended,				
3	Federal Code.				
4	A. It is hereby acknowledged that as of June 30, 2011 there existed with the federal				
5	government an unexpended balance of \$25,574,493 in federal Temporary Assistance for Needy				
6	Families (TANF) block grant funds which are available to the Commonwealth of Virginia to				
7	reimburse expenditures incurred in accordance with the adopted State Plan for the TANF				
8	program. Based on projected spending levels and appropriations in this act, the				
9	Commonwealth's accumulated balance for authorized federal TANF block grant funds is				
10	estimated at \$30,053,974 on June 30, 2012; \$22,192,654 \$39,078,902 on June 30, 2013; and				
11	\$2,844,730 \$31,385,231 on June 30, 2014.				
12	B. The Department of Social Services (DSS) shall report annually on October 1 to the				
13	Governor, the Secretary of Health and Human Resources, the Chairmen of the House				
14	Appropriations and Senate Finance Committees, and the Director, Department of Planning and				
15	Budget regarding spending; program results; clients served; the location, size, implementation				
16	status, and nature of projects funded with TANF funds; results of all formal evaluations; and				
17	recommendations for continuation, expansion, and redesign of the projects. Such report shall be				
18	combined with the report required by § 63.2-619, Code of Virginia.				
19	C. No less than 30 days prior to submitting any amendment to the federal government related				
20	to the State Plan for the Temporary Assistance for Needy Families program, the Commissioner				
21	of the Department of Social Services shall provide the Chairmen of the House Appropriations				
22	and Senate Finance Committees as well as the Director, Department of Planning and Budget				
23	written documentation detailing the proposed policy changes. This documentation shall include				
24	an estimate of the fiscal impact of the proposed changes and information summarizing public				
25	comment that was received on the proposed changes.				
26	D. To the extent permitted by federal law, the State Plan for Temporary Assistance for Needy				
27	Families (TANF) shall provide that the eligibility for assistance of an alien who is a qualified				
28	alien (as defined in § 431 of the Personal Responsibility and Work Opportunity Reconciliation				
29	Act of 1996, Public Law Number 104-193) shall be determined without regard to alienage.				
30	E. Notwithstanding any other provision of state law, the Department of Social Services shall				
31	maintain a separate state program, as that term is defined by federal regulations governing the				
32	Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. § 260.30, for the				
33	purpose of providing welfare cash assistance payments to able-bodied two-parent families. The				
34	separate state program shall be funded by state funds and operated outside of the TANF				
35	program. Able-bodied two-parent families shall not be eligible for TANF cash assistance as				
36	defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits under the separate state program				
37	provided for in this paragraph. Although various conditions and eligibility requirements may be				
38	different under the separate state program, the basic benefit payment for which two-parent				
39	families are eligible under the separate state program shall not be less than what they would				
40	have received under TANF. The Department of Social Services shall establish regulations to				
41	govern this separate state program.				
42	F. As a condition of this appropriation, the Department of Social Services shall disregard the				
43	value of one motor vehicle per assistance unit in determining eligibility for cash assistance in				
44	the Temporary Assistance for Needy Families (TANF) program and in the separate state				
45	program for able-bodied two-parent families.				
46	G. The Department of Social Services, in collaboration with local departments of social				
47	services, shall maintain minimum performance standards for all local departments of social				
48	services participating in the Virginia Initiative for Employment, Not Welfare (VIEW) program.				
49	The department shall allocate VIEW funds to local departments of social services based on				
50	these performance standards and VIEW caseloads. The allocation formula shall be developed				
51	and revised in cooperation with the local social services departments and the Department of				
52	Planning and Budget.				
53	H. A participant whose Temporary Assistance for Needy Families (TANF) financial assistance				
54	is terminated due to the receipt of 24 months of assistance as specified in § 63.2-612, Code of				
55	Virginia, or due to the closure of the TANF case prior to the completion of 24 months of				
56	TANF assistance, excluding cases closed with a sanction for noncompliance with the Virginia				

ITEM 337.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Initiative for Employment Not Welfare program, shall be eligible to receive employment and			
2	training assistance for up to 12 months after termination, if needed, in addition to other			
3	transitional services provided pursuant to § 63.2-611, Code of Virginia.			
4	I. The Department of Social Services, in conjunction with the Department of Correctional			
5	Education, shall identify and apply for federal, private and faith-based grants for pre-release			
6	parenting programs for non-custodial incarcerated parent offenders committed to the			
7	Department of Corrections, including but not limited to the following grant programs:			
8	Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and Visitation			
9	Block Grant, Serious and Violent Offender Reentry Initiative Collaboration, Special			
10	Improvement Projects, § 1115 Social Security Demonstration Grants, and any new grant			
11	programs authorized under the federal Temporary Assistance for Needy Families (TANF) block			
12	grant program.			
13	J. Included in this Item is funding to carry out the former responsibilities of the Virginia			
14	Council on Child Day Care and Early Childhood Programs. Nongeneral fund appropriations			
15	allocated for uses associated with the Head Start program shall not be transferred for any other			
16	use until eligible Head Start families have been fully served. Any remaining funds may be used			
17	to provide services to enrolled low-income families in accordance with federal and state			
18	requirements. Families, who are working or in education and training programs, with income at			
19	or below the poverty level, whose children are enrolled in Head Start wraparound programs			
20	paid for with the federal block grant funding in this Item shall not be required to pay fees for			
21	these wraparound services.			
22	K. Out of this appropriation, \$2,639,305 the first year and \$2,647,305 the second year from the			
23	general fund and \$54,466,586 the first year and \$54,466,586 the second year from federal			
24	funds shall be provided to support state child care programs which will be administered on a			
25	sliding scale basis to income eligible families. The sliding fee scale and eligibility criteria are			
26	to be set according to the rules and regulations of the State Board of Social Services, except			
27	that the income eligibility thresholds for child care assistance shall account for variations in the			
28	local cost of living index by metropolitan statistical areas. The Department of Social Services			
29	shall report on the sliding fee scale and eligibility criteria adopted by the Board of Social			
30	Services by December 15 of each year. The Department of Social Services shall make the			
31	necessary amendments to the Child Care and Development Funds Plan to accomplish this			
32	intent. Funds shall be targeted to families who are most in need of assistance with child care			
33	costs. Localities may exceed the standards established by the state by supplementing state funds			
34	with local funds.			
35	L. The department shall report to the Governor, General Assembly, and Director, Department			
36	of Planning and Budget by October 15 of each year regarding the status of its child care			
37	assistance automation efforts. The annual report shall include system adequacy, programmatic			
38	and financial efficiencies gained and the need for any further actions.			
39	M. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from			
40	nongeneral funds shall be used to provide scholarships to students in early childhood education			
41	and related majors who plan to work in the field, or already are working in the field, whether			
42	in public schools, child care or other early childhood programs, and who enroll in a state			
43	community college or a state supported senior institution of higher education.			
44	N. Out of this appropriation, \$505,000 the first year and \$505,000 the second year from			
45	nongeneral funds shall be used to provide training of individuals in the field of early childhood			
46	education.			
47	O. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from			
48	nongeneral funds shall be used to provide child care assistance for children in homeless and			
49	domestic violence shelters.			
50	338.	Not set out.		
51	339.	Child Support Enforcement Services (46300)		\$764,992,149
52		Support Enforcement and Collection Services (46301)	\$94,793,978	\$94,793,978
53		Public Assistance Child Support Payments (46302)	\$11,000,000	\$11,000,000
54		Non-Public Assistance Child Support Payments		
55		(46303)	\$659,198,171	\$659,198,171

ITEM 339.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General.....	\$7,033,311	\$7,033,311		
2			\$9,919,511		
3	Special.....	\$699,626,813	\$699,626,813		
4			\$696,740,613		
5	Federal Trust.....	\$58,332,025	\$58,332,025		
6	Authority: Title 20, Chapters 1 through 9; Title 63.2, Chapter 19, Code of Virginia; P.L.				
7	104-193, as amended; P.L. 105-200, P.L. 105-33, P.L. 106-113, Federal Code.				
8	A. Any net revenue from child support enforcement collections, after all disbursements are				
9	made in accordance with state and federal statutes and regulations, and after the state's share of				
10	the cost of administering the program is paid, shall be estimated and deposited into the general				
11	fund by June 30 of the fiscal year in which it is collected. Any additional moneys determined				
12	to be available upon final determination of a fiscal year's costs of administering the program				
13	shall be deposited to the general fund by September 1 of the subsequent fiscal year in which it				
14	is collected.				
15	B. In determining eligibility and amounts for cash assistance, pursuant to the Personal				
16	Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, the				
17	department shall continue to disregard up to \$100 per month in child support payments and				
18	return to recipients of cash assistance up to \$100 per month in child support payments				
19	collected on their behalf.				
20	C. The state share of amounts disbursed to recipients of cash assistance pursuant to paragraph				
21	B of this Item shall be considered part of the Commonwealth's required Maintenance of Effort				
22	spending for the federal Temporary Assistance for Needy Families program established by the				
23	Social Security Act.				
24	D. The department shall expand collections of child support payments through contracts with				
25	private vendors. However, the Department of Social Services and the Office of the Attorney				
26	General shall not contract with any private collection agency, private attorney, or other private				
27	entity for any child support enforcement activity until the State Board of Social Services has				
28	made a written determination that the activity shall be performed under a proposed contract at a				
29	lower cost than if performed by employees of the Commonwealth.				
30	E. The Division of Child Support Enforcement, in cooperation with the Department of Medical				
31	Assistance Services, shall identify cases for which there is a medical support order requiring a				
32	noncustodial parent to contribute to the medical cost of caring for a child who is enrolled in				
33	the Medicaid or Family Access to Medical Insurance Security (FAMIS) Programs. Once				
34	identified, the division shall work with the Department of Medical Assistance Services to take				
35	appropriate enforcement actions to obtain medical support or repayments for the Medicaid				
36	program.				
37	340. Adult Programs and Services (46800).....			\$38,476,417	\$39,961,169
38					\$37,961,169
39	Auxiliary Grants for the Aged, Blind, and Disabled				
40	(46801).....	\$23,414,217	\$24,898,969		
41			\$22,898,969		
42	Adult In-Home and Supportive Services (46802).....	\$6,822,995	\$6,822,995		
43	Domestic Violence Prevention and Support Activities				
44	(46803).....	\$8,239,205	\$8,239,205		
45	Fund Sources: General.....	\$23,771,389	\$25,256,141		
46			\$23,256,141		
47	Dedicated Special Revenue.....	\$1,000,000	\$1,000,000		
48	Federal Trust.....	\$13,705,028	\$13,705,028		
49	Authority: Title 63.2, Chapters 1, 16 and 22, Code of Virginia; Title XVI, federal Social				
50	Security Act, as amended.				
51	A.1. Effective January 1, 2013 2014, the Department of Social Services is authorized to base				
52	approved licensed assisted living facility rates for individual facilities on an occupancy rate of				
53	85 percent of licensed capacity, not to exceed a maximum rate of \$1,164 \$1,207 per month,				
54	which rate is also applied to approved adult foster care homes, unless modified as indicated				

ITEM 340.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	below. The department may add a 15 percent differential to the maximum amount for licensed			
2	assisted living facilities and adult foster care homes in Planning District Eight.			
3	2. Effective January 1, 2013, the monthly personal care allowance for auxiliary grant recipients			
4	who reside in licensed assisted living facilities and approved adult foster care homes shall be			
5	\$82 per month, unless modified as indicated below.			
6	3. The Department of Social Services is authorized to increase the assisted living facility and			
7	adult foster care home rates and/or the personal care allowance cited above on January 1 of			
8	each year in which the federal government increases Supplemental Security Income or Social			
9	Security rates or at any other time that the department determines that an increase is necessary			
10	to ensure that the Commonwealth continues to meet federal requirements for continuing			
11	eligibility for federal financial participation in the Medicaid program. Any such increase is			
12	subject to the prior concurrence of the Department of Planning and Budget. Within thirty days			
13	after its effective date, the Department of Social Services shall report any such increase to the			
14	Governor and the Chairmen of the House Appropriations and Senate Finance Committees with			
15	an explanation of the reasons for the increase.			
16	4. Effective July 1, 2013, the Department of Social Services is authorized to base approved			
17	licensed assisted living facility rates for individual facilities on an occupancy rate of 85 percent			
18	of licensed capacity, not to exceed a maximum rate of \$1,196 per month, which rate is also			
19	applied to approved adult foster care homes, unless modified as indicated below. The			
20	department may add a 15 percent differential to the maximum amount for licensed assisted			
21	living facilities and adult foster care homes in Planning District Eight.			
22	B. Out of this appropriation, \$4,843,286 the first year and \$4,843,286 in the second year from			
23	the federal Social Services Block Grant shall be allocated to provide adult companion services			
24	for low-income elderly and disabled adults.			
25	C. The toll-free telephone hotline operated by the Department of Social Services to receive			
26	child abuse and neglect complaints shall also be publicized and used by the department to			
27	receive complaints of adult abuse and neglect.			
28	D.1. Out of this appropriation, \$248,750 the first year and \$248,750 the second year from the			
29	general fund and \$1,000,000 the first year and \$1,000,000 the second year from nongeneral			
30	funds shall be provided as a grant to local domestic violence programs for purchase of crisis			
31	and core services for victims of domestic violence, including 24-hour hotlines, emergency			
32	shelter, emergency transportation, and other crisis services as a first priority.			
33	2. The nongeneral fund amounts in D.1. shall be supported with \$500,000 the first year and			
34	\$500,000 the second year from the Virginia Domestic Violence Victim Fund and \$500,000 the			
35	first year and \$500,000 the second year from the Virginia Crime Victim-Witness Fund.			
36	E. Out of this appropriation, \$75,000 the first year and \$75,000 the second year from the			
37	general fund and \$400,000 the first year and \$400,000 the second year from nongeneral funds			
38	shall be provided for the purchase of services for victims of domestic violence as stated in			
39	§ 63.2-1615, Code of Virginia, in accordance with regulations promulgated by the Board of			
40	Social Services.			
41	F. The Director, Department of Planning and Budget, shall, on or before June 30, 2013, unallot			
42	\$500,000 from the general fund in this item, which reflects unused balances in the auxiliary			
43	grants program.			
44	341. Child Welfare Services (46900)			\$172,542,871
45				\$174,137,067
46	Foster Care Payments (46901)	\$44,531,466	\$44,931,466	\$180,572,962
47			\$40,752,662	
48	Supplemental Child Welfare Activities (46902).....	\$23,210,945	\$24,405,141	
49	Adoption Subsidy Payments (46903).....	\$104,800,460	\$104,800,460	
50			\$115,415,159	
51	Fund Sources: General	\$90,227,695	\$92,516,099	
52			\$95,923,040	
53	Special	\$325,030	\$325,030	

ITEM 341.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Dedicated Special Revenue.....	\$235,265	\$235,265		
2	Federal Trust.....	\$81,754,881	\$81,060,673		
3			\$84,089,627		
4	Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L.				
5	101-126, P.L. 101-226, P.L. 105-89, as amended, Federal Code.				
6	A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully				
7	reimbursed except that expenditures otherwise subject to a standard local matching share under				
8	applicable state policy, including local staffing, shall continue to require local match. The				
9	commissioner shall ensure that local social service boards obtain reimbursement for all children				
10	eligible for Title IV-E coverage.				
11	B. The commissioner, in cooperation with the Department of Planning and Budget, shall				
12	establish a reasonable, automatic adjustment for inflation each year to be applied to the room				
13	and board maximum rates paid to foster parents. However, this provision shall apply only in				
14	fiscal years following a fiscal year in which salary increases are provided for state employees.				
15	C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the				
16	general fund shall be provided for the purchase of services for victims child abuse and neglect				
17	prevention activities as stated in §63.2-1502, Code of Virginia, in accordance with regulations				
18	promulgated by the Board of Social Services.				
19	D. Out of this appropriation, \$180,200 the first year and \$180,200 the second year from the				
20	general fund and \$99,800 the first year and \$99,800 the second year from nongeneral funds				
21	shall be provided to continue respite care for foster parents.				
22	E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from				
23	nongeneral funds shall be provided to support the Virginia Child Protection Accountability				
24	System.				
25	F. Notwithstanding the provisions of §§63.2-1300 through 63.2-1303, Code of Virginia,				
26	adoption assistance subsidies and supportive services shall not be available for children adopted				
27	through parental placements. This restriction does not apply to existing adoption assistance				
28	agreements.				
29	G.1. Out of this appropriation, \$828,734 the first year from federal funds and \$1,500,000 the				
30	second year from the general fund shall be provided to implement pilot programs that increase				
31	the number of foster care children adopted.				
32	2. Beginning October 1, 2013, the department shall provide a quarterly report, within 30 days				
33	of quarter end, on the use and effectiveness of this funding including, but not limited to, the				
34	additional number of special needs children adopted from foster care as a result of this effort				
35	and the types of ongoing supportive services provided, to the Governor, Chairmen of House				
36	Appropriations and Senate Finance Committees, and the Director, Department of Planning and				
37	Budget.				
38	H. Out of this appropriation, \$32,829,644 the first year and \$32,829,644 \$33,207,631 the				
39	second year from the general fund and \$7,000,000 the first year and \$7,000,000 the second				
40	year from nongeneral funds shall be provided for special needs adoptions.				
41	I. Out of this appropriation \$32,485,408 the first year and \$32,485,408 \$37,603,764 the second				
42	year from the general fund and \$32,485,408 the first year and \$32,485,408 \$37,603,764 the				
43	second year from nongeneral funds shall be provided for Title IV-E adoption subsidies.				
44	J. The Commissioner, Department of Social Services, shall ensure that local departments that				
45	provide independent living services to persons between 18 and 21 years of age make certain				
46	information about and counseling regarding the availability of independent living services is				
47	provided to any person who chooses to leave foster care or who chooses to terminate				
48	independent living services before his twenty-first birthday. Information shall include the option				
49	for restoration of independent living services following termination of independent living				
50	services, and the processes whereby independent living services may be restored should be				

ITEM 341.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	choose to seek restoration of such services in accordance with § 63.2-905.1 of the Code of			
2	Virginia.			
3	342.	Not set out.		
4	343.	Financial Assistance to Community Human Services		
5			\$24,150,789	\$24,700,789
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ITEM 343.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2. On or before October 1 of each year, the foundation shall submit to the Governor and the				
2	Chairmen of the House Appropriations and Senate Finance Committees a report on the actual				
3	amount, by fiscal year, of private and local government funds received by the foundation.				
4	E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from				
5	nongeneral funds shall be provided for Volunteer Emergency Families for Children to expand				
6	its shelter care network for abused, neglected, runaway, homeless, and at-risk children				
7	throughout Virginia.				
8	F. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from				
9	nongeneral funds shall be provided for the Child Abuse Prevention Play administered by				
10	Theatre IV of Richmond.				
11	G. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the				
12	general fund shall be provided for dementia-specific training of long-term care workers dealing				
13	with Alzheimer's disease and related disorders through the Virginia Alzheimer's Association				
14	Chapters.				
15	H. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the				
16	general fund shall be provided to Northern Virginia Family Services to provide comprehensive				
17	safety net services for children and families.				
18	I. Out of this appropriation, \$931,000 the first year and \$931,000 the second year from the				
19	general fund shall be used to sustain statewide services provided through child advocacy				
20	centers. The department shall develop a request for proposal to (i) distribute 67 percent of the				
21	allocated funds for accredited child advocacy centers and 30 percent for associate/developing				
22	child advocacy centers, as recognized and in good standing with the National Children's				
23	Alliance, with input from Children's Advocacy Centers of Virginia (CACVA); (ii) allocate three				
24	percent to Children's Advocacy Centers of Virginia, the recognized chapter of National				
25	Children's Alliance for Virginia's child advocacy centers, for the purpose of assisting and				
26	supporting the development, continuation and sustainability of community-coordinated,				
27	child-focused services delivered by children's advocacy centers; and (iii) distribute any				
28	non-allocated funding equally to accredited and associate/developing child advocacy centers				
29	awarded funding in section (i) of this paragraph.				
30	J. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the				
31	general fund shall be provided to Youth for Tomorrow (YFT) to provide comprehensive				
32	residential, education and counseling services to at-risk adolescents and youth. The department				
33	shall include in the contract with YFT specific goods and services that will be delivered to				
34	adolescents and youth of the Commonwealth as a result of this appropriation. The department				
35	shall report outcomes to the Chairmen of the Senate Finance and House Appropriations				
36	Committees on October 1, 2013 and each year thereafter.				
37	K. Out of this appropriation, \$250,000 the second year from the general fund shall be provided				
38	to Elevate Early Education for the purpose of implementing a pilot program for a kindergarten				
39	readiness assessment. The contract with Elevate Early Education to administer this program				
40	shall require the submission of a final report from the organization detailing the assessment				
41	method(s) utilized, actual expenditures for the program, and outcome analysis and evaluation.				
42	This report shall be submitted to the Governor, Chairmen of the House Appropriations and				
43	Senate Finance Committees, and the Secretaries of Health and Human Resources and				
44	Education. Prior to the receipt of any state funding for this purpose, Elevate Early Education				
45	must provide evidence of private matching funds secured for this purpose.				
46	L. Out of this appropriation, \$25,000 the second year from the federal Temporary Assistance				
47	to Needy Families block grant shall be provided to the Visions of Truth Community				
48	Development Corporation to support self-sufficiency programs for at-risk youth. The				
49	Department of Social Services shall require that an update on the use of these funds to promote				
50	self-sufficiency be provided to the department by January 1, 2014.				
51	344. Not set out.				

ITEM 345.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	345.				
	Not set out.				
2	346.				
	Not set out.				
3	347.				
	Not set out.				
4	Total for Department of Social Services			\$1,880,234,670	\$1,863,903,435
5					\$1,849,727,217
6	General Fund Positions.....	405.21	400.21		
7	Nongeneral Fund Positions.....	1,297.29	1,305.29		
8	Position Level	1,702.50	1,705.50		
9	Fund Sources: General	\$377,008,290	\$386,033,198		
10			\$390,326,339		
11	Special.....	\$702,096,030	\$702,096,030		
12			\$699,209,830		
13	Dedicated Special Revenue	\$4,235,265	\$4,235,265		
14	Federal Trust.....	\$796,895,085	\$771,538,942		
15			\$755,955,783		
16	348.				
	Not set out.				
17	349.				
	Not set out.				
18		§ 1-39. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)			
19	350.				
	Not set out.				
20	351.				
	Not set out.				
21	352.				
	Not set out.				
22	353.				
	Not set out.				
23	354.				
	Not set out.				
24	355.			\$1,285,539	\$1,643,992
25	Administrative and Support Services (49900).....				\$1,628,518
26	General Management and Direction (49901).....	\$839,686	\$840,174		
27	Information Technology Services (49902).....	\$68,793	\$65,014		
28	Physical Plant Services (49915).....	\$377,060	\$738,804		
29			\$723,330		
30	Fund Sources: General	\$770,861	\$1,129,314		
31			\$1,113,840		
32	Special.....	\$331,082	\$331,082		
33	Federal Trust.....	\$183,596	\$183,596		
34	Authority: Title 63.2, Chapter 4, Code of Virginia; P.L. 89-313, P.L. 93-112, and P.L. 97-35,				
35	Federal Code.				
36	Out of the appropriation in this Item, \$346,270 \$361,744 the second year from the general fund				
37	is included for the <i>installation and purchase of emergency generators at the Azalea Road</i>				
38	<i>campus</i> .an emergency generator through the state's master equipment lease purchase program.				
39	Total for Department for the Blind and Vision				
40	Impaired.....			\$50,760,429	\$50,736,220
41					\$50,720,746
42	General Fund Positions.....	98.80	98.80		
43	Nongeneral Fund Positions.....	65.20	65.20		
44	Position Level	164.00	164.00		

ITEM 355.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General	\$5,956,564	\$5,812,355		
2			\$5,796,881		
3	Special	\$1,408,737	\$1,593,737		
4	Enterprise	\$33,499,228	\$33,499,228		
5	Trust and Agency	\$250,000	\$370,000		
6	Federal Trust.....	\$9,645,900	\$9,460,900		
7	356. Not set out.				
8	357. Not set out.				
9	Grand Total for Department for the Blind and Vision				
10	Impaired.....			\$53,346,429	\$53,322,220
11					\$53,306,746
12	General Fund Positions.....	98.80	98.80		
13	Nongeneral Fund Positions.....	91.20	91.20		
14	Position Level	190.00	190.00		
15	Fund Sources: General	\$6,112,941	\$5,968,732		
16			\$5,953,258		
17	Special	\$1,427,737	\$1,612,737		
18	Enterprise	\$33,499,228	\$33,499,228		
19	Trust and Agency	\$250,000	\$370,000		
20	Federal Trust.....	\$12,056,523	\$11,871,523		
21	TOTAL FOR OFFICE OF HEALTH AND HUMAN				
22	RESOURCES			\$12,198,752,654	\$12,669,075,758
23					\$12,575,169,491
24	General Fund Positions.....	9,076.22	9,127.22		
25	Nongeneral Fund Positions.....	7,498.53	7,520.03		
26	Position Level	16,574.75	16,647.25		
27	Fund Sources: General	\$4,953,510,628	\$5,239,387,174		
28			\$5,069,677,152		
29	Special	\$1,232,711,186	\$1,229,854,974		
30			\$1,227,218,774		
31	Enterprise	\$33,499,228	\$33,499,228		
32	Trust and Agency	\$1,038,798	\$1,158,798		
33	Dedicated Special Revenue	\$598,818,949	\$519,423,394		
34			\$609,763,751		
35	Federal Trust.....	\$5,379,173,865	\$5,645,752,190		
36			\$5,633,851,788		

ITEM 358.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	OFFICE OF NATURAL RESOURCES			
2 358.	Not set out.			
3 359.	Not set out.			
4	§ 1-40. DEPARTMENT OF CONSERVATION AND RECREATION (199)			
5 360.	Not set out.			
6 361.	Not set out.			
7 362.	Administrative and Support Services (59900).....		\$9,940,244	\$8,282,598
8				\$8,357,598
9	General Management and Direction (59901).....	\$9,940,244	\$8,282,598	
10				\$8,357,598
11	Fund Sources: General.....	\$8,748,890	\$7,091,244	
12				\$7,166,244
13	Special.....	\$1,140,397	\$1,140,397	
14	Debt Service.....	\$50,957	\$50,957	
15	Authority: Title 2.2, Chapters 37, 40, 41, 43; and Title 10.1, Chapter 1 Code of Virginia.			
16	<i>Out of this appropriation, \$75,000 the second year from the general fund is provided to</i>			
17	<i>employ, on a consulting basis, a grants management expert or team. The grants management</i>			
18	<i>expert or team shall conduct an audit and make recommendations to ensure that the</i>			
19	<i>department complies with the financial or other data reporting requirements set forth by the</i>			
20	<i>State Comptroller. This will include, but may not be limited to, compiling and maintaining all</i>			
21	<i>records necessary to fulfill reporting requirements and to meet any subsequent audit of the</i>			
22	<i>expenditure of such federal funds. The Director shall provide a report to the Secretary of</i>			
23	<i>Natural Resources, the Department of Planning and Budget, and the Auditor of Public</i>			
24	<i>Accounts by September 1, 2014. This report will include any deficiencies discovered and the</i>			
25	<i>corrective action taken for each grant, and a plan to maintain grant compliance for future</i>			
26	<i>grants.</i>			
27	Total for Department of Conservation and Recreation.....		\$151,812,183	\$123,393,030
28				\$123,468,030
29	General Fund Positions.....	430.50	434.50	
30	Nongeneral Fund Positions.....	100.50	100.50	
31	Position Level.....	531.00	535.00	
32	Fund Sources: General.....	\$66,413,820	\$44,283,470	
33				\$44,358,470
34	Special.....	\$25,253,602	\$25,380,556	
35	Debt Service.....	\$236,144	\$236,144	
36	Dedicated Special Revenue.....	\$45,695,921	\$39,280,164	
37	Federal Trust.....	\$14,212,696	\$14,212,696	
38	§ 1-41. DEPARTMENT OF ENVIRONMENTAL QUALITY (440)			
39 363.	Not set out.			
40 364.	Not set out.			
41 365.	Not set out.			
42 366.	Environmental Financial Assistance (51500).....		\$144,224,342	\$56,676,198
43	Financial Assistance for Environmental Resources			
44	Management (51502).....	\$4,029,723	\$4,114,723	
45	Virginia Water Facilities Revolving Fund Loans and			
46	Grants (51503).....	\$110,728,437	\$23,159,043	

ITEM 366.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Financial Assistance for Coastal Resources				
2	Management (51507).....	\$2,424,500	\$2,424,500		
3	Litter Control and Recycling Grants (51509).....	\$2,003,259	\$1,939,509		
4	Petroleum Tank Reimbursement (51511).....	\$25,038,423	\$25,038,423		
5	Fund Sources: General.....	\$89,793,174	\$2,308,780		
6	Trust and Agency.....	\$25,004,646	\$25,004,646		
7	Dedicated Special Revenue.....	\$2,345,259	\$2,281,509		
8	Federal Trust.....	\$27,081,263	\$27,081,263		
9	Authority: Title 10.1, Chapters 11.1, 14, 21.1, and 25 and Title 62.1, Chapters 3.1, 22, 23.2,				
10	and 24, Code of Virginia.				
11	A. To the extent available, the authorization included in Chapter 781, 2009 Acts of Assembly,				
12	Item 368, paragraph E, is hereby continued for the Virginia Public Building Authority to issue				
13	revenue bonds in order to finance Virginia Water Quality Improvement Grants, pursuant to				
14	Chapter 851, 2007 Acts of Assembly.				
15	C.1. Out of this appropriation, \$45,269,394 the first year from the general fund shall be				
16	deposited to the Virginia Water Quality Improvement Fund established under the Water Quality				
17	Improvement Act of 1997.				
18	2. This appropriation, together with the amounts included in Item 360 of this act, meets the				
19	mandatory deposit requirements associated with the FY 2011 excess general fund revenue				
20	collections and discretionary year-end general fund balances.				
21	3. Out of this appropriation, the Department of Environmental Quality shall use an amount not				
22	to exceed \$3,000,000 from the Water Quality Improvement Fund to conduct the James River				
23	chlorophyll study pursuant to the approved Virginia Chesapeake Bay Total Maximum Daily				
24	Load, Phase I Watershed Implementation Plan. This amount shall be used solely for				
25	contractual support for water quality monitoring and analysis and computer modeling. No				
26	portion of this funding may be used for administrative costs of the department.				
27	4. Out of this appropriation, the Department of Environmental Quality shall transfer \$3,474,862				
28	in the first year to the Department of Corrections for a wastewater treatment plant for use by				
29	the Department of Corrections and the Town of Craigsville, per Item C-78.05 of Chapter 890,				
30	2011 Acts of Assembly.				
31	D. Out of the amounts provided for Environmental Financial Assistance is \$42,300,000 the first				
32	year from the general fund to be deposited to the Virginia Water Quality Improvement Fund				
33	established in Title 10.1, Chapter 21.1, Code of Virginia, to finance the costs of design and				
34	installation of nutrient removal technology at publicly owned treatment works designated as				
35	significant dischargers in order to comply with the effluent limitations for total nitrogen and				
36	total phosphorus established for those publicly owned treatment works. Any unexpended				
37	balances on June 30, 2013, from the amount appropriated in this paragraph shall not revert to				
38	the general fund but shall be carried forward and reappropriated.				
39	E. The Department of Environmental Quality is authorized to capitalize the Nutrient Offset				
40	Fund to the extent necessary to facilitate the development of grants or contracts to support				
41	animal waste to energy projects.				
42	F.1. Pursuant to the provisions of Item C-39.40 of this act, bonds in an aggregate principle				
43	amount not to exceed \$186,000,000 \$187,000,000 are provided for the following purposes:				
44	2. Up to \$101,000,000 to finance Nutrient Removal Grants to reimburse entities as provided in				
45	§ 10.1-2117, Code of Virginia, considered as eligible Significant and Non-Significant				
46	Dischargers in the Chesapeake Bay watershed for capital costs incurred for the design and				
47	installation of nutrient removal technology. Such reimbursements shall be in accordance with				
48	eligibility determinations made by the Department of Environmental Quality pursuant to the				
49	provisions of this enactment and Chapter 21.1 of Title 10.1, Code of Virginia, including but				
50	not limited to the qualifications of projects for Virginia Water Quality Improvement Grants as				
51	set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written				
52	guidelines developed by the Secretary of Natural Resources in accordance with § 10.1-2129,				
53	Code of Virginia.				

ITEM 366.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	3. Up to \$75,000,000 \$76,000,000 for the Combined Sewer Overflow Matching Fund			
2	established pursuant to § 62.1-241.12, Code of Virginia. These bond proceeds shall be used,			
3	along with any interest earnings thereon, by the Virginia Resources Authority and the State			
4	Water Control Board to make grants to the cities of Lynchburg, and Richmond, and			
5	Alexandria to pay a portion of the capital costs of their combined sewer overflow control			
6	projects. Disbursements from these proceeds shall be authorized by the State Water Control			
7	Board, under the authority of the Department of Environmental Quality, and administered by			
8	the Virginia Resources Authority through the Combined Sewer Overflow Matching Fund. Of			
9	the net proceeds, \$30,000,000 shall be provided to the City of Lynchburg, and \$45,000,000			
10	shall be provided to the City of Richmond, and \$1,000,000 shall be provided to the City of			
11	Alexandria. No such net proceeds shall be used to pay debt service on obligations of the cities			
12	of Lynchburg, or Richmond, or Alexandria or any other localities or regional or local			
13	authorities. As a condition of the additional bond authorization provided to the City of			
14	Lynchburg, and pursuant to the authorization issued by the City Council of the City of			
15	Lynchburg during its meeting on January 29, 2013, the City of Lynchburg shall not seek			
16	further funding from the Commonwealth for any costs associated with the completion of its			
17	combined sewer overflow project.			
18	4. Up to \$5,000,000 for a supplemental Nutrient Removal Grant to reimburse capital costs			
19	incurred by the Hopewell Regional Wastewater Treatment Authority for the design and			
20	installation of nutrient removal technology. Such reimbursement shall be in addition to any			
21	conventional grant awarded for the nutrient removal project to the extent determined by the			
22	Department of Environmental Quality pursuant to the provisions of Chapter 21.1 of Title 10.1,			
23	Code of Virginia, including but not limited to the qualifications of projects for Virginia Water			
24	Quality Improvement Grants as set forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of			
25	Virginia, and in written guidelines developed by the Secretary of Natural Resources in			
26	accordance with § 10.1-2129.			
27	5. Up to \$5,000,000 for the Appomattox River Water Authority, to increase the supply of			
28	drinking water for the counties of Dinwiddie, Prince George, and Chesterfield, the cities of			
29	Colonial Heights and Petersburg, and the U.S. Army Garrison at Fort Lee, and to improve			
30	streamflow within the Appomattox River. The amount provided shall be matched by local			
31	contributions from any one or more of the affected local governments totaling \$5,000,000.			
32	G. Out of this appropriation, \$85,000 the second year from the general fund is designated to			
33	help with the costs of a new wastewater treatment facility at the W. E. Skelton 4-H			
34	Educational Conference Center at Smith Mountain Lake.			
35	367. Not set out.			
36	Total for Department of Environmental Quality		\$241,879,033	\$153,767,475
37	General Fund Positions.....		390.50	386.50
38	Nongeneral Fund Positions.....		503.50	503.50
39	Position Level		894.00	890.00
40	Fund Sources: General		\$118,756,302	\$33,663,494
41	Special.....		\$9,302,600	\$6,972,600
42	Enterprise		\$12,984,321	\$12,359,321
43	Trust and Agency		\$37,120,570	\$37,120,570
44	Dedicated Special Revenue		\$19,203,758	\$19,140,008
45	Federal Trust.....		\$44,511,482	\$44,511,482
46	§ 1-42. DEPARTMENT OF GAME AND INLAND FISHERIES (403)			
47	368. Not set out.			
48	369. Not set out.			
49	370. Not set out.			
50	371. A. Pursuant to Chapter 322 of the 1994 Acts of Assembly, and Chapter 320 of the 1998 Acts			
51	of Assembly, deposits to the Game Protection Fund (§ 29.1-101, Code of Virginia) include an			
52	estimated \$14,335,320 the first year and \$14,335,320 \$18,700,000 the second year from			

ITEM 371.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	revenue originating from the general fund.				
2	B. Pursuant to § 29.1-101.01, Code of Virginia, the Department of Planning and Budget shall				
3	transfer such funds as designated by the Board of Game and Inland Fisheries from the Game				
4	Protection Fund (§ 29.1-101) to the Capital Improvement Fund (§ 29.1-101.01) up to an amount				
5	equal to 50 percent or less of the revenue deposited to the Game Protection Fund by § 3-1.01,				
6	subparagraph M, of this act.				
7	C. Out of the amounts transferred pursuant to § 3-1.01, subparagraph K, of this act, \$881,753				
8	the first year and \$881,753 the second year from the Game Protection Fund shall be used for				
9	the enforcement of boating laws, boating safety education, and for improving boating access.				
10	Total for Department of Game and Inland Fisheries			\$55,977,722	\$57,242,880
11	Nongeneral Fund Positions.....	496.00	496.00		
12	Position Level	496.00	496.00		
13	Fund Sources: Dedicated Special Revenue	\$43,893,505	\$45,158,663		
14	Federal Trust.....	\$12,084,217	\$12,084,217		
15	372. Not set out.				
16	373. Not set out.				
17	374. Not set out.				
18	375. Not set out.				
19	375.10. Not set out.				
20	376. Not set out.				
21	377. Not set out.				
22	378. Not set out.				
23	TOTAL FOR OFFICE OF NATURAL RESOURCES			\$481,441,541	\$368,810,035
24					\$368,885,035
25	General Fund Positions.....	1,021.50	1,019.50		
26	Nongeneral Fund Positions.....	1,160.50	1,160.50		
27	Position Level	2,182.00	2,180.00		
28	Fund Sources: General	\$202,037,318	\$97,516,001		
29			\$97,591,001		
30	Special.....	\$42,034,716	\$39,831,670		
31	Commonwealth Transportation	\$413,768	\$413,768		
32	Enterprise	\$12,984,321	\$12,359,321		
33	Trust and Agency	\$37,120,570	\$37,120,570		
34	Debt Service.....	\$236,144	\$236,144		
35	Dedicated Special Revenue	\$110,518,095	\$105,235,952		
36	Federal Trust.....	\$76,096,609	\$76,096,609		

ITEM 379.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	OFFICE OF PUBLIC SAFETY			
2 379.	Not set out.			
3 380.	Not set out.			
4 381.	Not set out.			
5 382.	Not set out.			
6 383.	Not set out.			
7 384.	Not set out.			
8	§ 1-43. DEPARTMENT OF CORRECTIONS (799)			
9 384.05.	Not set out.			
10 385.	Not set out.			
11 386.	Not set out.			
12 387.	Not set out.			
13 388.	Operation of Secure Correctional Facilities (39800).....		\$835,543,549	\$836,971,103
14				\$837,694,922
15	Supervision and Management of Inmates (39802).....	\$409,153,810	\$418,346,455	
16			\$419,070,274	
17	Rehabilitation and Treatment Services - Prisons			
18	(39803)	\$35,082,574	\$35,775,984	
19	Prison Management (39805).....	\$59,763,466	\$61,398,778	
20	Food Services - Prisons (39807).....	\$40,604,837	\$40,878,097	
21	Medical and Clinical Services - Prisons (39810).....	\$162,384,473	\$151,551,306	
22	Agribusiness (39811)	\$8,864,484	\$8,864,484	
23	Correctional Enterprises (39812).....	\$54,680,835	\$54,680,835	
24	Physical Plant Services - Prisons (39815).....	\$65,009,070	\$65,475,164	
25	Fund Sources: General		\$769,942,730	\$776,887,448
26				\$777,611,267
27	Special.....	\$63,306,724	\$57,789,560	
28	Dedicated Special Revenue	\$990,047	\$990,047	
29	Federal Trust.....	\$1,304,048	\$1,304,048	
30	Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.			
31	A. Included in this appropriation is \$1,005,000 in the first year and \$1,005,000 the second year			
32	from nongeneral funds for the purposes listed below. The source of the funds is commissions			
33	generated by prison commissary operations:			
34	1. \$150,000 the first year and \$150,000 the second year for Assisting Families of Inmates, Inc.,			
35	to provide transportation for family members to visit offenders in prison and other ancillary			
36	services to family members;			
37	2. \$780,000 the first year and \$780,000 the second year for distribution to organizations that			
38	work to enhance faith-based services to inmates; and			
39	3. \$75,000 the first year and \$75,000 the second year for the "Pen Pals" program.			
40	B.1. The Department of Corrections is authorized to contract with other governmental entities			
41	to house male and female prisoners from those jurisdictions in facilities operated by the			
42	department.			
43	2. The State Comptroller shall continue the Contract Prisoners Special Revenue Fund on the			

ITEM 388.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Commonwealth Accounting and Reporting System to reflect the activities of contracts between				
2	the Commonwealth of Virginia and other governmental entities for the housing of prisoners in				
3	facilities operated by the Virginia Department of Corrections.				
4	3. The Department of Corrections shall determine whether it may be possible to contract to				
5	house additional federal inmates or inmates from other states in space available within state				
6	correctional facilities. The department may, subject to the approval of the Governor, enter into				
7	such contracts, to the extent that sufficient bedspace may become available in state facilities for				
8	this purpose.				
9	C. The Department of Corrections may enter into agreements with local and regional jails to				
10	house state-responsible offenders in such facilities and to effect transfers of convicted state				
11	felons between and among such jails. Such agreements shall be governed by the provisions of				
12	Item 69 of this act.				
13	D. To the extent that the Department of Corrections privatizes food services, the department				
14	shall also seek to maximize agribusiness operations.				
15	E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of				
16	Corrections is authorized to sell on the open market and through the Virginia Farmers' Market				
17	Network any dairy, animal, or farm products of which the Commonwealth imports more than it				
18	exports.				
19	F. It is the intention of the General Assembly that § 53.1-47, the Code of Virginia, concerning				
20	articles and services produced or manufactured by persons confined in state correctional				
21	facilities, shall be construed such that the term "manufactured" articles shall include				
22	"remanufactured" articles.				
23	G. Out of this appropriation, \$1,304,048 the first year and \$1,304,048 the second year from				
24	nongeneral funds is included for inmate medical costs. The sources of the nongeneral funds are				
25	an award from the State Criminal Alien Assistance Program, administered by the U.S.				
26	Department of Justice.				
27	H.1. The Department of Corrections, in coordination with the Virginia Supreme Court, shall				
28	continue to operate a behavioral correction program. Offenders eligible for such a program				
29	shall be those offenders: (i) who have never been convicted of a violent felony as defined in				
30	§ 17.1-805 of the Code of Virginia and who have never been convicted of a felony violation of				
31	§§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the sentencing guidelines				
32	developed by the Virginia Criminal Sentencing Commission would recommend a sentence of				
33	three years or more in facilities operated by the Department of Corrections; and (iii) whom the				
34	court determines require treatment for drug or alcohol substance abuse. For any such offender,				
35	the court may impose the appropriate sentence with the stipulation that the Department of				
36	Corrections place the offender in an intensive therapeutic community-style substance abuse				
37	treatment program as soon as possible after receiving the offender. Upon certification by the				
38	Department of Corrections that the offender has successfully completed such a program of a				
39	duration of 24 months or longer, the court may suspend the remainder of the sentence imposed				
40	by the court and order the offender released to supervised probation for a period specified by				
41	the court.				
42	2. If an offender assigned to the program voluntarily withdraws from the program, is removed				
43	from the program by the Department of Corrections for intractable behavior, fails to participate				
44	in program activities, or fails to comply with the terms and conditions of the program, the				
45	Department of Corrections shall notify the court, outlining specific reasons for the removal and				
46	shall reassign the defendant to another incarceration assignment as appropriate. Under such				
47	terms, the offender shall serve out the balance of the sentence imposed by the court, as				
48	provided by law.				
49	3. The Department of Corrections shall collect the data and develop the framework and				
50	processes that will enable it to conduct an in-depth evaluation of the program three years after				
51	it has been in operation. The department shall submit a report periodically on the program to				
52	the Chief Justice as he may require and shall submit a report on the implementation of the				
53	program and its usage to the Secretary of Public Safety and the Chairmen of the House				
54	Appropriations and Senate Finance Committees by June 30 of each year.				

ITEM 388.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	I. Included in the appropriation for this Item is \$250,000 the first year and \$250,000 the			
2	second year from nongeneral funds for a culinary arts program in which inmates are trained to			
3	operate food service activities serving agency staff and the general public. The source of the			
4	funds shall be revenues generated by the program. Any revenues so generated by the program			
5	shall not be subject to § 4-2.02 of this act and shall be used by the agency for the costs of			
6	operating the program. The State Comptroller shall establish the Inmate Culinary Arts Training			
7	Program Fund in the Commonwealth Accounting and Reporting System to reflect the revenue			
8	and expenditures of this program.			
9	J. The Department of Corrections shall coordinate with the Department of Medical Assistance			
10	Services and the Department of Social Services to establish procedures to enroll eligible inmates			
11	in Medicaid ,with coverage to start July 1, 2013. To the extent possible, the Department of			
12	Corrections shall work to identify potentially eligible inmates on a proactive basis, prior to the			
13	time inpatient hospitalization occurs. Procedures shall also include provisions for medical			
14	providers to bill the Department of Medical Assistance Services, rather than the Department of			
15	Corrections, for inmate inpatient medical expenses. Given the multiple payor sources			
16	associated with inpatient and outpatient health care services, beginning July 1, 2013, the			
17	Department of Corrections and the Department of Medical Assistance Services shall consult			
18	with the applicable provider community to ensure that administrative burdens are minimized			
19	and payment for health care services is rendered in a prompt manner. The Departments of			
20	Medical Assistance Services and Corrections shall provide a joint report on the implementation			
21	of this initiative and the expected cost savings to the Commonwealth. Copies of this report			
22	shall be provided to the Secretaries of Health and Human Services and Public Safety, and to			
23	the Chairmen of the House Appropriations and Senate Finance Committees, by October 1,			
24	2013.			
25	K. Federal funds received by the Department of Corrections from the federal Residential			
26	Substance Abuse Treatment Program shall be exempt from payment of statewide and agency			
27	indirect cost recoveries into the general fund.			
28	L. The amounts paid into the Corrections Special Reserve Fund established in accordance with			
29	§ 30-19.1:4, Code of Virginia, shall be used in the first year to offset a portion of the budgeted			
30	amounts for the department's operation of secure correctional facilities.			
31	M. Included in the appropriation for this item is \$398,725 the second year from nongeneral			
32	funds for the purchase of surveillance cameras for installation in correctional facilities to enable			
33	the department to comply with the requirements of the federal Prison Rape Elimination Act.			
34	The source of the nongeneral funds is revenue from inmate medical copay fees.			
35	N. Included in the appropriation for this item is \$800,000 the first year and \$17,200,000 the			
36	second year from the general fund to enable the agency to open the River North Correctional			
37	Center in Grayson County by October 15, 2013. In determining those state-responsible			
38	offenders to transfer to the River North Correctional Center, the department shall prioritize			
39	the transfer of any state-responsible offenders housed in any local or regional jail for which a			
40	waiver from the Board of Corrections' "Standards for Planning, Design, Construction, and			
41	Reimbursement of Local Correctional Facilities" has been provided.			
42	O. Included in the appropriation for this item is \$546,426 the second year from the general			
43	fund for six medical contract monitors. The persons filling these positions shall have the			
44	responsibility of closely monitoring the adequacy and quality of inmate medical services in			
45	those correctional facilities for which the department has contracted with a private vendor to			
46	provide inmate medical services.			
47	P. Included in the appropriation for this item is \$663,757 the second year from the general			
48	fund to establish a separate program for inmates under 18 years old who have been tried and			
49	convicted as adults and committed to the Department of Corrections. This separation of these			
50	offenders from the general prison population is required by the new requirements of the federal			
51	Prison Rape Elimination Act.			
52	Q. The amounts paid into the Corrections Special Reserve Fund established in accordance with			
53	§ 30-19.1:4, Code of Virginia, shall be used in the second year to offset a portion of the			

ITEM 388.	Item Details(\$)		Appropriations(\$)		
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014	
1	budgeted amounts for the early opening of the River North Correctional Center in October				
2	2013.				
3					
4	389.	Administrative and Support Services (39900).....		\$91,828,354	\$94,283,106
5					\$94,625,253
6		General Management and Direction (39901).....	\$18,025,688	\$17,035,656	
7		Information Technology Services (39902).....	\$26,620,593	\$31,114,937	
8		Accounting and Budgeting Services (39903).....	\$2,831,709	\$3,007,343	
9				\$3,349,490	
10		Architectural and Engineering Services (39904).....	\$12,949,576	\$9,061,066	
11		Human Resources Services (39914).....	\$3,331,952	\$5,154,003	
12		Planning and Evaluation Services (39916).....	\$619,172	\$619,172	
13		Procurement and Distribution Services (39918).....	\$12,456,118	\$13,056,468	
14		Training Academy (39929).....	\$6,553,531	\$6,755,283	
15		Offender Classification and Time Computation Services			
16		(39930)	\$8,440,015	\$8,479,178	
17		Fund Sources: General.....	\$86,840,854	\$89,295,606	
18				\$89,637,753	
19		Special.....	\$4,987,500	\$4,987,500	
20	Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.				
21	A. 1. Any plan to modernize and integrate the automated systems of the Department of				
22	Corrections shall be based on developing the integrated system in phases, or modules.				
23	Furthermore, any such integrated system shall be designed to provide the department the data				
24	needed to evaluate its programs, including that data needed to measure recidivism.				
25	2. The appropriation in this Item includes \$1,562,500 the first year and \$1,562,500 the second				
26	year from the Contract Prisoners Special Revenue Fund to defray a portion of the costs of				
27	maintaining and enhancing the offender management system. In addition to any general fund				
28	appropriations, the Department of Corrections may, subject to the authorization of the Director,				
29	Department of Planning and Budget, utilize additional revenue deposited in the Contract				
30	Prisoners Special Revenue Fund to support the development of the offender management				
31	system.				
32	B. Included in this appropriation is \$550,000 the first year and \$550,000 the second year from				
33	nongeneral funds to be used for installation and operating expenses of the telemedicine				
34	program operated by the Department of Corrections. The source of the funds is revenue from				
35	inmate fees collected for medical services.				
36	C. Included in this appropriation is \$2,800,000 the first year and \$2,800,000 the second year				
37	from nongeneral funds to be used by the Department of Corrections for the operations of its				
38	Corrections Construction Unit. The State Comptroller shall continue the Corrections				
39	Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting				
40	System to reflect the activities of contracts between the Corrections Construction Unit and (i)				
41	institutions within the Department of Corrections for work not related to a capital project and				
42	(ii) agencies without the Department of Corrections for work performed for those agencies.				
43	D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director,				
44	Department of Corrections, shall receive offenders into the state correctional system from local				
45	and regional jails at such time as he determines that sufficient, secure and appropriate housing				
46	is available, placing a priority on receiving inmates diagnosed and being treated for HIV,				
47	mental illnesses requiring medication, or Hepatitis C. The director shall maximize, consistent				
48	with inmate and staff safety, the use of bed space in the state correctional system. The director				
49	shall report monthly to the Secretary of Public Safety and the Department of Planning and				
50	Budget on the number of inmates housed in the state correctional system, the number of inmate				
51	beds available, and the number of offenders housed in local and regional jails that meet the				
52	criteria set out in § 53.1-20 A. and B.				
53	E. The Department of Corrections is exempted from the approval requirements of Chapter 11				
54	of the Construction and Professional Services Manual as issued by the Division of Engineering				

ITEM 389.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	and Buildings. The Department of Corrections may authorize and initiate design-build contracts			
2	as deemed appropriate by the Director, Department of Corrections, in accordance with			
3	§§ 2.2-4301 and 2.2-4306, Code of Virginia.			
4	F. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be			
5	placed, erected or constructed on, or removed or demolished from the property of the			
6	Commonwealth of Virginia under the control of the Department of Corrections shall not be			
7	subject to review and approval by the Art and Architectural Review Board as contemplated by			
8	§ 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a			
9	facility that is not a secure correctional facility or a structure located on the property of a			
10	secure correctional facility, then the Department of Corrections shall submit that structure to the			
11	Art and Architectural Review Board for review and approval by that board. Such other			
12	structures could include probation and parole district offices or regional offices.			
13	G. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a			
14	portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain			
15	Magisterial District of Culpeper County, Virginia, in consideration of the County's construction			
16	of water capacity and service line(s) adequate to serve the needs of the Department of			
17	Corrections' Coffeewood Facility and the Department of Juvenile Justice's Culpeper Juvenile			
18	Correctional Facility (hereinafter "the facilities"). The cost of the water improvements necessary			
19	to serve the facilities, including an eight-inch water service line, and including engineering and			
20	land/easement acquisition costs, shall be paid by the Commonwealth, less and except (i) the			
21	value of the property for the jail conveyed by the Commonwealth to the County (\$150,382.00,			
22	based on valuation by the Culpeper County Assessor), and (ii) the cost of increasing the size of			
23	the water service line from eight inches to twelve inches, in order to accommodate planned			
24	county needs.			
25	H. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of			
26	Corrections shall be exempt from the payment of service charges levied in lieu of taxes by any			
27	county, city, or town.			
28	I. From the appropriation for this item, the Director, Department of Planning and Budget, is			
29	authorized to transfer up to \$150,000 the first year and \$150,000 the second year from the			
30	general fund to the Secretary of Public Safety, to support a position dedicated to the			
31	improvement and coordination of the Commonwealth's efforts related to the re-entry of			
32	offenders into society after being incarcerated in prison. Improving re-entry efforts is expected			
33	to decrease the recidivism of those offenders and enhance public safety.			
34	J. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall			
35	work with the Virginia Community College System and its workforce development programs			
36	and services to provide fidelity bonds to those offenders released from jails or state correctional			
37	centers who are required to provide fidelity bonds as a condition of employment. The			
38	department is authorized to use funds from the Contract Prisoners Special Revenue Fund to pay			
39	the costs of this activity.			
40	K. In the event the Department of Corrections closes a correctional facility for which it has			
41	entered into an agreement with any locality to pay a proportionate share of the debt service for			
42	the establishment of utilities to serve the facility, the department shall continue to pay its			
43	agreed upon share of the debt service, subject to the schedule previously agreed upon.			
44	L. Included in the appropriation for this Item is \$37,500 the first year and \$37,500 the second			
45	year from nongeneral funds to be used to purchase video visitation equipment for correctional			
46	facilities. The source of the funds is the Contract Prisoners Special Revenue Fund.			
47	M. Included in the appropriation for this item is \$5,915,889 the first year from the general fund			
48	for the estimated net increase in the operating cost of adult correctional centers resulting from			
49	the enactment of bills as listed below for the purposes shown. This amount shall be paid into			
50	the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of			
51	Virginia.			
52	a. House Bill 968/Senate Bill 159, concerning penalties for drug trafficking — \$5,512,531.			
53	b. House Bill 508/Senate Bill 273, concerning synthetic cannabinoids — \$50,000.			

ITEM 389.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	c. House Bill 973/Senate Bill 436, concerning certain sex offenses against children — \$50,000.				
2	d. House Bill 752/Senate Bill 459, concerning strangulation — \$50,000.				
3	e. House Bill 876/Senate Bill 503, concerning motor vehicle fuels tax — \$50,000.				
4	f. House Bill 546, concerning gangs; predicate crimes — \$3,358.				
5	g. House Bill 718, concerning transfer of juveniles to adult court — \$50,000.				
6	h. House Bill 963, concerning solicitation of child pornography — \$50,000.				
7	i. House Bill 964, concerning displaying grooming videos to minors — \$50,000.				
8	j. House Bill 1140, concerning moving carisoprodol to Schedule IV — \$50,000.				
9	N. Out of this appropriation, \$142,644 the second year from the general fund is included for				
10	the purchase of a generator for Deep Meadow Correctional Center through the state's master				
11	equipment lease purchase program.				
12	O. Included in the appropriation for this item is \$200,000 the first year and \$100,000 the				
13	second year from the general fund to provide transitional assistance to the Town of Boydton				
14	following the closure of Mecklenburg Correctional Center. The actual amount distributed each				
15	year by the Department of Corrections to the town shall be the lesser of (i) the amount				
16	provided in this item for this purpose, or (ii) the amount of revenue received by the town from				
17	treatment of wastewater from Mecklenburg Correctional Center in FY 2011 minus the amount				
18	of additional revenue for wastewater treatment services received in FY 2013 and FY 2014,				
19	respectively, from industrial and commercial customers, including, but not limited to, the new				
20	Microsoft data center, compared to revenue received from industrial and commercial customers				
21	in FY 2011.				
22	P. Included in the appropriation for this item is \$1,786,279 the second year from the general				
23	fund for the estimated net increase in the operating cost of adult correctional centers resulting				
24	from the enactment of bills as listed below for the purposes shown. This amount shall be paid				
25	into the Corrections Special Reserve Fund, established in accordance with § 30-19.1:4, Code of				
26	Virginia.				
27	1. House Bill 1559 and Senate Bill 1272: To increase the penalties for any subsequent drunken				
28	driving conviction following any previous felony related to drunken driving — \$50,000.				
29	2. House Bill 1606 and Senate Bill 1015: To increase the penalties for the solicitation of a				
30	minor for prostitution — \$50,000.				
31	3. House Bill 1682 and Senate Bill 706: To increase the penalties for the financial exploitation				
32	of mentally incapacitated persons — \$50,000.				
33	4. House Bill 1684 and Senate Bill 1010: To increase the penalties for identity theft —				
34	\$30,152.				
35	5. House Bill 1745 and Senate Bill 1031: To prohibit an adult, through the use of electronic				
36	means, to propose to a child that he or she fondle his or her own sexual organs — \$50,000.				
37	6. House Bill 1746 and Senate Bill 1214: To expand the list of violent crimes for which				
38	offenders receive sentence enhancements — \$50,000.				
39	7. House Bill 1783 and Senate Bill 1017: To increase the penalties for possession with intent				
40	to distribute contraband cigarettes — \$50,000.				
41	8. House Bill 1816: To prohibit the presence of any child or incapacitated person where				
42	methamphetamine is being manufactured or is attempted to be manufactured — \$50,000.				
43	9. House Bill 1820 and Senate Bill 1018: To increase the penalties for the possession,				
44	transport, or sale of unstamped cigarettes — \$50,000.				

ITEM 389.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	10. House Bill 1847 and Senate Bill 1205: To expand the list of "predicate offenses" that is			
2	used to define criminal gang activity — \$574,916.			
3	11. House Bill 1850: To prohibit the assault and battery of any person employed by a local or			
4	regional jail and involved in the care, treatment, or supervision of inmates — \$50,000.			
5	12. House Bill 1862 and Senate Bill 1032: To require offenders, convicted of sex offenses			
6	under statutes with different Code section numbers prior to their recodification to register as			
7	sex offenders — \$50,000.			
8	13. House Bill 1927: To prohibit the assault and battery of any emergency medical services			
9	personnel — \$50,000.			
10	14. House Bill 1941 and Senate Bill 1083: To penalize and prohibit the production of synthetic			
11	cannabinoids and certain research chemicals — \$50,000.			
12	15. House Bill 1955: To increase the penalties associated with second and subsequent			
13	convictions of impersonating a law-enforcement officer — \$4,048.			
14	16. House Bill 2065 and Senate Bill 1033: To increase the penalties for offenses committed by			
15	juveniles and other offenders in juvenile correctional centers and in facilities housing sexually			
16	violent predators — \$299,513.			
17	17. House Bill 2211: To increase the penalties associated with a second conviction for stalking			
18	within five years — \$23,197.			
19	18. House Bill 2269 and Senate Bill 832: To require that mandatory minimum sentences be			
20	served consecutively — \$50,000.			
21	19. Senate Bill 811: To prohibit the filing of fraudulent liens or encumbrances against public			
22	employees — \$50,000.			
23	20. Senate Bill 853: To prohibit the assault and battery of magistrates — \$7,680.			
24	21. Senate Bill 1019: To increase the penalties for the distribution or possession with intent to			
25	distribute counterfeit cigarettes — \$50,000.			
26	22. Senate Bill 1020: To add possession with intent to distribute tax-paid contraband cigarettes			
27	as a qualifying offense under the Virginia Racketeer Influenced and Corrupt Organization Act			
28	— \$50,000.			
29	23. Senate Bill 1378: To increase the penalties for the sale, transfer, gift, or exchange of a			
30	firearm to any person he knows is prohibited from possessing or transporting a firearm under			
31	Virginia law — \$46,773.			
32	Q. Included in the appropriation for this Item is \$440,000 the second year from the general			
33	fund for the development of an interface between the department's automated systems and the			
34	customer portal of the Department of Social Services to support inmate reentry.			
35	Total for Department of Corrections.....		\$1,027,497,798	\$1,057,512,329
36				\$1,058,578,295
37	General Fund Positions.....	11,838.00	12,492.00	
38	Nongeneral Fund Positions.....	232.50	232.50	
39	Position Level.....	12,070.50	12,724.50	
40	Fund Sources: General.....	\$953,294,147	\$988,556,253	
41			\$989,622,219	
42	Special.....	\$70,079,224	\$64,562,060	
43	Dedicated Special Revenue.....	\$2,480,379	\$2,480,379	
44	Federal Trust.....	\$1,644,048	\$1,913,637	
45	390. Not set out.			

ITEM 391.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1 391.	Not set out.			
2 392.	Not set out.			
3 393.	Not set out.			
4 394.	Not set out.			
5 395.	Not set out.			
6 396.	Not set out.			
7	§ 1-44. DEPARTMENT OF EMERGENCY MANAGEMENT (127)			
8 397.	Not set out.			
9 398.	Not set out.			
10 399.	Not set out.			
11 400.	Administrative and Support Services (79900).....		\$5,576,853	\$6,389,293
12				\$5,868,392
13	General Management and Direction (79901).....		\$5,576,853	\$6,389,293
14				\$5,868,392
15	Fund Sources: General.....		\$2,812,024	\$3,624,464
16				\$3,103,563
17	Special.....		\$347,164	\$347,164
18	Commonwealth Transportation		\$63,762	\$63,762
19	Federal Trust.....		\$2,353,903	\$2,353,903
20	Authority: Title 44, Chapters 3.2, 3.3, 3.4, Code of Virginia.			
21	A. By September 1 of each year, the State Coordinator of Emergency Management shall assess			
22	emergencies and disasters that have been authorized sum sufficient funding by the Governor			
23	and provide to the Department of Planning and Budget written justification to support			
24	continuing sum sufficient funding longer than one year for a locally declared emergency (or			
25	disaster), three years for a state declared disaster, and five years for a nationally declared			
26	disaster. At the same time, the state coordinator shall identify any disasters that can be closed			
27	due to fulfillment of the state's obligations.			
28	B.1. Localities and eligible private non-profit organizations that have received cost			
29	reimbursement through state and/or federal assistance programs to support homeland security			
30	and eligible recovery and mitigation projects and initiatives associated with disaster events, that			
31	are subsequently notified that either a portion or all of the funds provided are to be returned,			
32	shall reimburse the Virginia Department of Emergency Management for such overpayments,			
33	including any interest accrued on such funds, within sixty (60) days of being notified and			
34	receiving the request for reimbursement.			
35	2. Overpayment amounts shall be based on the difference between the amount reimbursed or			
36	prepaid to the entity involved by the Department of Emergency Management and the final			
37	amount approved by the granting agency. Localities and eligible private non-profit			
38	organizations shall certify that no interest was earned on overpaid funds if no interest is			
39	included in the remittance.			
40	3. If the entity does not reimburse the Virginia Department of Emergency Management within			
41	60 days of being notified, the Comptroller is authorized to withhold the amount of			
42	overpayment from any eligible funds to be transferred to the locality or organization and			
43	redirect the funds withheld to the Virginia Department of Emergency Management to satisfy			
44	the outstanding liability.			
45	4. The Department of Emergency Management shall not provide future prepayments to any			
46	locality or eligible private non-profit organization once the Comptroller has been required to			
47	withhold funding.			

ITEM 400.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	C. Included within this appropriation is \$820,904 \$300,000 the second year from the general				
2	fund that shall only be used for costs associated with transforming the agency's information				
3	systems to conform with standards of the Virginia Information Technologies Agency.				
4	401. Not set out.				
5	Total for Department of Emergency Management.....			\$47,235,735	\$45,250,013
6					\$44,729,112
7	General Fund Positions.....	40.85	40.85		
8	Nongeneral Fund Positions.....	104.15	104.15		
9	Position Level	145.00	145.00		
10	Fund Sources: General	\$7,099,712	\$5,912,152		
11			\$5,391,251		
12	Special.....	\$3,316,394	\$2,916,394		
13	Commonwealth Transportation	\$933,251	\$933,251		
14	Federal Trust.....	\$35,886,378	\$35,488,216		
15					
		§ 1-45. DEPARTMENT OF FIRE PROGRAMS (960)			
16	402. Not set out.				
17	403. Not set out.				
18	404. Regulation of Structure Safety (56200).....			\$2,754,626	\$2,754,827
19					\$2,759,747
20	State Fire Prevention Code Administration (56203).....	\$2,754,626	\$2,754,827		
21			\$2,759,747		
22	Fund Sources: General.....	\$2,225,471	\$2,225,672		
23			\$2,230,592		
24	Special.....	\$529,155	\$529,155		
25	Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.				
26	The State Fire Marshall may charge no fee for any permits or inspections of any school,				
27	whether it be public or private.				
28	Total for Department of Fire Programs.....			\$33,587,024	\$33,587,225
29					\$33,592,145
30	General Fund Positions.....	29.00	29.00		
31	Nongeneral Fund Positions.....	43.00	43.00		
32	Position Level	72.00	72.00		
33	Fund Sources: General	\$2,225,471	\$2,225,672		
34			\$2,230,592		
35	Special.....	\$31,111,553	\$31,111,553		
36	Federal Trust.....	\$250,000	\$250,000		
37	405. Not set out.				
38					
		§ 1-46. DEPARTMENT OF JUVENILE JUSTICE (777)			
39	405.05. Instruction (19700).....			\$0	\$21,783,397
40					\$21,199,913
41	Youth Instructional Services (19711).....	\$0	\$12,554,925		
42			\$11,971,441		
43	Career and Technical Instructional Services for Youth				
44	and Adult Schools (19712).....	\$0	\$4,696,415		
45	Instructional Leadership and Support Services (19714)....	\$0	\$4,532,057		

ITEM 405.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General.....	\$0	\$19,292,611	
2			\$18,709,127	
3	Special.....	\$0	\$170,536	
4	Federal Trust.....	\$0	\$2,320,250	
5	Authority: § 66-13.1, Code of Virginia.			
6	The Department of Juvenile Justice, with the assistance of the Department of Education, shall			
7	complete a program review and staffing analysis to determine the appropriate teaching staffing			
8	ratios for the state-operated juvenile correctional centers and local and regional juvenile			
9	detention facilities. The review and analysis shall be provided to the Secretaries of Public			
10	Safety and Education and to the Chairmen of the Senate Finance and House Appropriations			
11	Committees by September 1, 2013.			
12	406. Operation of Community Residential and			
13	Nonresidential Services (35000).....		\$1,921,241	\$1,921,241
14				\$2,437,343
15	Community Residential and Non-Residential Custody			
16	and Treatment Services (35008).....	\$1,921,241	\$1,921,241	
17			\$2,437,343	
18	Fund Sources: General.....	\$1,848,814	\$1,848,814	
19			\$2,364,916	
20	Special.....	\$50,000	\$50,000	
21	Federal Trust.....	\$22,427	\$22,427	
22	Authority: §§ 16.1-246 through 16.1-258, 16.1-286, 16.1-291 through 16.1-295, 66-13, 66-14,			
23	66-22 and 66-24, Code of Virginia.			
24	A. Services funded out of this appropriation may include intensive supervision, day treatment,			
25	boot camp, and aftercare services, and should be integrated into existing services for juveniles.			
26	B. Included in the appropriation for this Item is \$720,000 in the second year from the general			
27	fund for a Juvenile Community Placement Program, in which the department may contract with			
28	local juvenile detention centers to house juveniles committed to the department prior to their			
29	release. The funding provided shall support a minimum of 40 juvenile detention center beds.			
30	The department shall develop program guidelines that at a minimum will include which			
31	juveniles qualify for placement, length of stay, level of security, mental health services, alcohol			
32	and substance abuse services, as well as other services that will be provided to the juvenile			
33	while in the detention center.			
34	407. Supervision of Offenders and Re-Entry Services			
35	(35100)		\$52,751,843	\$52,751,843
36				\$52,079,762
37	Juvenile Probation and Aftercare Services (35102)	\$52,751,843	\$52,751,843	
38			\$52,079,762	
39	Fund Sources: General.....	\$51,869,894	\$51,869,894	
40			\$51,197,813	
41	Special.....	\$145,000	\$145,000	
42	Federal Trust.....	\$736,949	\$736,949	
43	Authority: §§ 16.1-233 through 16.1-238, 16.1-274, 16.1-294, 16.1-322.1 and 66-14, Code of			
44	Virginia.			
45	Notwithstanding the provisions of §16.1-273 of the Code of Virginia, the Department of			
46	Juvenile Justice, including locally-operated court services units, shall not be required to provide			
47	drug screening and assessment services in conjunction with investigations ordered by the			
48	courts.			
49	408. Not set out.			
50	409. Operation of Secure Correctional Facilities (39800).....		\$80,807,099	\$73,069,943
51				\$67,990,529

ITEM 409.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Juvenile Corrections Center Management (39801)	\$6,440,884	\$6,440,884		
2	Food Services - Prisons (39807)	\$5,984,307	\$5,984,307		
3	Medical and Clinical Services - Prisons (39810)	\$8,900,581	\$8,900,581		
4			\$7,698,212		
5	Physical Plant Services - Prisons (39815)	\$6,171,104	\$6,171,104		
6	Offender Classification and Time Computation Services				
7	(39830)	\$1,293,404	\$1,293,404		
8	Juvenile Supervision and Management Services				
9	(39831)	\$42,633,054	\$34,895,898		
10			\$31,018,853		
11	Juvenile Rehabilitation and Treatment Services (39832) ..	\$9,383,765	\$9,383,765		
12	Fund Sources: General	\$77,753,073	\$70,015,917		
13			\$64,936,503		
14	Special	\$1,551,293	\$1,551,293		
15	Dedicated Special Revenue	\$48,000	\$48,000		
16	Federal Trust	\$1,454,733	\$1,454,733		
17	Authority: §§ 16.1-278.8, 16.1-285.1, 66-13, 66-16, 66-18, 66-19, 66-22 and 66-25.1, Code of				
18	Virginia.				
19	A. The Department of Juvenile Justice shall retain all funds paid for the support of children				
20	committed to the department to be used for the security, care, and treatment of said children.				
21	B. The Director, Department of Juvenile Justice, in response to the continuing downward trend				
22	of the juvenile population and requirements imposed by the federal government, is directed to				
23	implement the downsizing and repurposing of its juvenile facilities. It is anticipated that by				
24	relocating the department's reception center and the repurposing of the Oak Ridge and Hanover				
25	Juvenile Correctional Centers, the agency will be able to increase the efficiency and				
26	effectiveness of its operations and enhance the services provided to juveniles committed to state				
27	facilities in the areas of education, re-entry, mental health treatment, health services, and				
28	various other programmatic areas.				
29	410. Not set out.				
30	Total for Department of Juvenile Justice			\$199,174,308	\$212,930,613
31					\$207,111,736
32	General Fund Positions	2,275.00	2,419.50		
33			2,379.50		
34	Nongeneral Fund Positions	16.00	21.00		
35	Position Level	2,291.00	2,440.50		
36			2,400.50		
37	Fund Sources: General	\$192,030,726	\$203,296,245		
38			\$197,477,368		
39	Special	\$2,726,293	\$2,896,829		
40	Dedicated Special Revenue	\$48,000	\$48,000		
41	Federal Trust	\$4,369,289	\$6,689,539		
42	411. Not set out.				
43	412. Not set out.				
44	413. Not set out.				
45	414. Not set out.				
46	415. Not set out.				

ITEM 416.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	§ 1-47. DEPARTMENT OF STATE POLICE (156)				
2	416.	Not set out.			
3	417.	Law Enforcement and Highway Safety Services			
4				\$226,271,653	\$225,623,693
5					\$226,968,102
6		Aviation Operations (31001).....	\$6,627,960	\$6,627,960	
7		Commercial Vehicle Enforcement (31002).....	\$4,831,625	\$4,831,625	
8		Counter-Terrorism (31003).....	\$4,900,236	\$4,900,236	
9		Help Eliminate Auto Theft (Heat) (31004).....	\$1,763,991	\$1,763,991	
10		Drug Enforcement (31005).....	\$19,378,661	\$19,065,661	
11		Crime Investigation and Intelligence Services (31006).....	\$24,732,771	\$24,606,271	
12		Uniform Patrol Services (Highway Patrol) (31007).....	\$137,041,890	\$136,833,430	
13				\$138,177,839	
14		Motorists Assistance Program (31008).....	\$1,631,282	\$1,631,282	
15		Insurance Fraud Program (31009).....	\$5,200,000	\$5,200,000	
16		Vehicle Safety Inspections (31010).....	\$20,163,237	\$20,163,237	
17		Fund Sources: General.....	\$173,293,011	\$172,971,551	
18				\$174,315,960	
19		Special.....	\$26,443,886	\$26,117,386	
20		Commonwealth Transportation.....	\$8,166,805	\$8,166,805	
21		Trust and Agency.....	\$20,000	\$20,000	
22		Dedicated Special Revenue.....	\$8,047,951	\$8,047,951	
23		Federal Trust.....	\$10,300,000	\$10,300,000	
24		Authority: §§ 27-56, 33.1-292, 46.2-1157 through 46.2-1187, 52-1, 52-4, 52-4.2, 52-4.3, 52-8,			
25		52-8.1, 52-8.2, 52-8.4 and 56-334, Code of Virginia.			
26		A. Included in this appropriation is \$810,687 the first year and \$810,687 the second year from			
27		Commonwealth Transportation Funds for the personal and associated nonpersonal services costs			
28		for eight positions. These positions will be dedicated to patrolling the I-95/395/495 Interchange.			
29		B. Included in this appropriation is \$4,831,625 the first year and \$4,831,625 the second year			
30		from the Commonwealth Transportation Fund to support enforcement operations at weigh			
31		stations statewide.			
32		C. The Department of State Police shall modify the implementation of the division of drug law			
33		enforcement established pursuant to § 52-8.1:1, Code of Virginia, and shall redirect, as may be			
34		necessary, resources heretofore provided for that purpose by the General Assembly for the			
35		purposes of homeland security, the gathering of intelligence on terrorist activities, the			
36		preparation for response to a terrorist attack and any other activity determined by the Governor			
37		to be crucial to strengthening the preparedness of the Commonwealth against the threat of			
38		natural disasters and emergencies. Nothing in this Item shall be construed to prohibit the			
39		Department of State Police from performing drug law enforcement or investigation as otherwise			
40		provided for by the Code of Virginia.			
41		D. Included within this appropriation is \$3,098,098 the first year and \$3,098,098 the second			
42		year from the Rescue Squad Assistance Fund to support the department's aviation (med-flight)			
43		operations.			
44		E. In the event that special fund revenues for this Item exceed expenditures, the balance of			
45		such revenues may be used for air medical evacuation equipment improvements, information			
46		technology upgrades or for motor vehicle replacement.			
47		F. Included in this appropriation is \$110,000 the first year and \$110,000 the second year from			
48		the general fund to maintain increased increase traffic enforcement on Interstate 81. These			
49		funds shall be used to provide overtime payments for extended and additional work shifts so as			
50		to maintain the enhanced level of State Police patrols on this and other public highways in the			
51		Commonwealth.			
52		G.1. Out of this appropriation, \$3,729,650 the first year and \$3,729,650 the second year from			
53		the general fund is provided for the monitoring of offenders required to comply with the Sex			

ITEM 417.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Offender Registry requirements. The department shall coordinate monitoring and verification			
2	activities related to registry requirements with other state and local law enforcement agencies			
3	that have responsibility for monitoring or supervising individuals who are also required to			
4	comply with the requirements of the Sex Offender Registry.			
5	2. The Secretary of Public Safety, in conjunction with the Superintendent of State Police, shall			
6	report on the implementation of the monitoring of offenders required to comply with the Sex			
7	Offender Registry requirements. The report shall include at a minimum: (1) the number of			
8	verifications conducted; (2) the number of investigations of violations; (3) the status of			
9	coordination with other state and local law enforcement agencies activities to monitor Sex			
10	Offender Registry requirements; and (4) an update of the sex offender registration and			
11	monitoring section in the department's current "Manpower Augmentation Study." This report			
12	shall be provided to the Governor and the Chairmen of the House Appropriations and Senate			
13	Finance Committees each year by January 1.			
14	H. Included within this appropriation is \$200,000 the first year and \$200,000 the second year			
15	from nongeneral funds to be used by the Department of State Police to record revenue related			
16	to overtime work performed by troopers at the end of a fiscal year and for which			
17	reimbursement was not received by the department until the following fiscal year. The			
18	Department of Accounts shall establish a revenue code and fund detail for this revenue.			
19	I. Included within this appropriation is \$100,000 the first year and \$100,000 the second year			
20	from the general fund for the Department of State Police to enhance its capabilities in			
21	recruiting minority troopers. Funding is to support increased marketing and advertising efforts			
22	for recruiting minorities.			
23	J. Included within this appropriation is \$116,988 the first year and \$116,988 the second year			
24	from the Department of Aviation's special fund to support the aviation operations of the			
25	Department of State Police.			
26	K.1 Out of the amounts appropriated for this Item, \$600,000 the first year and \$600,000 the			
27	second year from nongeneral funds shall be distributed to the department to expand the			
28	operations of the Northern Virginia Internet Crimes Against Children Task Force.			
29	2. Pursuant to paragraph H.2 of Item 393, the Northern Virginia Internet Crimes Against			
30	Children Task Force shall provide a report on the actual expenditures and performance results			
31	achieved each year. Copies of this report shall be provided each year to the Secretary of Public			
32	Safety and the Chairmen of the House Appropriations and Senate Finance Committees by			
33	October 1.			
34	L. Included within this appropriation is \$4,823,210 the first year and \$4,823,210 the second			
35	year from the general fund to support the Commonwealth's Fusion Center and			
36	counter-terrorism activities.			
37	M. Included within this appropriation is \$1,543,733 the first year and \$1,543,733 the second			
38	year from the general fund for debt service to finance the purchase of two helicopters.			
39	N. Included within this appropriation is \$2,654,632 the first year and \$2,009,433 the second			
40	year from the general fund to support 43 non-sworn positions provided in the first year and 43			
41	non-sworn positions provided in the second year that shall be responsible for monitoring			
42	persons required to comply with the requirements of the Sex Offender Registry. The			
43	department shall redeploy to other law enforcement activities any state trooper no longer			
44	needed for monitoring offenders required to comply with the Sex Offender Registry.			
45	O. Included within this appropriation is \$2,911,840 the first year and \$3,100,800 the second			
46	year from the general fund to fill 40 state trooper positions that shall be used to increase state			
47	trooper presence on Virginia's highways.			
48	418.	Not set out.		
49	419.	Not set out.		
50	Total for Department of State Police.....		\$293,792,305	\$293,224,303
51				\$294,568,712

ITEM 419.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	General Fund Positions.....	2,526.00	2,541.00		
2	Nongeneral Fund Positions.....	372.00	372.00		
3	Position Level	2,898.00	2,913.00		
4	Fund Sources: General	\$230,575,781	\$231,706,779		
5			\$233,051,188		
6	Special.....	\$31,765,709	\$30,066,709		
7	Commonwealth Transportation	\$8,166,805	\$8,166,805		
8	Trust and Agency	\$20,000	\$20,000		
9	Dedicated Special Revenue	\$11,772,951	\$11,772,951		
10	Federal Trust.....	\$11,491,059	\$11,491,059		
11	420. Not set out.				
12	421. Not set out.				
13	TOTAL FOR OFFICE OF PUBLIC SAFETY			\$2,556,147,557	\$2,565,854,623
14					\$2,561,930,140
15	General Fund Positions.....	17,828.87	17,957.32		
16			17,917.32		
17	Nongeneral Fund Positions.....	2,256.68	2,256.18		
18	Position Level	20,085.55	20,213.50		
19			20,173.50		
20	Fund Sources: General	\$1,690,219,099	\$1,691,225,643		
21			\$1,687,301,160		
22	Special.....	\$150,748,523	\$142,932,359		
23	Commonwealth Transportation	\$9,100,056	\$9,100,056		
24	Enterprise	\$547,834,736	\$563,969,196		
25	Trust and Agency	\$10,020,000	\$10,020,000		
26	Dedicated Special Revenue	\$27,933,975	\$27,933,975		
27	Federal Trust.....	\$120,291,168	\$120,673,394		

ITEM 422.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	OFFICE OF TECHNOLOGY			
2 422.	Not set out.			
3 423.	Not set out.			
4 424.	Not set out.			
5 425.	Not set out.			
6 426.	Not set out.			
7 427.	Not set out.			
8 428.	Not set out.			
9 429.	Not set out.			
10	TOTAL FOR OFFICE OF TECHNOLOGY.....		\$60,363,835	\$39,193,769
11	General Fund Positions.....	31.00	31.00	
12	Nongeneral Fund Positions.....	268.00	268.00	
13	Position Level	299.00	299.00	
14	Fund Sources: General	\$8,560,681	\$10,847,565	
15	Special.....	\$6,457,324	\$6,457,324	
16	Dedicated Special Revenue.....	\$42,769,928	\$21,812,978	
17	Federal Trust.....	\$2,575,902	\$75,902	

ITEM 430.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	OFFICE OF TRANSPORTATION			
2	430.	Not set out.		
3	431.	Not set out.		
4	432.	Not set out.		
5	433.	Not set out.		
6	434.	Not set out.		
7	435.	Not set out.		
8	436.	Not set out.		
9	437.	Not set out.		
10	438.	Not set out.		
11	439.	Not set out.		
12	§ 1-48. DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (505)			
13	440.	Not set out.		
14	441.	Not set out.		
15	442.	Financial Assistance for Rail Programs (61000).....		\$57,587,000
16		Rail Industrial Access (61001).....	\$3,000,000	\$3,000,000
17		Rail Preservation Programs (61002).....	\$7,987,000	\$7,887,000
18		Passenger and Freight Rail Financial Assistance		
19		Programs (61003).....	\$46,600,000	\$39,175,000
20		Fund Sources: Commonwealth Transportation	\$57,587,000	\$50,062,000
21		Authority: Title 33.1, Code of Virginia.		
22		A. Except as provided in Item 440, the Commonwealth Transportation Board shall operate the		
23		Shortline Railway Preservation and Development Program in accordance with § 33.1-221.1:1.2,		
24		Code of Virginia. The board may allocate funds pursuant to § 33.1-23.1, Code of Virginia, to		
25		the Shortline Railway Preservation and Development Fund.		
26		B. The Commonwealth Transportation Board shall operate the Rail Industrial Access Program		
27		in accordance with §33.1-221.1:1, Code of Virginia. The board may allocate funds pursuant to		
28		§33.1-23.1, Code of Virginia, to the fund for construction of industrial access railroad tracks.		
29		C. Because of the overwhelming need for the development of a balanced transportation system		
30		in the Commonwealth, upon approval by the Commonwealth Transportation Board and		
31		notwithstanding the provisions of § 33.1-221.1:1.1, Code of Virginia, the 30 percent match		
32		requirement for the Rail Enhancement Fund is hereby waived exclusively for funding allocated		
33		from such fund for improvements for the Richmond/Hampton Roads Passenger Rail Project		
34		between Richmond and Norfolk in the 2012-2014 biennium.		
35		D. Notwithstanding any other provision of law, in implementing the provisions of the Intercity		
36		Passenger Rail Operating and Capital Fund created pursuant to § 33.1-221.1:1.3, Code of		
37		Virginia, the Commonwealth Transportation Board may allocate such funds as it deems		
38		necessary from the Rail Enhancement Fund, created pursuant to § 33.1-221.1:1.1, Code of		
39		Virginia. Such funding shall not exceed \$6,700,000 the first year and \$19,400,000 the second		
40		year, unless additional funding shall be required in either year for capital improvements		
41		between Petersburg and Richmond in conjunction with the acquisition of slots two and three		
42		for regional passenger rail service initiating in Norfolk. Such request shall be made only if the		
43		Director notifies the Commonwealth Transportation Board of any verifiable action by any		

ITEM 442.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	federal entity or agency, or any other state, to secure from CSX the slots Virginia would			
2	require for this service.			
3	E. Included in the amounts for Passenger and Freight Rail Financial Assistance, \$150,000 in			
4	the first second year is provided for the continued operation of transit connector service from			
5	the Roanoke Valley to the Kemper Street Station in Lynchburg as part of the daily intercity			
6	passenger rail service. Receipt of this funding is contingent upon the Greater Roanoke Transit			
7	Service establishing AMTRAK reservation capabilities for the daily service. It is the intent of			
8	the General Assembly that no additional funding in excess of normal transit formula			
9	distribution as awarded by the Department shall be appropriated in support of this service in			
10	any future years.			
11	F.1. The director, Department of Rail and Public Transportation, with the approval of CSX			
12	Transportation, shall initiate infrastructure improvement projects which promote safety or			
13	reduce the average dwell times of hazardous material shipments subject to regulation under			
14	Title 49 CFR Part 174 et seq. within rail yards, depots, sidings, and other intermediate			
15	terminals or facilities and properties located in the City of Fredericksburg to not longer than 24			
16	hours. These improvements may include, but are not limited to, those that (i) increase capacity			
17	at existing storage facilities terminating near Fredericksburg; (ii) increase the physical distance			
18	between commodity storage areas and residential communities; and (iii) transfer intermediate			
19	storage of commodities to locations closer to terminus of the shipment.			
20	2. Out of the funds available for Rail Industrial Access pursuant to § 33.1-221.1:1, Code of			
21	Virginia, up to \$450,000 in the first year and up to \$450,000 in the second year is hereby			
22	authorized for associated infrastructure improvements which may be constructed in any location			
23	in Virginia so long as their use results in increased safety in Fredericksburg or reduced average			
24	dwell times of hazardous materials currently staged in Fredericksburg. Such funds may be			
25	awarded to CSX Transportation or other entities or political subdivisions identified by the			
26	Department as having responsibility for implementing the associated infrastructure			
27	improvement. In the allocation of funds for this project by the Commonwealth Transportation			
28	Board, the requirements of § 33.1-22.1:1, Code of Virginia, with the exception of § 33.1-22.1:1			
29	F., are waived.			
30	G. Of the funds appropriated pursuant to Chapters 1019 and 1044 of the 2000 Acts of			
31	Assembly for passenger rail capacity improvements in the I-95 passenger rail corridor between			
32	Richmond and the District of Columbia, the Director of the Department of Rail and Public			
33	Transportation is authorized to utilize any remaining funds along the described corridor for the			
34	development of intercity passenger rail enhancements to include rail improvements and			
35	passenger station facilities.			
36	H. Notwithstanding any other provision of law, in implementing the provisions of the Intercity			
37	Passenger Rail Operating and Capital Fund created pursuant to § 33.1-221.1:1.3, Code of			
38	Virginia, the Commonwealth Transportation Board may allocate such funds as dedicated			
39	pursuant to § 58.1-638.3.A.2., Code of Virginia.			
40	443.	Not set out.		
41	Total for Department of Rail and Public Transportation..			\$379,600,728 \$379,988,919
42	Nongeneral Fund Positions.....	53.00	53.00	
43	Position Level	53.00	53.00	
44	Fund Sources: Special.....	\$790,156	\$790,156	
45	Commonwealth Transportation	\$378,810,572	\$379,198,763	
46	§ 1-49. DEPARTMENT OF TRANSPORTATION (501)			
47	444.	Not set out.		
48	445.	Not set out.		
49	446.	Highway System Acquisition and Construction (60300)..		\$1,925,326,072 \$1,388,027,944
50	Dedicated and Statewide Construction (60302).....	\$1,347,879,412	\$854,154,047	
51	Interstate Construction (60303)	\$166,357,184	\$170,187,226	

ITEM 446.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Primary Construction (60304).....	\$221,146,620	\$203,337,569		
2	Secondary Construction (60306).....	\$65,029,136	\$73,681,316		
3	Urban Construction (60307).....	\$101,624,158	\$64,843,454		
4	Highway Construction Program Management (60315).....	\$23,289,562	\$21,824,332		
5	Fund Sources: Commonwealth Transportation	\$1,087,708,452	\$952,282,581		
6	Trust and Agency	\$837,617,620	\$435,745,363		
7	Authority: Title 33.1, Chapter 1; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of				
8	1989, Special Session II.				
9	A. From the appropriation for dedicated and statewide construction, the Commonwealth				
10	Transportation Board shall determine an amount each year, not less than \$15,000,000 and not				
11	to exceed \$200,000,000 from the Commonwealth Transportation Fund, which shall be allocated				
12	to localities for revenue sharing. No additional amount shall be appropriated from the proceeds				
13	of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds for this program.				
14	B. Notwithstanding § 33.1-23.1 of the Code of Virginia, the proceeds from the lease or sale of				
15	surplus and residue property purchased under this program in excess of related costs shall be				
16	applied to the system and locality where the residue property is located. This funding shall be				
17	provided as an increase to the allocations distributed to the systems and localities according to				
18	§ 33.1-23.1 of the Code of Virginia.				
19	C. The Director, Department of Planning and Budget, is authorized to increase the				
20	appropriation as needed to utilize amounts available from prior year balances in the dedicated				
21	funds.				
22	D. Included in the amounts for dedicated and statewide construction is the reappropriation of				
23	\$311,000,000 the first year and \$119,300,000 the second year from bond proceeds or dedicated				
24	special revenues for anticipated expenditure of amounts collected in prior years. The amounts				
25	will be provided from balances in the Northern Virginia Transportation District Fund, State				
26	Route 28 Highway Improvement District Fund, U.S. Route 58 Corridor Development Fund and				
27	the Priority Transportation Fund. These amounts were originally appropriated when received or				
28	forecasted and are not related to FY 2013 and FY 2014 estimated revenues.				
29	E. Projects being developed and procured through adopted state, local or regional design-build				
30	provisions, other than those required by § 33.1-12(2)(b), Code of Virginia, may be considered				
31	for funding from the Transportation Partnership Opportunity Fund. In addition, an application				
32	requesting funding from the fund shall be limited to requesting only one form of assistance and				
33	the limitations included in § 33.1-221.1:8(E), Code of Virginia.				
34	F. Prior to annual adoption of the Six Year Improvement Program, the Commonwealth				
35	Transportation Board may allocate funding from the highway portion of the Transportation				
36	Trust Fund to undertake any park and ride lot improvements for the I-95 Corridor required				
37	pursuant to the Comprehensive Agreement for the I-95 High Occupancy Toll Lanes project.				
38	G.1 Prior to the adoption of the Six-Year Improvement Program for the fiscal year beginning				
39	July 1, 2013, the Commonwealth Transportation Board shall annually determine an amount, not				
40	less than \$500,000 and not to exceed \$2,500,000, from state transportation revenues deposited				
41	to the Commonwealth Transportation Fund to maintain a program for the enhancement of				
42	statewide transportation assets, including Virginia Byways.				
43	2. From the amounts allocated by the Commonwealth Transportation Board to the fund set				
44	forth in paragraph 1, \$500,000 in the second year shall be provided for transportation				
45	enhancements consistent with the Route 15 "Journey Through Hallowed Ground" corridor				
46	management plan. This funding shall be available for improvements related to the approved				
47	corridor management plan.				
48	H. Out of the amounts provided for dedicated and statewide construction, the Commonwealth				
49	Transportation Board shall provide up to \$5,000,000 the second year from Commonwealth				
50	Transportation Funds to begin an environmental assessment for the replacement of the I-64				
51	High Rise Bridge in Chesapeake, Virginia.				
52	<i>I. Of the amounts provided in Item 449.10, Chapter 847 of the 2008 Acts of Assembly,</i>				

ITEM 446.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	<i>\$31,070,647 is made available for consideration for Transportation Partnership Opportunity</i>				
2	<i>Fund grants or loans in accordance with § 33.1-221.1:8, Code of Virginia. This amount</i>				
3	<i>represents available authorization remaining after the completed advancement of acquisition</i>				
4	<i>and construction of the projects in the Item.</i>				
5	447.	Not set out.			
6	448.	Not set out.			
7	449.	Not set out.			
8	450.	Not set out.			
9	451.	Not set out.			
10	452.	Not set out.			
11	Total for Department of Transportation.....			\$4,441,250,295	\$3,988,804,399
12	Nongeneral Fund Positions.....	7,499.00	7,485.00		
13	Position Level	7,499.00	7,485.00		
14	Fund Sources: General	\$40,000,000	\$40,000,000		
15	Commonwealth Transportation	\$3,310,656,395	\$3,292,685,261		
16	Trust and Agency	\$1,068,067,699	\$633,592,936		
17	Federal Trust.....	\$22,526,201	\$22,526,202		
18	453.	Not set out.			
19	454.	Not set out.			
20	455.	Not set out.			
21	456.	Not set out.			
22	457.	Not set out.			
23	458.	Not set out.			
24	TOTAL FOR OFFICE OF TRANSPORTATION			\$5,275,737,075	\$4,892,681,770
25	Nongeneral Fund Positions.....	9,798.00	9,784.00		
26	Position Level	9,798.00	9,784.00		
27	Fund Sources: General	\$40,980,246	\$41,980,246		
28	Special.....	\$108,529,387	\$111,728,392		
29	Commonwealth Transportation	\$3,973,962,589	\$3,956,383,041		
30	Trust and Agency	\$1,094,014,299	\$644,539,536		
31	Dedicated Special Revenue.....	\$0	\$79,800,000		
32	Federal Trust.....	\$58,250,554	\$58,250,555		

ITEM 459.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	OFFICE OF VETERANS AFFAIRS AND HOMELAND SECURITY			
2	§ 1-50. SECRETARY OF VETERANS AFFAIRS AND HOMELAND SECURITY (454)			
3	459.	Not set out.		
4	459.05.	Economic Development Services (53400).....	\$0	\$1,286,504
5				\$1,535,562
6		Financial Assistance for Economic Development		
7		(53410)	\$0	\$1,286,504
8				\$1,535,562
9		Fund Sources: <i>General</i>	\$0	\$249,058
10		Dedicated Special Revenue.....	\$0	\$1,286,504
11	Authority: Discretionary Inclusion			
12	A. In accordance with Chapter 653 of the 2008 Virginia Acts of Assembly, this item includes			
13	the Commonwealth's contribution to address the encroachment of the United States Navy			
14	Master Jet Base and shall only be expensed by purchasing property as established under			
15	Chapter 653. The contribution includes \$1,286,504 from nongeneral funds and out of the			
16	appropriation in paragraph J.1.b of Item 469 of this act, an amount equal to \$6,213,496 the			
17	second year, for a total of \$7,500,000.			
18	B. The Secretary of Veterans Affairs and Homeland Security shall develop an annual grant			
19	application which shall include at a minimum requirements for the Grantee to (1) report			
20	expenditures each quarter, (2) retain all invoices, bills, receipts, cancelled checks, proof of			
21	payment and similar documentation to substantiate expenditures of grant funding, (3) provide a			
22	50 percent cash match from non-state funds for each property purchased under this program,			
23	(4) return excess state grant funding within thirty (30) days after the grant year expires, and (5)			
24	split all proceeds from the sale of any properties under Chapter 653 or Chapter 622 of the			
25	2006 Virginia Acts of Assembly with the Commonwealth.			
26	C.1. Prior to the distribution of any funds, any Grantee seeking funding under this Item shall			
27	submit a grant application to the Secretary of Veterans Affairs and Homeland Security for			
28	consideration.			
29	2. Payments to Grantees shall be made in equal quarterly installments. After the initial			
30	payment, the Secretary of Veterans Affairs and Homeland Security shall make additional			
31	quarterly payments to the Grantee based on the quarterly expenditure reports. In making			
32	subsequent payments, the Secretary shall ensure the Grantee's match funding is being expensed			
33	at the appropriate rate and limit surplus state funding at the local level by withholding quarterly			
34	payments as necessary.			
35	3. The Secretary may approve a request by the Grantee for additional state funding in a			
36	particular quarterly payment if supporting documentation is provided.			
37	D. The Commonwealth shall have the right to make inspections and copies of the books and			
38	records of the Grantee at any time. The Grantee shall undergo an audit for the grant period and			
39	provide a copy of the audit report to the Secretary.			
40	<i>E. Included in the appropriation for this Item is \$249,058 the second year from the general</i>			
41	<i>fund to restore funding returned to the Commonwealth by the Hampton Roads Military and</i>			
42	<i>Federal Facilities Alliance that was subsequently deposited into the general fund.</i>			
43	Total for Secretary of Veterans Affairs and Homeland			
44	Security.....		\$1,368,051	\$2,874,743
45				\$3,123,801
46	General Fund Positions.....		6.00	6.00
47	Nongeneral Fund Positions.....		3.00	3.00
48	Position Level		9.00	9.00

ITEM 459.05.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: General.....	\$479,656	\$699,844		
2			\$948,902		
3	Dedicated Special Revenue.....	\$0	\$1,286,504		
4	Federal Trust.....	\$888,395	\$888,395		
5	460. Not set out.				
6	461. Not set out.				
7	462. Not set out.				
8	463. Not set out.				
9	464. Not set out.				
10	TOTAL FOR OFFICE OF VETERANS AFFAIRS				
11	AND HOMELAND SECURITY			\$55,492,939	\$59,543,955
12					\$59,793,013
13	General Fund Positions.....	118.00	118.00		
14	Nongeneral Fund Positions.....	564.00	564.00		
15	Position Level	682.00	682.00		
16	Fund Sources: General.....	\$10,155,723	\$10,892,199		
17			\$11,141,257		
18	Special.....	\$29,781,485	\$31,184,183		
19	Dedicated Special Revenue.....	\$285,000	\$1,696,504		
20	Federal Trust.....	\$15,270,731	\$15,771,069		

ITEM 465.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	CENTRAL APPROPRIATIONS			
2	§ 1-51. CENTRAL APPROPRIATIONS (995)			
3	465.	Not set out.		
4	466.	Not set out.		
5	467.	Not set out.		
6	468.	Compensation and Benefit Adjustments (75700).....		\$85,825,318
7		Adjustments to Employee Compensation (75701).....	\$0	\$87,614,419
8		Adjustments to Employee Benefits (75702).....	\$85,825,318	\$158,458,592
9		Fund Sources: General.....	\$85,825,318	\$246,073,011
10		Authority: Discretionary Inclusion.		
11		A. Transfers to or from this Item may be made to decrease or supplement general fund		
12		appropriations to state agencies for:		
13		1. Adjustments to base rates of pay;		
14		2. Adjustments to rates of pay for budgeted overtime of salaried employees;		
15		3. Salary changes for positions with salaries listed elsewhere in this act;		
16		4. Salary changes for locally elected constitutional officers and their employees;		
17		5. Employer costs of employee benefit programs when required by salary-based pay		
18		adjustments;		
19		6. Salary changes for local employees supported by the Commonwealth, other than those		
20		funded through appropriations to the Department of Education; and		
21		7. Adjustments to the cost of employee benefits to include but not limited to health insurance		
22		premiums and retirement and related contribution rates.		
23		B. Transfers from this Item may be made when appropriations to the state agencies concerned		
24		are insufficient for the purposes stated in paragraph A of this Item, as determined by the		
25		Department of Planning and Budget, and subject to guidelines prescribed by the department.		
26		Further, the Department of Planning and Budget may transfer appropriations within this Item		
27		from the second year of the biennium to the first year, when necessary to accomplish the		
28		purposes stated in paragraph A of this Item.		
29		C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by		
30		nongeneral fund sources, shall pay the proportionate share of changes in salaries and benefits as		
31		required by this Item, subject to the rules and regulations prescribed by the appointing or		
32		governing authority of such agencies. Nongeneral fund revenues and balances required for this		
33		purpose are hereby appropriated.		
34		D. The Governor is hereby authorized to transfer funds from agency appropriations to the		
35		accounts of participating state employees in such amounts as may be necessary to match the		
36		contributions of the qualified participating employees, consistent with the requirements of the		
37		Code of Virginia governing the deferred compensation cash match program. Such transfers		
38		shall be made consistent with the following:		
39		1. The maximum cash match provided to eligible employees shall not be less than \$20.00 per		
40		pay period, or \$40.00 per month, in each year of the biennium. The Governor may direct the		
41		agencies of the Commonwealth to utilize funds contained within their existing appropriations to		
42		meet these requirements.		
43		2. The Governor may direct agencies supported in whole or in part with nongeneral funds to		

ITEM 468.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	utilize existing agency appropriations to meet these requirements. Such nongeneral revenues			
2	and balances are hereby appropriated for this purpose, subject to the provisions of § 4-2.01 b of			
3	this act. The use of such nongeneral funds shall be consistent with any existing conditions and			
4	restrictions otherwise placed upon such nongeneral funds.			
5				
6	4. The procurement of services related to the implementation of this program shall be governed			
7	by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be subject to the			
8	provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.			
9	E. The Secretary of Administration, in conjunction with the Secretary of Finance, may establish			
10	a program that allows for the sharing of cost savings from improved productivity,			
11	efficiency, and performance with agencies and employees. Such gain sharing programs require			
12	a management philosophy of open communication encouraging employee participation; a			
13	system which seeks, evaluates and implements employee input on increasing productivity; and			
14	a formula for measuring productivity gains and sharing these gains between employees and the			
15	agency. The Department of Human Resource Management, in conjunction with the Department			
16	of Planning and Budget, shall develop specific gain sharing program guidelines for use by			
17	agencies. The Department of Human Resource Management shall provide to the Governor, the			
18	Chairmen of the House Appropriations and Senate Finance Committees an annual report no			
19	later than October 1 of each year detailing identified savings and their usage.			
20	F.1. Out of the appropriation for this Item, amounts estimated at \$44,172,400 the first year and			
21	\$113,886,416 the second year from the general fund shall be transferred to state agencies and			
22	institutions of higher education to support the general fund portion of costs associated with			
23	changes in the employer's share of premiums paid for the Commonwealth's health benefit plans.			
24	2. Out of the amounts included in subparagraph 1, \$526,849 the first year and \$981,409 the			
25	second year from the general fund shall be transferred to the University of Virginia to cover			
26	the state share of the increases in employer premiums for state employees participating in the			
27	University of Virginia's health care plan.			
28	3. Notwithstanding any contrary provision of law, the health benefit plans for state employees			
29	resulting from the additional funding in this Item shall allow for a portion of employee medical			
30	premiums to be charged to employees.			
31	4. The Department of Human Resource Management shall explore options within the health			
32	insurance plan for state employees to promote value-based health choices aimed at creating			
33	greater employee satisfaction with lower overall health care costs. It is the General Assembly's			
34	intent that any savings associated with this employee health care initiative be retained and used			
35	towards funding state employee salary or fringe benefit cost increases.			
36	5. Notwithstanding any other provision of law, it shall be the sole responsibility and authority			
37	of the Department of Human Resource Management to establish and enforce employer			
38	contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of			
39	Virginia.			
40	6. The Department of Human Resource Management is prohibited from establishing a retail			
41	maintenance network for maintenance drugs that includes penalties for non-use of the retail			
42	maintenance network. As an alternative, the Department shall include in the upcoming request			
43	for proposal a requirement that the successful bidder provide, upon request of the Department,			
44	all claims-related financial and utilization information relating to the provision of benefits and			
45	all other financial and utilization information relating to benefits to covered individuals. This			
46	information shall include information on the nature, type, and amount of all other revenue			
47	received in aggregate from pharmaceutical manufacturers or labelers for programs relating to			
48	benefits to covered individuals of the State Employee Health Plan.			
49	G.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of			
50	public school teachers, state employees, state police officers, state judges, and state law			
51	enforcement officers eligible for the Virginia Law Officers Retirement System shall be based			
52	on a valuation of retirement assets and liabilities that are consistent with the provisions of			
53	Senate Bill 498 and House Bill 1130.			

ITEM 468.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2. Retirement contribution rates for the first year and the second year, excluding the five				
2	percent employee portion, shall be: 11.66 percent for public school teachers, 8.76 percent for				
3	state employees, 24.74 percent for state police officers, 14.80 percent for the Virginia Law				
4	Officers Retirement System, and 45.44 percent for the Judicial Retirement System. These rates				
5	include both the regular contribution rate and the rate calculated by the Virginia Retirement				
6	System actuary for the 10-year payback of the retirement contribution payments deferred for				
7	the 2010-12 biennium. From such general fund revenues as are collected for fiscal year 2013				
8	in excess of the First Year Official Revenue Estimate contained in this Act, the first \$100.0				
9	million, or portion thereof, that is not required to meet (i) a Constitutionally-mandated deposit				
10	to the Revenue Stabilization Fund, (ii) the Water Quality Improvement Fund, Part A deposit, or				
11	(iii) the Item 469 J.1., deposit to the Federal Action Contingency Trust Fund shall be reserved				
12	by the Comptroller in the Restricted Fund Balance for payment to the Virginia Retirement				
13	System (VRS) prior to June 30, 2014. The VRS shall allocate any payments to the retirement				
14	system plans proportionate to each plan's, excluding political subdivision plans, unfunded				
15	liability estimated as of June 30, 2012. Said payment to VRS shall constitute a prepayment of				
16	the general fund 2014-16 biennial installment of the ten-year payback of retirement				
17	contributions deferred for the 2010-12 biennium, thereby reducing the general fund contribution				
18	rate in the 2014-16 biennium.				
19	3. Payments to the Virginia Retirement System shall be made no later than the tenth day				
20	following the close of each month of the fiscal year.				
21	4. Out of the general fund appropriation for this Item is included \$42,161,373 the first year and				
22	\$43,994,437 the second year to support the general fund portion of the net costs resulting from				
23	changes in employer contributions for state employee retirement as provided for in this				
24	paragraph.				
25	5. The funding necessary to support the cost of reimbursements to Constitutional Officers for				
26	retirement contributions are appropriated elsewhere in this act under the Compensation Board.				
27	6. The funding necessary to support the cost of the employer retirement contribution rate for				
28	public school teachers is appropriated elsewhere in this act under Direct Aid to Public				
29	Education.				
30	H.1. Except as authorized in Paragraph H.2. of this Item, rates paid to the VRS on behalf of				
31	employees of participating (i) counties, (ii) cities, (iii) towns, (iv) local public school divisions				
32	(only to the extent that the employer contribution rate is not otherwise specified in this act),				
33	and (v) other political subdivisions shall be based on the higher of: a) the contribution rate in				
34	effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation				
35	of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for				
36	the 2012-14 biennium, eighty percent of the results of the June 30, 2013 actuarial valuation of				
37	assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the				
38	2014-16 biennium, ninety percent of the results of the June 30, 2015 actuarial valuation of				
39	assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the				
40	2016-18 biennium, one-hundred percent of the results of the June 30, 2017 actuarial valuation				
41	of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for				
42	the 2018-20 biennium.				
43	2. Rates paid to the VRS on behalf of employees of participating (i) counties, (ii) cities, (iii)				
44	towns, (iv) local public school divisions (only to the extent that the employer contribution rate				
45	is not otherwise specified in this act), and (v) other political subdivisions may, at each				
46	participating employers option, be based on the employer contribution rates certified by the				
47	Virginia Retirement System (VRS) Board of Trustees pursuant to § 51.1-145(I), Code of				
48	Virginia.				
49	3. Every participating employer must certify to the board of the Virginia Retirement System by				
50	resolution adopted by its local governing body that it: has reviewed and understands the				
51	information provided by the Virginia Retirement System outlining the potential future fiscal				
52	implications of electing or not electing to utilize the employer contribution rates certified by the				
53	Virginia Retirement System (VRS) Board of Trustees, as provided for in paragraph H.2.				
54	4. Prior to electing to utilize the employer contribution rates certified by the Virginia				
55	Retirement System (VRS) Board of Trustees, as authorized in paragraph H.2, local public				
56	school divisions must receive the concurrence of the local governing body. Such concurrence				

ITEM 468.	Item Details(\$)		Appropriations(\$)	
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1	must be documented by a resolution of the governing body.			
2	5. The board of the Virginia Retirement System shall provide all employers participating in the			
3	Virginia Retirement System with a summary of the implications inherent in the use of the			
4	employer contribution rates certified by the Virginia Retirement System (VRS) Board of			
5	Trustees set out in paragraph H.2, and the alternate employer contribution rates set out in			
6	paragraph H.1			
7	I. The Virginia Retirement System Board of Trustees shall account for the employer retirement			
8	contribution payments deferred for the 2010-2012 biennium based on limiting employer			
9	retirement contributions to the Virginia Retirement System to the actuarial normal cost. In			
10	setting the employer retirement contribution rates for subsequent biennia, the board shall			
11	calculate a separate, supplemental employer contribution rate that will amortize such deferred			
12	payments over a period of ten years using the board's assumed long-term rate of return. The			
13	Governor shall include funds to support payment of such board-approved, supplemental			
14	employer contribution rates in the budget submitted to the General Assembly.			
15	J.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to			
16	include the public employee group life insurance program, the Virginia Sickness and Disability			
17	Program, the state employee retiree health insurance credit, and the public school teacher retiree			
18	health insurance credit, shall be based on a valuation of assets and liabilities that assume an			
19	investment return of eight percent and an amortization period of 30 years.			
20	2. Contribution rates paid on behalf of public employees for other programs administered by			
21	the Virginia Retirement System in the first year and the second year shall be: 1.19 percent for			
22	the state employee group life insurance program, 0.48 percent for the employer share of the			
23	public school teacher group life insurance program, 0.47 percent for the Virginia Sickness and			
24	Disability Program, 1.00 percent for the state employee retiree health insurance credit, and 1.11			
25	percent for the public school teacher retiree health insurance credit.			
26	3. The funding necessary to support the cost of reimbursements to Constitutional Officers for			
27	public employee group life insurance contributions is appropriated elsewhere in this act under			
28	the Compensation Board.			
29	4. The funding necessary to support the cost of the employer public school teacher group life			
30	insurance and retiree health insurance credit rates is appropriated elsewhere in this act under			
31	Direct Aid to Public Education.			
32	K. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency			
33	shall not be required to pay the Virginia Retirement System the costs of enhanced retirement			
34	benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily			
35	separated from employment with the Commonwealth if the Director of the Department of			
36	Planning and Budget certifies that such action results from 1. budget reductions enacted in the			
37	Appropriation Act, 2. budget reductions executed in response to the withholding of			
38	appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform			
39	actions taken by state agencies to increase efficiency of operations or improve service delivery			
40	provided such actions have been previously approved by the Governor, or 4. downsizing			
41	actions taken by state agencies as the result of the loss of federal or other grants, private			
42	donations, or other nongeneral fund revenue, and if the Director of the Department of Human			
43	Resource Management certifies that the action comports with personnel policy. Under these			
44	conditions, the entire cost of such benefits for involuntarily separated employees shall be			
45	factored into the employer contribution rates paid to the Virginia Retirement System.			
46	L. The purpose of this paragraph is to provide a transitional severance benefit, under the			
47	conditions specified, to eligible city, county, school division or other political subdivision			
48	employees who are involuntarily separated from employment with their employer.			
49	I.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from			
50	employment with the employer, or being placed on leave without pay-layoff or equivalent			
51	status, due to budget reductions, employer reorganizations, workforce downsizings, or other			
52	causes not related to the job performance or misconduct of the employee, but shall not include			
53	voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an			
54	employee who is involuntarily separated from employment with his employer.			

ITEM 468.	Item Details(\$)		Appropriations(\$)	
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1	b. The governing authority of a city, county, school division or other political subdivision			
2	electing to cover its employees under the provisions of this paragraph shall adopt a resolution,			
3	as prescribed by the Board of Trustees of the Virginia Retirement System, to that effect. An			
4	election by a school division shall be evidenced by a resolution approved by the Board of such			
5	school division and its local governing authority.			
6	2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in			
7	§ 51.1-124.3, and (iii) any "local officer" as defined in § 51.1.124.3 except for the treasurer,			
8	commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or			
9	sheriff of any county or city, and (a) for whom reemployment with his employer is not			
10	possible because there is no available position for which the employee is qualified or the			
11	position offered to the employee requires relocation or a reduction in salary and (b) whose			
12	involuntary separation was due to causes other than job performance or misconduct, shall be			
13	eligible, under the conditions specified, for the transitional severance benefit conferred by this			
14	paragraph. The date of involuntary separation shall mean the date an employee was terminated			
15	from employment or placed on leave without pay-layoff or equivalent status.			
16	b. Eligibility shall commence on the date of involuntary separation.			
17	3.a. On his date of involuntary separation, an eligible employee with (i) two years' service or			
18	less to the employer shall be entitled to receive a transitional severance benefit equivalent to			
19	four weeks of salary; (ii) three years through and including nine years of consecutive service to			
20	the employer shall be entitled to receive a transitional severance benefit equivalent to four			
21	weeks of salary plus one additional week of salary for every year of service over two years;			
22	(iii) ten years through and including fourteen years of consecutive service to the employer shall			
23	be entitled to receive a transitional severance benefit equivalent to twelve weeks of salary plus			
24	two additional weeks of salary for every year of service over nine years; or (iv) fifteen years or			
25	more of consecutive service to the employer shall be entitled to receive a transitional severance			
26	benefit equivalent to two weeks of salary for every year of service, not to exceed thirty-six			
27	weeks of salary.			
28	b. Transitional severance benefits shall be computed by the terminating employer's payroll			
29	department. Partial years of service shall be rounded up to the next highest year of service.			
30	c. Transitional severance benefits shall be paid by the employer in the same manner as normal			
31	salary. In accordance with § 60.2-229, transitional severance benefits shall be allocated to the			
32	date of involuntary separation. The right of any employee who receives a transitional severance			
33	benefit to also receive unemployment compensation pursuant to § 60.2-100 et seq. shall not be			
34	denied, abridged, or modified in any way due to receipt of the transitional severance benefit;			
35	however, any employee who is entitled to unemployment compensation shall have his			
36	transitional severance benefit reduced by the amount of such unemployment compensation. Any			
37	offset to a terminated employee's transitional severance benefit due to reductions for			
38	unemployment compensation shall be paid in one lump sum at the time the last transitional			
39	severance benefit payment is made.			
40	d. For twelve months after the employee's date of involuntary separation, the employee shall			
41	continue to be covered under the (i) health insurance plan administered by the employer for its			
42	employees, if he participated in such plan prior to his date of involuntary separation, and (ii)			
43	group life insurance plan administered by the Virginia Retirement System pursuant to Chapter			
44	5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life insurance plan as may be			
45	administered by the employer. During such twelve months, the terminating employer shall			
46	continue to pay its share of the terminated employee's premiums. Upon expiration of such			
47	twelve month period, the terminated employee shall be eligible to purchase continuing health			
48	insurance coverage under COBRA.			
49	e. Transitional severance benefit payments shall cease if a terminated employee is reemployed			
50	or hired in an individual capacity as an independent contractor or consultant by the employer			
51	during the time he is receiving such payments.			
52	f. All transitional severance benefits payable pursuant to this section shall be subject to			
53	applicable federal laws and regulations.			
54	4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this paragraph,			
55	any otherwise eligible employee who, on the date of involuntary separation, is also (i) a vested			

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1	member of the Virginia Retirement System, including a member eligible for the benefits			
2	described in subsection B of § 51.1-138, and (ii) at least fifty years of age, may elect to have			
3	the employer purchase on his behalf years to be credited to either his age or creditable service			
4	or a combination of age and creditable service, except that any years of credit purchased on			
5	behalf of a member of the Virginia Retirement System, including a member eligible for the			
6	benefits described in subsection B of § 51.1-138, who is eligible for unreduced retirement shall			
7	be added to his creditable service and not his age. The cost of each year of age or creditable			
8	service purchased by the employer shall be equal to fifteen percent of the employee's present			
9	annual compensation. The number of years of age or creditable service to be purchased by the			
10	employer shall be equal to the quotient obtained by dividing (i) the cash value of the benefits			
11	to which the employee would be entitled under subparagraphs 3.a. and 3.d. of this paragraph			
12	by (ii) the cost of each year of age or creditable service. Partial years shall be rounded up to			
13	the next highest year. Deferred retirement under the provisions of subsection C of §§ 51.1-153			
14	and 51.1-205, and disability retirement under the provisions of § 51.1-156 et seq., shall not be			
15	available under this paragraph.			
16	b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph			
17	and (ii) the retirement program provided in this subsection, any employee who is otherwise			
18	eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.			
19	c. The retirement allowance for any employee electing to retire under this paragraph who, by			
20	adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the			
21	actuarial basis provided in subdivision A. 2. of § 51.1-155.			
22	d. The retirement program provided in this subparagraph shall be otherwise governed by			
23	policies and procedures developed by the Virginia Retirement System.			
24	e. Costs associated with the provisions of this subparagraph shall be factored into the employer			
25	contribution rates paid to the Virginia Retirement System.			
26	M.1. All classified employees of the Executive Branch and other full-time employees of the			
27	Commonwealth, except elected officials, who were employed on April 1, 2012, and remain			
28	employed until at least November 24, 2012, shall receive a one-time bonus payment equal to			
29	three percent of base pay on December 1, 2012, contingent upon additional general fund			
30	resources equaling or exceeding \$77,200,000 from the combination of actual general fund			
31	revenue collections for fiscal year 2012 exceeding the official fiscal year 2012 revenue estimate			
32	contained in the first enactment of the 2010-12 appropriations act, as amended by the 2012			
33	session of the General Assembly, and by any discretionary unspent general fund appropriations			
34	recommended by the Governor for reversion at the end of fiscal year 2012. In the event that			
35	the total of all funds provided for in this paragraph are insufficient to fully fund the general			
36	fund cost of the three percent one-time bonus payment, such bonus payment shall be prorated			
37	to a percent of base pay for the general fund payroll that equates to the amount of total general			
38	fund resources provided.			
39	a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive			
40	the bonus payment authorized in this paragraph only if they have attained an equivalent rating			
41	of at least "Meets Expectations" on their performance evaluation and have no active written			
42	notices under the Standards of conduct for the preceding review period.			
43	2. For purposes of paying the general fund share of the December 1, 2012, one-time bonus,			
44	after meeting all Constitutionally-required deposits to the Revenue Stabilization Fund, the State			
45	Comptroller shall reserve \$77,200,000 in the Restricted Fund Balance on the balance sheet for			
46	the general fund attributable to fiscal year 2012 general fund revenue collections in excess of			
47	the official revenue estimate and discretionary general fund balances recommended for			
48	reversion by the Governor, prior to designating amounts for the Committed Fund Balance.			
49	3. The Director of the Department of Planning and Budget shall administratively increase			
50	nongeneral fund appropriations as required to implement the one-time bonus payment.			
51	N. Any supplemental salary payment to a state employee or class of state employees by a			
52	local governing body shall be governed by a written agreement between the agency head of the			
53	employee or class of employees receiving the supplement and the chief executive officer of the			
54	local governing body. Such agreement shall also be reviewed and approved by the Director of			
55	the State Department of Human Resource Management. At a minimum, the agreement shall			

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1	specify the percent of state salary or fixed amount of the supplement, the resultant total salary			
2	of the employee or class of employees, the frequency and method of payment to the agency of			
3	the supplement, and whether or not such supplement shall be included in the employee's state			
4	benefit calculations. A copy of the agreement shall be made available annually to all			
5	employees receiving the supplement. The receipt of a local salary supplement shall not subject			
6	employees to any personnel or payroll rules and practices other than those promulgated by the			
7	State Department of Human Resource Management.			
8	O. The Governor is hereby authorized to allocate a sum of up to \$60,992,733 from this			
9	appropriation to the extent necessary to offset any downward revisions of the general fund			
10	revenue estimate prepared for fiscal years 2013 and 2014 after the enactment by the General			
11	Assembly of the 2012 Appropriation Act. If the general fund revenue estimates prepared			
12	subsequent to the 2012 General Assembly Session do not result in downward revisions and, if			
13	within 5 days of the preliminary close of the fiscal year ending on June 30, 2013, the			
14	Comptroller's analysis does not determine that a revenue re-forecast is required pursuant to			
15	§ 2.2-1503.3, Code of Virginia, then such appropriation shall be used only for employee			
16	compensation purposes as stated in paragraphs P, Q and R below.			
17	P.1. Contingent on the provisions of paragraph O. above, the base salary of the following			
18	employees shall be increased by two percent on July 25, 2013, for state employees:			
19	a. Full-time and other classified employees of the Executive Department subject to the Virginia			
20	Personnel Act;			
21	b. Full-time employees of the Executive Department not subject to the Virginia Personnel Act,			
22	except officials elected by popular vote;			
23	c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in			
24	the agency head salary levels in § 4-6.01 c; and			
25	d. Full-time professional staff of the Governor's Office, the Lieutenant Governor's Office, the			
26	Attorney General's Office, Cabinet Secretaries Offices, including the Deputy Secretaries, the			
27	Virginia Liaison Office, and the Secretary of the Commonwealth's Office.			
28	e. Heads of agencies in the Legislative Department;			
29	f. Full-time employees in the Legislative Department, other than officials elected by popular			
30	vote; and			
31	g. Secretaries and administrative assistants as provided for in Item 1 of this act.			
32	h. Judges and Justices in the Judicial Department;			
33	i. Heads of agencies in the Judicial Department; and,			
34	j. Full-time employees in the Judicial Department.			
35	k. Commissioners of the State Corporation Commission and the Virginia Workers'			
36	Compensation Commission, the Executive Directors of the Virginia College Savings Plan and			
37	the Virginia Office for Protection and Advocacy, and the Directors of the State Lottery			
38	Department, and the Virginia Retirement System;			
39	l. Full-time employees of the State Corporation Commission, the Virginia College Savings			
40	Plan, the State Lottery Department, Virginia Workers' Compensation Commission, the Virginia			
41	Retirement System, and Virginia Office for Protection and Advocacy.			
42	2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall receive			
43	the salary increases authorized in this paragraph only if they attained at least a rating of			
44	"Contributor" on their latest performance evaluation.			
45	b. Salary increases authorized in this paragraph for employees in the Judicial and Legislative			
46	Departments, employees of Independent agencies, and employees of the Executive Department			
47	not subject to the Virginia Personnel Act shall be consistent with the provisions of this			
48	paragraph, as determined by the appointing or governing authority. However, notwithstanding			

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1	anything herein to the contrary, the governing authorities of those state institutions of higher			
2	education with employees not subject to the Virginia Personnel Act may implement salary			
3	increases for such employees that may vary based on performance and other			
4	employment-related factors. The appointing or governing authority shall certify to the			
5	Department of Human Resource Management that employees receiving the awards are			
6	performing at levels at least comparable to the eligible employees as set out in subparagraph			
7	2.a. of this paragraph.			
8	3. The Department of Human Resource Management shall increase the minimum salary for			
9	each band within the Commonwealth's Classified Compensation Plan by two percent on July			
10	25, 2013. The Department of Human Resource Management shall increase the maximum			
11	salary for each band within the Commonwealth's Classified Compensation Plan by seven			
12	percent plus an additional \$1,950 on July 25, 2013, for purposes of implementing the salary			
13	compression compensation adjustment. No salary increase shall be granted to any employee as			
14	a result of this action. The department shall develop policies and procedures to be used in			
15	instances where employees fall below the entry level for a job classification due to poor			
16	performance. Movement through the revised pay band shall be based on employee			
17	performance.			
18	4. Out of the amounts for Supplements to Employee Compensation is included \$37,179,293 the			
19	second year from the general fund to support the general fund portion of costs associated with			
20	the salary increase provided in this paragraph.			
21	5. <i>In lieu of the provisions set out in subparagraph P.1. above, the the following agency</i>			
22	<i>heads, at their discretion, may implement the provisions of new or existing performance-based</i>			
23	<i>pay plans to provide salary adjustments for affected employees:</i>			
24	a. The heads of agencies in the Legislative and Judicial Departments;			
25	b. The Commissioners of the State Corporation Commission and the Virginia Workers'			
26	Compensation Commission;			
27	c. The Attorney General;			
28	d. The Director of the Virginia Retirement System;			
29	e. The Director of the State Lottery Department;			
30	f. The Director of the University of Virginia Medical Center;			
31	g. The Executive Director of the Virginia College Savings Plan;			
32	h. The Executive Director of the Virginia Port Authority; and,			
33	i. The Executive Director of the Virginia Office for Protection and Advocacy.			
34	Q. The base rates of pay, and related employee benefits, for wage employees may be increased			
35	by up to two percent no earlier than July 25, 2013. The cost of such increases for wage			
36	employees shall be borne by existing funds appropriated to each agency.			
37	R.1. Contingent on the provisions of paragraph O. above, the base salary of the following			
38	employees shall be increased by three percent on August 1, 2013:			
39	a. Locally elected constitutional officers;			
40	b. General Registrars and members of local electoral boards;			
41	c. Full-time employees of locally elected constitutional officers, except for assistant			
42	Commonwealth's attorney whose salary adjustment upwards by 2 percent of their salary as of			
43	June 30, 2013; and,			
44	d. Full-time employees of Community Services Boards, Centers for Independent Living, secure			
45	detention centers supported by Juvenile Block Grants, juvenile delinquency prevention and			
46	local court service units, local social services boards, local pretrial services act and			

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1	comprehensive community corrections act employees, and local health departments where a			
2	memorandum of understanding exists with the Virginia Department of Health.			
3	2. Out of the appropriation for Supplements to Employee Compensation is included			
4	\$23,813,440 the second year from the general fund to support the costs associated with the			
5	salary increase provided in this paragraph.			
6	S. Subsequent to effectuating the salary adjustment authorized in paragraph P. of this item the			
7	base salary of employees listed in P.1 of this item, except for those listed in subparagraph 1			
8	below, who have five years or more of continuous state service shall be increased by \$65 for			
9	each full year of service, except sworn employees of the Department of State Police who shall			
10	receive \$70 for each full year of service, up to thirty years, effective July 25, 2013. The			
11	Department of Human Resource Management shall develop guidelines and procedures for			
12	implementation of this salary compression compensation adjustment.			
13	1. Employees excluded from adjustment:			
14	a) Faculty at public institutions of higher education;			
15	b) Judges and Justices of the Judicial Department;			
16	c) Commissioners of the State Corporation Commission;			
17	d) Commissioners of the Virginia Workers' Compensation Commission;			
18	e) Employees of public institutions of higher education who are not faculty but are also not			
19	subject to the Virginia Personnel Act;			
20	f) Legislative Assistants who are employees of individual members of the General Assembly.			
21	2. Employees in the Executive Department subject to the Virginia Personnel Act shall receive			
22	the salary increases authorized in this paragraph only if they attained at least a rating of			
23	"Contributor" on their latest performance evaluation.			
24	3. Employees specifically excluded from the salary compression adjustment pursuant to section			
25	b), and c), and d) of subparagraph 1 above shall receive a one percent salary adjustment			
26	effective July 25, 2013 in addition to the two percent adjustment authorized in paragraph P of			
27	this item.			
28	4. The governing authorities of those state institutions of higher education with employees			
29	specifically excluded from the salary compression adjustment pursuant to section e) of			
30	subparagraph 1 may provide a salary adjustment based on performance and other			
31	employment-related factors, as long as the increases do not exceed what the average would			
32	have been based on the general methodology authorized in this paragraph.			
33	5. Out of the appropriation Employee Compensation Supplements, \$26,621,686 the second			
34	year from the general fund is included to support the general fund costs associated with the			
35	salary adjustment authorized in this paragraph.			
36	T. The final sentence of § 51.1-145 (N), Code of Virginia providing that the employer			
37	contribution rate established for each employer may include the annual rate of contribution			
38	payable by such employer with respect to employees enrolled in optional defined contribution			
39	retirement plans, shall not apply to optional defined retirement plans established under			
40	§ 51.1-126 for employees engaged in teaching, administrative or research duties at institutions			
41	of higher education, § 51.1-126.1 for employees of teaching hospitals other than VCU and			
42	UVA Medical Centers, and § 51.1-126.3 for University of Virginia Medical Center employees.			
43	<i>U.1. All classified employees of the Executive Branch and other full-time employees of the</i>			
44	<i>Commonwealth, except elected officials, who were employed on April 1, 2014, and remain</i>			
45	<i>employed until at least November 24, 2014, shall receive a one-time bonus payment equal to</i>			
46	<i>up to two percent of base pay on December 1, 2014, contingent upon any discretionary</i>			
47	<i>unspent general fund appropriations recommended by the Governor for reversion at the end of</i>			
48	<i>fiscal year 2014 equaling or exceeding \$107,772,638, twice the general fund cost of the two</i>			
49	<i>percent bonus. In the event that the total of all funds provided for in this paragraph are</i>			

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1 insufficient to fully fund the general fund cost of this two percent bonus payment, such bonus
 2 payment shall be prorated to a percent of base pay for the general fund payroll that equates to
 3 the amount of total general fund resources provided. Employees in the Executive Branch
 4 subject to the Virginia Personnel Act shall receive a two percent bonus payment authorized in
 5 this paragraph only if they have attained an equivalent rating of at least "meets expectations"
 6 on their performance evaluation and have no active written notices under the standards of
 7 conduct for the preceding review period.

8 2. All classified employees of the Executive Branch and other full-time employees of the
 9 Commonwealth, except elected officials, who were employed on April 1, 2014, and remain
 10 employed until at least November 24, 2014, shall receive an additional one-time bonus
 11 payment equal to up to one percent of base pay on December 1, 2014, contingent upon
 12 additional general fund resources equaling or exceeding \$7,005,232, twice the general fund
 13 cost of the one percent bonus, from the combination of actual general fund revenue collections
 14 for fiscal year 2014 exceeding the official fiscal year 2014 revenue estimate contained in the
 15 first enactment of the 2012-14 appropriations act, as amended by the 2014 session of the
 16 General Assembly, and by any discretionary unspent general fund appropriations recommended
 17 by the Governor for reversion at the end of fiscal year 2014. In the event that the total of all
 18 funds provided for in this paragraph are insufficient to fully fund the general fund cost of this
 19 one percent bonus payment, such bonus payment shall be prorated to a percent of base pay for
 20 the general fund payroll that equates to the amount of total general fund resources provided.
 21 Employees in the Executive Branch subject to the Virginia Personnel Act shall receive the
 22 additional one percent bonus payment authorized in this paragraph only if they have attained
 23 an equivalent rating of "exceeds expectations" on their performance evaluation and have no
 24 active written notices under the standards of conduct for the preceding review period.

25 3. For purposes of paying the general fund share of the December 1, 2014, two percent
 26 one-time bonus, after meeting all Constitutionally-required deposits to the Revenue Stabilization
 27 Fund, the State Comptroller shall reserve an amount on the balance sheet for the general fund
 28 attributable to one-half of discretionary general fund balances remaining at the end of FY
 29 2014 up to \$107,772,638, twice the general fund cost of the two percent one-time bonus for the
 30 state employees authorized in this paragraph. Additionally, for purposes of paying the general
 31 fund share of the December 1, 2014, additional one percent one-time bonus, the State
 32 Comptroller shall reserve \$7,005,232 in the Restricted Fund Balance on the balance sheet for
 33 the general fund attributable to fiscal year 2014 general fund revenue collections in excess of
 34 the official revenue estimate and discretionary general fund balances recommended for
 35 reversion by the Governor, prior to designating amounts for the Committed Fund Balance.

36 4. The Director of the Department of Planning and Budget shall administratively increase
 37 nongeneral fund appropriations as required to implement the one-time bonus payment.

38 469.	Payments for Special or Unanticipated Expenditures			
39	(75800)			\$7,988,609
40				\$6,761,353
41	Miscellaneous Contingency Reserve Account (75801).....	\$750,000	\$4,011,977	
42	Undistributed Support for Designated State Agency			
43	Activities (75806).....	\$7,238,609	\$2,749,376	
44			\$2,381,892	
45	Fund Sources: General	\$7,988,609	\$6,761,353	
46			\$6,393,869	

47 Authority: Discretionary Inclusion.

48 A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to
 49 an amount not to exceed \$2,000,000 from the unappropriated balance derived by subtracting
 50 the general fund appropriations from the projected general fund revenues in this act, to provide
 51 for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall be made
 52 only when (1) sufficient funds are not available within the agency's appropriation and (2)
 53 additional funds must be provided prior to the end of the next General Assembly Session.

54 B.1. The Governor is authorized to allocate from the unappropriated general fund balance in
 55 this act such amounts as are necessary to provide for unbudgeted cost increases to state
 56 agencies incurred as a result of actions to enhance homeland security, combat terrorism, and to

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1	provide for costs associated with the payment of a salary supplement for state classified			
2	employees ordered to active duty as part of a reserve component of the Armed Forces of the			
3	United States or the Virginia National Guard. Any salary supplement provided to state			
4	classified employees ordered to active duty, shall apply only to employees who would			
5	otherwise earn less in salary and other cash allowances while on active duty as compared to			
6	their base salary as a state classified employee. Guidelines for such payments shall be			
7	developed by the Department of Human Resource Management in conjunction with the			
8	Departments of Accounts and Planning and Budget.			
9	2. The Governor shall submit a report within thirty days to the Chairmen of House			
10	Appropriations and Senate Finance Committees which itemizes any disbursements made from			
11	this Item for such costs.			
12	3. The governing authority of the agencies listed in this subparagraph may, at its discretion and			
13	from existing appropriations, provide such payments to their employees ordered to active duty			
14	as part of a reserve component of the Armed Forces of the United States or the Virginia			
15	National Guard, as are necessary to provide comparable pay supplements to its employees.			
16	a. Agencies in the Legislative and Judicial Departments;			
17	b. The State Corporation Commission, the Virginia Workers' Compensation Commission, the			
18	Virginia Retirement System, the State Lottery Department, Virginia College Savings Plan, and			
19	the Virginia Office for Protection and Advocacy;			
20	c. The Office of the Attorney General and the Department of Law; and			
21	d. State-supported institutions of higher education.			
22	C. The Governor is authorized to expend from the unappropriated general fund balance in this			
23	act such amounts as are necessary, up to \$1,500,000, to provide for indemnity payments to			
24	growers, producers, and owners for losses sustained as a result of an infectious disease			
25	outbreak or natural disaster in livestock and poultry populations in the Commonwealth. These			
26	indemnity payments will compensate growers, producers, and owners for a portion of the			
27	difference between the appraised value of each animal destroyed or slaughtered or animal			
28	product destroyed in order to control or eradicate an animal disease outbreak and the total of			
29	any salvage value plus any compensation paid by the federal government.			
30	D. Out of the appropriation for this item is included \$450,000 the first year and \$2,450,000			
31	the second year from the general fund to be used by the Governor as he may determine to be			
32	needed for the following purposes:			
33	1. To address the six conditions listed in § 4-1.03 c 5 of this act.			
34	2. To provide for unbudgeted and unavoidable increases in costs to state agencies for essential			
35	commodities and services which cannot be absorbed within agency appropriations to include			
36	unbudgeted benefits associated with Workforce Transition Act requirements.			
37	3. To secure federal funds in the event that additional matching funds are needed for Virginia			
38	to participate in the federal Superfund program.			
39	4. To make additional payments to public institutions of higher education pursuant to Item 465			
40	of this Act, up to a maximum of \$1,000,000, in the event that amounts appropriated for that			
41	purpose are insufficient.			
42	5. To provide a payment of up to \$100,000 to the Military Order of the Purple Heart, for the			
43	continued operation of the National Purple Heart Hall of Honor, provided that at least half of			
44	other states have made similar grants.			
45	6. In addition, if the amounts appropriated in this Item are insufficient to meet the			
46	unanticipated events enumerated, the Governor may utilize up to \$1,000,000 the first year and			
47	\$1,000,000 the second year from the general fund amounts appropriated for the Governor's			
48	Opportunity Fund for the unanticipated purposes set forth in paragraph D.1. through paragraph			
49	D.5. of this Item.			

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1	7. The Department of Planning and Budget shall submit a quarterly report of any disbursements			
2	made from, commitments made against, and requests made for such sums authorized for			
3	allocation pursuant to this paragraph to the Chairmen of the House Appropriations and Senate			
4	Finance Committees. This report shall identify each of the conditions specified in this			
5	paragraph for which the transfer is made.			
6	8. In addition, to provide for payment of monetary rewards to persons who have disclosed			
7	information of wrongdoing or abuse under the Fraud and Abuse Whistle Blower Protection Act.			
8	E. Included in this appropriation is \$300,000 the first year and \$300,000 the second year from			
9	the general fund to pay for private legal services and the general fund share of unbudgeted			
10	costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for private			
11	legal services shall be made by the Director, Department of Planning and Budget upon prior			
12	written authorization of the Governor or the Attorney General, pursuant to § 2.2-510, Code of			
13	Virginia or Item 59, Paragraph D of this act. Transfers for enforcement of the Master			
14	Settlement Agreement shall be made by the Director, Department of Planning and Budget at			
15	the request of the Attorney General, pursuant to Item 59, Paragraph B of this act.			
16	F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality			
17	which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or			
18	portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be			
19	entitled to all sales tax revenues generated by transactions taking place in such public facility.			
20	G.I. Out of the appropriation for this Item, up to \$3,958,652 the first year from the general			
21	fund is provided to state agencies to cover unanticipated increases in the general fund cost of			
22	information technology and telecommunication charges, including contractually required			
23	transformations and mission critical telephone system replacements. The Director, Department			
24	of Planning and Budget, is authorized to transfer these funds to the impacted state agencies			
25	based upon information provided by the Virginia Information Technologies Agency.			
26	2. The Chief Information Officer shall prepare a plan assessing the on-going cost of			
27	any telephone system funded from this Item. The plan should focus on options to minimize the			
28	on-going costs. The plan shall be submitted by September 1, 2012, to the Secretary of Finance			
29	and the Secretary of Technology.			
30	H.I. Out of the appropriation for this Item, up to \$1,656,925 the first year and up to			
31	\$1,656,925 the second year from the general fund is provided to state agencies for costs			
32	incurred as the result of an internal service fund established within the Department of Accounts			
33	to cover ongoing operational and maintenance costs of the Performance Budgeting System, an			
34	enterprise application of the Commonwealth. The Director, Department of Planning and			
35	Budget, is authorized to transfer these funds to the impacted state agencies.			
36	2. Out of the appropriation for this Item, up to \$215,101 the second year from the general fund			
37	is provided to state agencies for costs incurred as the result of an internal service fund			
38	established within the Department of Accounts to cover ongoing operational and maintenance			
39	costs of the Cardinal System, an enterprise application of the Commonwealth. The Director,			
40	Department of Planning and Budget, is authorized to transfer these funds to the impacted state			
41	agencies.			
42	I. Out of the general fund appropriation for this Item, \$1,677,078 in the first year shall be			
43	transferred to state agencies and institutions of higher education to support the general fund			
44	portion of costs associated with benefits provided pursuant to the Line of Duty Act.			
45	J.1.a. There is hereby appropriated in the second year an amount not to exceed \$20,000,000			
46	from that portion of the general fund balance designated by the State Comptroller on June 30,			
47	2013, for nonrecurring expenditures pursuant to § 2.2-1514 B., Code of Virginia, to further			
48	capitalize the Federal Action Contingency Trust (FACT) Fund. The purpose of this FACT			
49	Fund is solely to offset the potential loss of any revenue to the Commonwealth, either directly			
50	or indirectly related to any actions of the United States Congress as part of any federal budget			
51	reductions. In addition to the amounts appropriated herein, included in the FACT Fund is the			
52	balance of \$22,500,000, which was appropriated in Item 470 K.1 of Chapter 2, 2012 Special			
53	Session I. The first priority for the use of these funds shall be to ensure that the			
54	Commonwealth maintains sufficient funding to meet all required debt service payments			
55	appropriated in Item 280 of this act.			

ITEM 469.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	b. Notwithstanding the provisions of paragraph J.1.a., \$6,213,496 from the FACT Fund shall be			
2	provided in the second year, in addition to the nongeneral fund amounts in Item 459.05 A. of			
3	this act, to meet the Commonwealth's contribution to address encroachment upon the United			
4	States Navy Master Jet Base Oceana pursuant to the 2005 Base Realignment and Closure			
5	Commission recommendations.			
6	c. Notwithstanding the provisions of paragraph J.1.a., up to \$3,000,000 from the FACT Fund,			
7	to be matched dollar-for-dollar from sources other than state funds, shall be used to assist any			
8	Virginia locality in which a U.S. Air Force Base is located to mitigate adverse impacts on			
9	military operations and employment levels caused by encroachment of incompatible uses, in			
10	advance of further actions by the federal Base Realignment and Closure Commission or any			
11	similar federal actions. Such funds shall only be used to purchase properties from willing			
12	sellers.			
13	d. Notwithstanding the provisions of paragraph J.1.a. of this Item, up to \$5,000,000 from the			
14	FACT Fund may be provided to: (i) develop plans and implement strategies to prevent or limit			
15	the adverse economic impacts of closure, relocation, or realignment of federal military or			
16	security installations or other federal agencies located in Virginia, including actions to evaluate			
17	military and command clusters to access their vulnerability for closure, relocation or			
18	realignment, and (ii) remedial efforts to promote renewed economic growth in jurisdictions			
19	adversely affected by closure, relocation, or realignment decisions on the part of the federal			
20	government.			
21	2. There is hereby created an advisory committee to provide advice to the Governor concerning			
22	the use of the Federal Action Contingency Trust (FACT) Fund. The FACT Fund Approval			
23	Commission is established as an advisory commission in the legislative branch and shall			
24	consist of 10 members, including the Chairman of the House Appropriations Committee and			
25	four members of the House Appropriations Committee selected by the chairman, the Chairman			
26	of the Senate Finance Committee and four members of the Senate Finance Committee selected			
27	by the chairman. The secretaries of Commerce and Trade, Health and Human Resources and			
28	Finance shall also be available to provide technical assistance to the advisory committee.			
29	3. Prior to the distribution of any funds from the Federal Action Contingency Trust (FACT)			
30	Fund, The FACT Fund Approval Commission shall review all prospective uses of the FACT			
31	Fund and recommend approval or denial of such uses to the Governor. The Governor shall			
32	also notify the chairmen of the Senate Finance Committee and the House Appropriations			
33	Committee in writing within ten days concerning his decision to distribute money from the			
34	FACT reserve <u>having previously received approval from the advisory committee.</u>			
35	VIEW THIS LANGUAGE TO BE UNCONSTITUTIONAL. /s/ Robert F. McDonnell (6/11/12) (Noted language is enclosed in brackets.)			
36	K.1. Included in this Item is \$594,650 the second year from the general fund to support the			
37	transition offices established as a result of the 2013 elections for Governor, Lieutenant			
38	Governor, and Attorney General. Out of this amount, \$504,650 shall be transferred, based on			
39	actual expenses, to the Department of General Services and \$90,000 to the Division of Select			
40	Agencies Support Services for the provision of facilities, equipment, services, and supplies			
41	required to support the transition activity.			
41	2. The Commonwealth's financial support for the transition is to be allocated as follows:			
42			FY 2014	
43	Office of the Governor		\$414,200	
44	Office of the Lieutenant Governor		\$83,600	
45	Office of the Attorney General		\$96,850	
46	3. The Virginia Information Technologies Agency shall fund all computer and			
47	telecommunications costs associated with the transition from the Acquisition Services Special			
48	Fund.			
49	L. Included in this Item is \$282,700 the second year from the general fund to be transferred,			
50	based on actual expenditures, to the Department of General Services to support anticipated			
51	costs for the inauguration on January 16, 2014.			
52	M. Included in this Item is \$40,000 the second year from the general fund to support the costs			
53	anticipated to be incurred by the legislative department for the inauguration on January 16,			
54	2014.			

ITEM 469.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	<i>N. Out of this appropriation, up to \$50,000 the second year from the general fund is provided</i>			
2	<i>to reimburse state agencies for the costs incurred as a result of the 2013 Attorney General</i>			
3	<i>election recount. The Director, Department of Planning and Budget, is authorized to transfer</i>			
4	<i>these funds to the impacted agencies.</i>			
5	470.	Not set out.		
6	471.	Not set out.		
7	471.10.	<i>Executive Management (71300)</i>		\$0
8		<i>Savings From Management Actions (71301).....</i>		(\$3,787,778)
9		<i>Fund Sources: General.....</i>		(\$3,787,778)
10	<i>Authority: Discretionary Inclusion.</i>			
11	<i>1. To accomplish savings estimated at \$3,787,778 the second year, the Department of Planning</i>			
12	<i>and Budget is hereby authorized to transfer amounts to this item from the general fund</i>			
13	<i>appropriation for operating expenses of the agencies listed in subparagraph 4 below.</i>			
14	<i>2. Notwithstanding the provisions of any item in Part I of this act or any other contrary</i>			
15	<i>provision of law, actions required on the part of agencies to implement the savings enumerated</i>			
16	<i>in subparagraph 4 below are hereby authorized.</i>			
17	<i>3. Any nongeneral fund appropriation change or changes in the appropriation of agency</i>			
18	<i>authorized positions required to implement the savings enumerated in subparagraph 4 below</i>			
19	<i>are hereby authorized.</i>			
20	<i>4. Savings strategies and totals by agency:</i>			
21		FY 2014		
22	Department of General Services (194)			
23	<i>Capture turnover and vacancy savings</i>			
24	Department of General Services (194) Total			
25				
26	Department of Elections (132)			
27	<i>Capture savings from agency reorganization</i>			
28	Department of Elections (132) Total			
29				
30	Department of Agriculture and Consumer			
31	Services (301)			
32	<i>Eliminate new inspector positions in the Charitable</i>			
33	<i>Gaming program</i>			
34	<i>Supplant general fund support for grain marketing</i>			
35	<i>positions</i>			
36	Department of Agriculture and Consumer			
37	Services (301) Total			
38				
39	Department of Forestry (411)			
40	<i>Capture one-time operational savings</i>			
41	Department of Forestry (411) Total			
42				
43	Department of Business Assistance (325)			
44	<i>Reduce funding for the Small Business Investment</i>			
45	<i>Grant Fund</i>			
46	Department of Business Assistance (325) Total			
47				
48	Department of Labor and Industry (181)			
49	<i>Capture one-time field office rent savings</i>			
50	<i>Capture one-time vacancy savings of executive level</i>			
51	<i>(agency head) position</i>			
52	Department of Labor and Industry (181) Total			
53				
54	Department of Mines, Minerals and Energy (409)			

ITEM 471.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Reduce replacement cost for administrative services				
2	service area		\$69,002		
3	Reduce Replacement Cost for the Coal				
4	Environmental Protection and Land Reclamation				
5	Program		\$65,875		
6	Department of Mines, Minerals and Energy (409)				
7	Total		\$134,877		
8					
9	Virginia Economic Development Partnership				
10	(310)				
11	Reduce appropriation for information technology				
12	replacement		\$26,238		
13	Reduce appropriation for the administration				
14	division		\$45,149		
15	Reduce appropriation for the business attraction				
16	division		\$34,092		
17	Reduce appropriation for the business expansion				
18	division		\$41,245		
19	Reduce appropriation for the research division		\$43,287		
20	Virginia Economic Development Partnership				
21	(310) Total		\$190,011		
22					
23	Virginia Museum of Fine Arts (238)				
24	Decommission Old Wireless System		\$3,776		
25	Eliminate Stockroom Manager		\$22,087		
26	Find Administrative Efficiencies		\$17,000		
27	Negotiate Lower Exhibition Loan Fee		\$58,934		
28	Reduce Library Subscriptions		\$2,915		
29	Switch Reservation System to Less Expensive				
30	System		\$6,000		
31	Virginia Museum of Fine Arts (238) Total		\$110,712		
32					
33	Department of Education, Central Office				
34	Operations (201)				
35	Efficiency Savings		\$50,375		
36	Hold 1 to 2 GF Positions Vacant in FY14		\$105,720		
37	Reduce Training for Teacher Evaluation funds		\$35,000		
38	Department of Education, Central Office				
39	Operations (201) Total		\$191,095		
40					
41	State Council of Higher Education for Virginia				
42	(245)				
43	Provide one time savings through a position				
44	vacancy		\$87,665		
45	State Council of Higher Education for Virginia				
46	(245) Total		\$87,665		
47					
48	Department of Accounts (151)				
49	Capture turnover and vacancy savings		\$216,954		
50	Department of Accounts (151) Total		\$216,954		
51					
52	Department of Taxation (161)				
53	Eliminate one time funding for office redesign		\$85,000		
54	Increase individual and fiduciary estimated income				
55	tax processing efficiency		\$27,000		
56	Department of Taxation (161) Total		\$112,000		
57					
58	Department of Behavioral Health and				
59	Developmental Services (720)				
60	Decrease the number of printed copies of the Code				
61	of Virginia		\$1,863		
62	Eliminate vacant project manager position		\$112,500		
63	Reduce central office printer and printing costs		\$24,000		
64	Reduce hourly positions in the central office		\$12,175		

ITEM 471.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	<i>Reduce number of agency vehicles under fleet</i>			
2	<i>management</i>	\$7,352		
3	<i>Reduce reimbursement for the use of personal cars</i>	\$7,119		
4	<i>Restrict paying for business meals</i>	\$3,745		
5	Department of Behavioral Health and			
6	Developmental Services (720) Total	\$168,754		
7	=			
8	Department for Aging and Rehabilitative Services			
9	(262)			
10	<i>Reduce administrative expenses</i>	\$10,000		
11	Department for Aging and Rehabilitative Services			
12	(262) Total	\$10,000		
13				
14	Woodrow Wilson Rehabilitation Center (203)			
15	<i>Manage staff costs through turnover and vacancy</i>	\$97,139		
16	Woodrow Wilson Rehabilitation Center (203)			
17	Total	\$97,139		
18				
19	Department of Conservation and Recreation (199)			
20	<i>Capture savings related to the delay in starting</i>			
21	<i>contract</i>	\$62,500		
22	<i>Capture vacancy savings for administrative</i>			
23	<i>position</i>	\$25,436		
24	<i>Capture vacancy savings in Nonpoint Pollution</i>			
25	<i>Prevention</i>	\$29,771		
26	<i>Defer the purchase of vehicles and participate in a</i>			
27	<i>central motor pool</i>	\$95,152		
28	<i>Defer training and other expenditures</i>	\$9,289		
29	<i>Reduce the number of IT servers</i>	\$12,000		
30	<i>Transfer wage support salary in Planning and</i>			
31	<i>Recreational Resources Division to nongeneral</i>			
32	<i>fund support</i>	\$23,156		
33	Department of Conservation and Recreation (199)			
34	Total	\$257,304		
35				
36	Department of Criminal Justice Services (140)			
37	<i>Reversion of agency fund balance</i>	\$674,073		
38	Department of Criminal Justice Services (140)			
39	Total	\$674,073		
40				
41	Department of Emergency Management (127)			
42	<i>Capture savings by reducing discretionary expenses</i>	\$20,326		
43	<i>Capture savings by reducing training costs</i>	\$2,000		
44	Department of Emergency Management (127)			
45	Total	\$22,326		
46				
47	Department of Fire Programs (960)			
48	<i>Capture one-time operational savings</i>	\$44,513		
49	Department of Fire Programs (960) Total	\$44,513		
50				
51	Innovation and Entrepreneurship Investment			
52	Authority (934)			
53	<i>Transition a portion of Senior Broadband Executive</i>			
54	<i>to billable projects</i>	\$68,078		
55	<i>Transition connect personnel to billable projects</i>	\$27,572		
56	Innovation and Entrepreneurship Investment			
57	Authority (934) Total	\$95,650		
58				
59	Virginia Information Technologies Agency (136)			
60	<i>Reduce funding for vacant GF position</i>	\$41,387		

ITEM 471.10.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	<i>Virginia Information Technologies Agency (136)</i>				
2	<i>Total</i>		<i>\$41,387</i>		
3					
4	472. Not set out.				
5	Total for Central Appropriations.....			\$123,786,609	\$340,296,561
6					\$336,141,299
7	General Fund Positions.....	2.00	0.00		
8	Position Level	2.00	0.00		
9	Fund Sources: General.....	\$34,508,713	\$251,008,457		
10			\$246,853,195		
11	Higher Education Operating.....	\$918,696	\$928,904		
12	Trust and Agency	\$88,359,200	\$88,359,200		
13	TOTAL FOR CENTRAL APPROPRIATIONS.....			\$123,786,609	\$340,296,561
14					\$336,141,299
15	General Fund Positions.....	2.00	0.00		
16	Position Level	2.00	0.00		
17	Fund Sources: General.....	\$34,508,713	\$251,008,457		
18			\$246,853,195		
19	Higher Education Operating.....	\$918,696	\$928,904		
20	Trust and Agency	\$88,359,200	\$88,359,200		
21	TOTAL FOR EXECUTIVE DEPARTMENT.....			\$41,551,165,080	\$42,086,897,913
22					\$42,107,434,042
23	General Fund Positions.....	48,973.14	49,194.21		
24			49,193.20		
25	Nongeneral Fund Positions.....	62,381.70	62,631.43		
26			62,831.58		
27	Position Level	111,354.84	111,825.64		
28			112,024.78		
29	Fund Sources: General.....	\$16,623,269,228	\$17,488,672,074		
30			\$17,238,570,731		
31	Special.....	\$1,702,020,707	\$1,682,952,387		
32			\$1,680,049,189		
33	Higher Education Operating.....	\$7,279,531,335	\$7,367,780,609		
34			\$7,509,131,324		
35	Commonwealth Transportation	\$3,987,994,386	\$3,972,311,152		
36	Enterprise	\$915,127,587	\$931,122,047		
37	Internal Service.....	\$290,000	\$290,000		
38	Trust and Agency	\$2,684,877,603	\$2,094,194,329		
39			\$2,146,894,329		
40	Debt Service.....	\$292,911,361	\$313,124,893		
41			\$313,374,893		
42	Dedicated Special Revenue	\$1,364,612,137	\$1,271,091,559		
43			\$1,362,231,916		
44	Federal Trust.....	\$6,700,530,736	\$6,965,358,863		
45			\$6,953,458,461		

ITEM 473.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

INDEPENDENT AGENCIES

- 1
- 2 473. Not set out.
- 3 474. Not set out.
- 4 475. Not set out.
- 5 476. Not set out.
- 6 476.10. Not set out.
- 7 477. Not set out.
- 8 478. Not set out.
- 9 479. Not set out.
- 10 480. Not set out.
- 11 481. Not set out.

§ 1-52. VIRGINIA RETIREMENT SYSTEM (158)

13 482.	Personnel Management Services (70400)			\$10,508,060	\$10,743,291
14					\$14,112,673
15	Administration of Retirement and Insurance Programs				
16	(70415)	\$10,508,060	\$10,743,291		
17			\$14,112,673		
18	Fund Sources: Trust and Agency	\$10,508,060	\$10,743,291		
19			\$14,112,673		
20	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
21	A. The Board of Trustees of the Virginia Retirement System is hereby authorized to charge a				
22	participation fee to each employer served by the Virginia Retirement System for any services				
23	provided pursuant to Title 51.1 of the Code of Virginia. The fee shall be utilized to pay the				
24	administrative expenses of all administrative services, including non-retirement programs.				
25	Retirement contributions required by the Board shall be reduced to pay such fees in a manner				
26	prescribed by the Board of Trustees.				
27	B. State agencies and institutions of higher education shall make payments to the Virginia				
28	Retirement System (VRS) for VRS-administered benefits no less often than monthly.				
29	C. The Virginia Retirement System shall make those changes to administrative policies,				
30	procedures, and systems as are necessary for implementation of the public employee retirement				
31	reforms provided for in Senate Bill 498 and House Bill 1130 of the 2012 session Chapter 701				
32	of the Acts of Assembly of 2012. Such nongeneral funds as are required to implement these				
33	changes are hereby appropriated.				
34	D. Of the amounts appropriated to this Item, \$3,369,382 in the second year is designated to				
35	implement the employee retirement reforms provided for in Chapter 701 of the Acts of				
36	Assembly of 2012.				
37 483.	Investment, Trust, and Insurance Services (72500).....			\$21,619,509	\$25,145,448
38					\$26,146,448
39	Investment Management Services (72504)	\$21,619,509	\$25,145,448		
40			\$26,146,448		
41	Fund Sources: Trust and Agency	\$21,619,509	\$25,145,448		
42			\$26,146,448		

ITEM 483.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
2	By September 30 of each year, the VRS Board of Trustees shall report to the Governor and the				
3	Chairmen of the House Appropriations and Senate Finance Committees on the prior fiscal				
4	year's results obtained by the internal investment management program. The report shall				
5	include a comparison of investment performance against the board's benchmarks and an				
6	estimate of the program's fee savings when compared to similar assets managed externally.				
7	484. Administrative and Support Services (79900).....			\$27,503,025	\$27,587,438
8					\$28,712,438
9	General Management and Direction (79901).....	\$17,605,433	\$17,315,500		
10			\$18,065,500		
11	Information Technology Services (79902).....	\$9,897,592	\$10,271,938		
12			\$10,646,938		
13	Fund Sources: Trust and Agency	\$27,503,025	\$27,587,438		
14			\$28,712,438		
15	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
16	Out of the amounts appropriated to this Item, the director is authorized to expend an amount				
17	not to exceed \$25,000 the first year and \$25,000 the second year for expenses commonly borne				
18	by business enterprises. Such expenses shall be recorded separately by the agency.				
19	485. Not set out.				
20	Total for Virginia Retirement System.....			\$59,630,594	\$63,476,177
21					\$68,971,559
22	Nongeneral Fund Positions.....	314.00	314.00		
23			325.00		
24	Position Level	314.00	314.00		
25			325.00		
26	Fund Sources: Trust and Agency	\$59,630,594	\$63,476,177		
27			\$68,971,559		
28	486. Not set out.				
29	487. Not set out.				
30	488. Not set out.				
31	489. Not set out.				
32	TOTAL FOR INDEPENDENT AGENCIES.....			\$594,510,214	\$667,643,112
33					\$673,138,494
34	General Fund Positions.....	4.00	13.00		
35	Nongeneral Fund Positions.....	1,674.12	1,674.12		
36			1,685.12		
37	Position Level	1,678.12	1,687.12		
38			1,698.12		
39	Fund Sources: General	\$200,000	\$1,200,000		
40	Special	\$79,730,160	\$79,817,160		
41	Enterprise	\$403,484,744	\$471,679,083		
42	Trust and Agency	\$66,487,535	\$70,333,118		
43			\$75,828,500		
44	Dedicated Special Revenue	\$39,402,949	\$39,408,925		
45	Federal Trust.....	\$5,204,826	\$5,204,826		

ITEM 490.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	STATE GRANTS TO NONSTATE ENTITIES				
2	490.	Not set out.			
3	TOTAL FOR STATE GRANTS TO NONSTATE				
4	ENTITIES.....				\$0 \$0
5	TOTAL FOR PART 1: OPERATING EXPENSES.....				\$42,674,657,739 \$43,287,178,987
6					\$43,314,210,498
7	General Fund Positions.....	52,813.35	53,045.42		
8			53,044.41		
9	Nongeneral Fund Positions.....	64,188.32	64,438.05		
10			64,649.20		
11	Position Level	117,001.67	117,483.47		
12			117,693.61		
13	Fund Sources: General.....	\$17,116,040,045	\$17,986,098,408		
14			\$17,736,997,065		
15	Special.....	\$1,794,694,373	\$1,775,713,053		
16			\$1,772,809,855		
17	Higher Education Operating.....	\$7,279,531,335	\$7,367,780,609		
18			\$7,509,131,324		
19	Commonwealth Transportation	\$3,987,994,386	\$3,972,311,152		
20	Enterprise	\$1,318,612,331	\$1,402,801,130		
21	Internal Service.....	\$290,000	\$290,000		
22	Trust and Agency	\$2,751,505,811	\$2,164,668,120		
23			\$2,222,863,502		
24	Debt Service.....	\$292,911,361	\$313,124,893		
25			\$313,374,893		
26	Dedicated Special Revenue	\$1,425,780,238	\$1,332,265,636		
27			\$1,423,405,993		
28	Federal Trust.....	\$6,707,297,859	\$6,972,125,986		
29			\$6,960,225,584		

Item Details(\$)		Appropriations(\$)	
First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

1 **PART 2: CAPITAL PROJECT EXPENSES**

2 **§ 2-0. GENERAL CONDITIONS**

3 A.1. The General Assembly hereby authorizes the capital projects listed in this act. The
4 amounts hereinafter set forth are appropriated to the state agencies named for the indicated
5 capital projects. Amounts so appropriated and amounts reappropriated pursuant to paragraph G
6 of this section shall be available for expenditure during the current biennium, subject to the
7 conditions controlling the expenditures of capital project funds as provided by law.
8 Reappropriated amounts, unless otherwise stated, are limited to the unexpended appropriation
9 balances at the close of the previous biennium, as shown by the records of the Department of
10 Accounts.

11 2. The Director, Department of Planning and Budget, may transfer appropriations listed in Part
12 2 of this act from the second year to the first year in accordance with § 4-1.03 a 5 of this act.

13 B. The five-digit number following the title of a project is the code identification number
14 assigned for the life of the project.

15 C. Except as herein otherwise expressly provided, appropriations or reappropriations for
16 structures may be used for the purchase of equipment to be used in the structures for which the
17 funds are provided, subject to guidelines prescribed by the Governor.

18 D. Notwithstanding any other provisions of law, appropriations for capital projects shall be
19 subject to the following:

20 1. Appropriations or reappropriations of funds made pursuant to this act for planning of capital
21 projects shall not constitute implied approval of construction funds in a future biennium.
22 Funds, other than the reappropriations referred to above, for the preparation of capital project
23 proposals must come from the affected agency's existing resources.

24 2. No capital project for which appropriations for planning are contained in this act, nor any
25 project for which appropriations for planning have been previously approved, shall be
26 considered for construction funds until preliminary plans and cost estimates are reviewed by the
27 Department of General Services. The purpose of this review is to avoid unnecessary
28 expenditures for each project, in the interest of assuring the overall cost of the project is
29 reasonable in relation to the purpose intended, regardless of discrete design choices.

30 E.1. Expenditures from Items in this act identified as "Maintenance Reserve" are to be made
31 only for the maintenance of property, plant, and equipment as defined in §4-4.01c of this act to
32 the extent that funds included in the appropriation to the agency for this purpose in Part 1 of
33 this act are insufficient.

34 2. Agencies and institutions of higher education can expend up to \$1,000,000 for a single
35 repair or project through the maintenance reserve appropriation without a separate
36 appropriation. Such expenditures shall be subject to rules and regulations prescribed by the
37 Governor. To the extent an agency or institution of higher education has identified a potential
38 project that exceeds this threshold or state agency has identified a potential project that exceeds
39 the threshold prescribed in the rules or regulations, the Director, Department of Planning and
40 Budget, can provide exemptions to the threshold as long as the project still meets the definition
41 of a maintenance reserve project as defined by the Department of Planning and Budget.

42 3. Only facilities supported wholly or in part by the general fund shall utilize general fund
43 maintenance reserve appropriations. Facilities supported entirely by nongeneral funds shall
44 accomplish maintenance through the use of nongeneral funds.

45 F. Conditions Applicable to Bond Projects

46 1. The General Assembly hereby authorizes the capital projects listed in §§ 2-24 and 2-25 for
47 the indicated agencies and institutions of higher education and hereby appropriates and
48 reappropriates therefore sums from the sources and in the amount indicated. The issuance of
49 bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and
50 other financing expenses, including capitalized interest for any project listed in §§ 2-24 and

	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2-25 is hereby authorized.			
2	2. The issuance of bonds for any project listed in § 2-24 is to be separately authorized pursuant			
3	to Article X, Section 9 (c), Constitution of Virginia.			
4	3. The issuance of bonds for any project listed in Item C-40 or C-41 shall be authorized			
5	pursuant to § 23-19, Code of Virginia.			
6	4. In the event that the cost of any capital project listed in §§ 2-23, 2-24 and 2-25 shall exceed			
7	the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby			
8	authorized, upon request of the affected institution, to approve an increase in appropriation			
9	authority of not more than ten percent of the amount designated in §§ 2-23, 2-24 and 2-25 for			
10	such project, from any available nongeneral fund revenues, provided that such increase shall			
11	not constitute an increase in debt issuance authorization for such capital project. Furthermore,			
12	the Director, Department of Planning and Budget, is hereby authorized to approve the			
13	expenditure of all interest earnings derived from the investment of bond proceeds in addition to			
14	the amount designated in §§ 2-23, 2-24 and 2-25 for such capital project.			
15	5. The interest on bonds to be issued for these projects may be subject to inclusion in gross			
16	income for federal income tax purposes.			
17	6. Inclusion of a project in this act does not imply a commitment of state funds for temporary			
18	construction financing. In the absence of such commitment, the institution may be responsible			
19	for securing short-term financing and covering the costs from other sources of funds.			
20	7. In the event that the Treasury Board determines not to finance all or any portion of any			
21	project listed in Item C-40 of § 2-24 of this act with the issuance of bonds pursuant to Article			
22	X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the			
23	contrary, this act shall constitute the approval of the General Assembly to finance all or such			
24	portion of such project under the authorization of § 2-25 of this act.			
25	8. The General Assembly further declares and directs that, notwithstanding any other provision			
26	of law to the contrary, 50 percent of the proceeds from the sale of surplus real property			
27	pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund, and which			
28	were under the control of an institution of higher education prior to the sale, shall be deposited			
29	in a special fund set up on the books of the State Comptroller, which shall be known as the			
30	Higher Education Capital Projects Fund. Such sums shall be held in reserve, and may be used,			
31	upon appropriation, to pay debt service on bonds for the 21st Century College Program as			
32	authorized in Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.			
33	G. Upon certification by the Director, Department of Planning and Budget, there is hereby			
34	reappropriated the appropriations unexpended at the close of the previous biennium for all			
35	authorized capital projects which meet any of the following conditions:			
36	1. Construction is in progress.			
37	2. Equipment purchases have been authorized by the Governor but not received.			
38	3. Plans and specifications have been authorized by the Governor but not completed.			
39	4. Obligations were outstanding at the end of the previous biennium.			
40	H. The Department of Planning and Budget is hereby authorized to administratively appropriate			
41	any nongeneral fund component of any capital project authorized in Chapters 859/827 (2002),			
42	Chapters 884/854 (2002), or Chapters 887/855 (2002).			
43	I. Alternative Financing			
44	1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or			
45	exchange a capital asset by means of an alternative financing mechanism, such as the Public			
46	Private Education Infrastructure Act, or similar statutory authority, shall provide a report to the			
47	Governor and the Chairmen of the Senate Finance and House Appropriations Committees no			
48	less than 30 days prior to entering into such alternative financing agreement. This report shall			
49	provide:			

	Item Details(\$)		Appropriations(\$)	
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1	a. a description of the purpose to be achieved by the proposal;			
2	b. a description of the financing options available, including the alternative financing, which			
3	will delineate the revenue streams or client populations pledged or encumbered by the			
4	alternative financing;			
5	c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each			
6	for the Commonwealth;			
7	d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each			
8	for the clients of the agency or institution; and			
9	e. a recommendation and planned course of action based on this analysis.			
10	J. Conditions Applicable to Alternative Financing			
11	The following authorizations to construct, purchase, lease or exchange a capital asset by means			
12	of an alternative financing mechanism, such as the Public Private Education Infrastructure Act,			
13	or similar statutory authority, are continued until revoked:			
14	1. James Madison University			
15	a. Subject to the provisions of this act, the General Assembly authorizes James Madison			
16	University, with the approval of the Governor, to explore and evaluate an alternative financing			
17	scenario to provide additional parking, student housing, and/or operational related facilities. The			
18	project shall be consistent with the guidelines of the Department of General Services and			
19	comply with Treasury Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.			
20	b. The General Assembly authorizes James Madison University to enter into a written			
21	agreement with a public or private entity to design, construct, and finance a facility or facilities			
22	to provide additional parking, student housing, and/or operational related facilities. The facility			
23	or facilities may be located on property owned by the Commonwealth. All project proposals			
24	and approvals shall be in accordance with the guidelines cited in paragraph 1 of this item.			
25	James Madison University is also authorized to enter into a written agreement with the public			
26	or private entity to lease all or a portion of the facilities.			
27	c. The General Assembly further authorizes James Madison University to enter into a written			
28	agreement with the public or private entity for the support of such parking, student housing,			
29	and/or operational related facilities by including the facilities in the University's facility			
30	inventory and managing their operation and maintenance; by assigning parking authorizations,			
31	students, and/or operations to the facility or facilities in preference to other University facilities;			
32	by restricting construction of competing projects; and by otherwise supporting the facilities			
33	consistent with law, provided that the University shall not be required to take any action that			
34	would constitute a breach of the University's obligations under any documents or other			
35	instruments constituting or securing bonds or other indebtedness of the University or the			
36	Commonwealth of Virginia.			
37	2. Longwood University			
38	a. Subject to the provisions of this act, the General Assembly authorizes Longwood University			
39	to enter into a written agreement or agreements with the Longwood University Real Estate			
40	Foundation (LUREF) for the development, design, construction and financing of student			
41	housing projects, a convocation center, parking, and operational and recreational facilities			
42	through alternative financing agreements including public-private partnerships. The facility or			
43	facilities may be located on property owned by the Commonwealth.			
44	b. Longwood is further authorized to enter into a written agreement with the LUREF for the			
45	support of such student housing, convocation center, parking, and operational and recreational			
46	facilities by including the facilities in the University's facility inventory and managing their			
47	operation and maintenance; by assigning parking authorizations, students and/or operations to			
48	the facility or facilities in preference to other University facilities; by restricting construction of			
49	competing projects; and by otherwise supporting the facilities consistent with law, provided that			
50	the University shall not be required to take any action that would constitute a breach of the			
51	University's obligations under any documents or other instruments constituting or securing			

	Item Details(\$)		Appropriations(\$)	
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1	bonds or other indebtedness of the University or the Commonwealth of Virginia.			
2	3. Christopher Newport University			
3	a. Subject to the provisions of this act, the General Assembly authorizes Christopher Newport			
4	University to enter into, continue, extend or amend written agreements with the Christopher			
5	Newport University Educational Foundation (CNUEF) or the Christopher Newport University			
6	Real Estate Foundation (CNUREF) in connection with the refinancing of certain housing and			
7	office space projects.			
8	b. Christopher Newport University is further authorized to enter into, continue, extend or			
9	amend written agreements with CNUEF or CNUREF to support such facilities including			
10	agreements to (i) lease all or a portion of such facilities from CNUEF or CNUREF, (ii) include			
11	such facilities in the University's building inventory, (iii) manage the operation and			
12	maintenance of the facilities, including collection of any rental fees from University students in			
13	connection with the use of such facilities, and (iv) otherwise support the activities at such			
14	facilities consistent with law, provided that the University shall not be required to take any			
15	action that would constitute a breach of the University's obligation under any documents or			
16	instruments constituting or securing bonds or other indebtedness of the University or the			
17	Commonwealth of Virginia.			
18	4. Radford University			
19	a. Subject to the provisions of this act, the General Assembly authorizes Radford University,			
20	with the approval of the Governor, to explore and evaluate an alternative financing scenario to			
21	provide additional parking, student housing, and/or operational related facilities. The project			
22	shall be consistent with the guidelines of the Department of General Services and comply with			
23	Treasury Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.			
24	b. The General Assembly authorizes Radford University to enter into a written agreement with			
25	a public or private entity to design, construct, and finance a facility or facilities to provide			
26	additional parking, student housing, and/or operational related facilities. The facility or facilities			
27	may be located on property owned by the Commonwealth. All project proposals and approvals			
28	shall be in accordance with the guidelines cited in paragraph 1 of this item. Radford University			
29	is also authorized to enter into a written agreement with the public or private entity to lease all			
30	or a portion of the facilities.			
31	c. The General Assembly further authorizes Radford University to enter into a written			
32	agreement with the public or private entity for the support of such parking, student housing,			
33	and/or operational related facilities by including the facilities in the University's facility			
34	inventory and managing their operation and maintenance; by assigning parking authorizations,			
35	students, and/or operations to the facility or facilities in preference to other University facilities;			
36	by restricting construction of competing projects; and by otherwise supporting the facilities			
37	consistent with law, provided that the University shall not be required to take any action that			
38	would constitute a breach of the University's obligations under any documents or other			
39	instruments constituting or securing bonds or other indebtedness of the University or the			
40	Commonwealth of Virginia.			
41	5. University of Mary Washington			
42	a. Subject to the provisions of this act, the General Assembly authorizes the University of			
43	Mary Washington to enter into a written agreement or agreements with the University of Mary			
44	Washington Foundation (UMWF) to support student housing projects and/or operational-related			
45	facilities through alternative financing agreements including public-private partnerships.			
46	b. The University of Mary Washington is further authorized to enter into written agreements			
47	with UMWF to support such student housing facilities; the support may include agreements to			
48	(i) include the student housing facilities in the University's students housing inventory; (ii)			
49	manage the operation and maintenance of the facilities, including collection of rental fees as if			
50	those students occupied University-owned housing; (iii) assign students to the facilities in			
51	preference to other University-owned facilities; (iv) seek to obtain police power over the			
52	student housing as provided by law; and (v) otherwise support the students housing facilities			
53	consistent with law, provided that the University's obligation under any documents or other			
54	instruments constituting or securing bonds or other indebtedness of the University or the			

		Item Details(\$)		Appropriations(\$)	
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1	Commonwealth of Virginia.				
2	c. The General Assembly further authorizes the University of Mary Washington to enter into a				
3	written agreement with a public or private entity to design, construct, and finance a facility or				
4	facilities to provide additional student housing and/or operational-related facilities. The facility				
5	or facilities may or may not be located on property owned by the Commonwealth. The				
6	University of Mary Washington is also authorized to enter into a written agreement with the				
7	public or private entity to lease all or a portion of the facilities. The State Treasurer is				
8	authorized to make Treasury loans to provide interim financing for planning, construction and				
9	other costs of any of the projects. Revenue bonds issued by or for UMWF will provide				
10	construction and/or permanent financing.				
11	6. Norfolk State University				
12	a. Subject to the provisions of this act, the General Assembly authorizes Norfolk State				
13	University to enter into a written agreement or agreements with a Foundation of the University				
14	for the development of one or more student housing projects on or adjacent to campus, subject				
15	to the conditions outlined in the Public-Private Education Facilities Infrastructure Act of 2002.				
16	b. Norfolk State University is further authorized to enter into written agreements with a				
17	Foundation of the University to support such student housing facilities; the support may include				
18	agreements to (i) include the student housing facilities in the University's student housing				
19	inventory; (ii) manage the operation and maintenance of the facilities, including collection of				
20	rental fees as if those students occupied University-owned housing; (iii) assign students to the				
21	facilities in preference to other University-owned facilities; (iv) restrict construction of				
22	competing student housing projects; (v) seek to obtain police power over the student housing as				
23	provided by law; and (vi) otherwise support the student housing facilities consistent with law,				
24	provided that the University shall not be required to take any action that would constitute a				
25	breach of the University's obligations under any documents or other instruments constituting or				
26	securing bonds or other indebtedness of the University or the Commonwealth of Virginia.				
27	7. Northern Virginia Community College - Alexandria Campus				
28	The General Assembly authorizes Northern Virginia Community College, Alexandria Campus				
29	to enter into a written agreement either with its affiliated foundation or a private contractor to				
30	construct a facility to provide on-campus housing on College land to be leased to said				
31	foundation or private contractor for such purposes. Northern Virginia Community College,				
32	Alexandria Campus, is also authorized to enter into a written agreement with said foundation or				
33	private contractor for the support of such student housing facilities and management of the				
34	operation and maintenance of the same.				
35	8. Virginia State University				
36	a. Subject to the provisions of this act, the General Assembly authorizes Virginia State				
37	University (University) to enter into a written agreement or agreements with the Virginia State				
38	University Foundation (VSUF), Virginia State University Real Estate Foundation (VSUREF),				
39	and other entities owned or controlled by the university for the development, design,				
40	construction, financing, and management of a mixed-use economic development corridor				
41	comprising student housing, parking, and dining facilities through alternative financing				
42	agreements including public-private partnerships. The facility or facilities may be located on				
43	property owned by the Commonwealth.				
44	b. Virginia State University is further authorized to enter into a written agreement with the				
45	VSUREF, VSUF, and other entities owned or controlled by the university for the support of				
46	such a mixed-use economic development corridor comprising student housing, parking, and				
47	dining facilities by including these projects in the university's facility inventory and managing				
48	their operation and maintenance; by assigning parking authorizations, students and/or operations				
49	to the facility or facilities in preference to other university facilities; by restricting construction				
50	of competing projects; and by otherwise supporting the facilities consistent with law, provided				
51	that the university shall not be required to take any action that would constitute a breach of the				
52	university's obligations under any documents or other instruments constituting or securing				
53	bonds or other indebtedness of the university or the Commonwealth of Virginia.				
54	9. The following individuals, and members of their immediate family, may not engage in an				

	Item Details(\$)		Appropriations(\$)	
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1	alternative financing arrangement with any agency or institution of the Commonwealth, where			
2	the potential for financial gain, or other factors may cause a conflict of interest:			
3	a. A member of the agency or institution's governing body;			
4	b. Any elected or appointed official of the Commonwealth or its agencies and institutions who			
5	has, or reasonably can be assumed to have, a direct influence on the approval of the alternative			
6	financing arrangement; or			
7	c. Any elected or appointed official of a participating political subdivision, or authority who			
8	has, or reasonably can be assumed to have, a direct influence on the approval of the alternative			
9	financing arrangement.			
10	K. The budget bill submitted by the Governor shall include a synopsis of previous			
11	appropriations for capital projects from the General Assembly and authorizations by the			
12	Governor for such projects.			
13	L. Appropriations contained in this act for capital project planning shall be used as specified			
14	for each capital project and construction funding for the project shall be considered by the			
15	General Assembly after determining that (1) project cost is reasonable; (2) the project remains a			
16	highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from			
17	a space and programmatic perspective.			
18	M. Any capital project that has received a supplemental appropriation due to cost overruns			
19	must be completed within the revised budget provided. If a project requires an additional			
20	supplement, the Governor should also consider reduction in project scope or cancelling the			
21	project before requesting additional appropriations. Agencies and institutions with nongeneral			
22	funds may bear the costs of additional overruns from nongeneral funds.			
23	N. The Governor shall consider the project life cycle cost that provides the best long-term			
24	benefit to the Commonwealth when conducting capital project reviews, design and construction			
25	decisions, and project scope changes.			
26	O. The Governor shall provide the Chairmen of the Senate Finance and House Appropriations			
27	Committees an opportunity to review the six year capital improvement plan prior to the			
28	beginning of each new biennial budget cycle.			
29	P. No structure, improvement or renovation shall occur on the state property located at the			
30	Carillon in Byrd Park in the City of Richmond without the approval of the General Assembly.			
31	Q. All Agencies of the Commonwealth and Institutions of Higher Education shall provide			
32	information and/or use systems and processes in the method and format as directed by the			
33	Director, Department of General Services, on behalf of the Six-Year Capital Outlay Plan			
34	Advisory Committee, to provide necessary information for state-wide reporting. This			
35	requirement shall apply to all projects, including those funded from general and nongeneral			
36	fund sources.			
37	R. Notwithstanding any other provision of law, the following shall govern the real estate			
38	purchase and exchange agreement for Western State Hospital between the Commonwealth of			
39	Virginia and the City of Staunton. The City of Staunton shall remit the \$15 million for the			
40	property sale as follows:			
41	1) the first payment of \$5 million on October 1, 2012;			
42	2) the second payment of \$5 million on January 1, 2013; and,			
43	3) the final payment of \$5 million on April 1, 2013.			
44	Further, this item eliminates the requirement that the City of Staunton maintain a \$15 million			
45	line of credit to ensure its payment.			

ITEM C-1.30.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	LEGISLATIVE DEPARTMENT			
2	C-1.30.	Not set out.		
3	TOTAL FOR LEGISLATIVE DEPARTMENT.....		\$500,000	\$0
4	Fund Sources: General.....	\$500,000	\$0	
5	OFFICE OF AGRICULTURE AND FORESTRY			
6	C-1.60.	Not set out.		
7	TOTAL FOR OFFICE OF AGRICULTURE AND			
8	FORESTRY.....		\$0	\$0
9	OFFICE OF COMMERCE AND TRADE			
10	C-1.70.	Not set out.		
11	TOTAL FOR OFFICE OF COMMERCE AND			
12	TRADE.....		\$0	\$0
13	OFFICE OF EDUCATION			
14	§ 2-1. THE COLLEGE OF WILLIAM AND MARY IN VIRGINIA (204)			
15	C-2.	Improvements: Renovate Dormitories (17933).....	\$5,000,000	\$9,650,000
16	Fund Sources: Bond Proceeds.....	\$5,000,000	\$9,650,000	
17	C-3.	Not set out.		
18	C-3.10.	Not set out.		
19	C-3.20.	Not set out.		
20	C-3.30.	Not set out.		
21	Total for The College of William and Mary in Virginia..		\$55,000,000	\$9,650,000
22	Fund Sources: Higher Education Operating.....	\$2,000,000	\$0	
23	Bond Proceeds.....	\$53,000,000	\$9,650,000	
24	C-4.	Not set out.		
25	C-4.50.	Not set out.		
26	§ 2-2. GEORGE MASON UNIVERSITY (247)			
27	C-5.	Not set out.		
28	C-6.	Not set out.		
29	C-7.	Not set out.		
30	C-7.10.	Not set out.		
31	C-8.	Not set out.		
32	C-8.10.	Not set out.		
33	C-8.11.	New Construction: Hylton Center (18011).....	\$0	\$2,600,000

ITEM C-8.11.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: Higher Education Operating.....	\$0	\$2,600,000		
2	C-8.15. Not set out.				
3	Total for George Mason University.....			\$75,833,000	\$6,849,000
4					\$9,449,000
5	Fund Sources: Higher Education Operating.....	\$4,027,000	\$0		
6			\$2,600,000		
7	Bond Proceeds	\$71,806,000	\$6,849,000		
8	C-9. Not set out.				
9	C-10. Not set out.				
10	C-11. Not set out.				
11	C-12. Not set out.				
12	C-13. Not set out.				
13	C-13.10. Not set out.				
14	C-13.20. Not set out.				
15	C-13.40. Not set out.				
16	C-13.50. Not set out.				
17	C-14. Not set out.				
18	C-15. Not set out.				
19	C-16. Not set out.				
20	C-17. Not set out.				
21	C-18. Not set out.				
22	C-19. Not set out.				
23	C-19.10. Not set out.				
24	C-19.20. Not set out.				
25	C-20. Not set out.				
26	C-21. Not set out.				
27	C-22. Not set out.				
28	C-23. Not set out.				
29	C-24. Not set out.				
30	C-25. Not set out.				
31	C-26. Not set out.				
32	C-27. Not set out.				
33	C-28. Not set out.				
34	C-29. Not set out.				

ITEM C-30.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	C-30.	Not set out.			
2	C-31.	Not set out.			
3	C-31.10.	Not set out.			
4	C-31.50.	Not set out.			
5	C-31.60.	Not set out.			
6	C-32.	Not set out.			
7	C-32.50.	Not set out.			
8	C-33.	Not set out.			
9	TOTAL FOR OFFICE OF EDUCATION.....			\$767,759,000	\$30,749,000
10					\$33,349,000
11	Fund Sources: Special.....	\$2,222,000	\$0		
12	Higher Education Operating.....	\$38,814,000	\$14,250,000		
13			\$16,850,000		
14	Bond Proceeds.....	\$726,723,000	\$16,499,000		
15	OFFICE OF NATURAL RESOURCES				
16	C-33.10.	Not set out.			
17	C-33.20.	Not set out.			
18	C-33.30.	Not set out.			
19	C-33.40.	Not set out.			
20	TOTAL FOR OFFICE OF NATURAL RESOURCES			\$1,000,000	\$14,225,000
21	Fund Sources: Dedicated Special Revenue.....	\$0	\$1,631,250		
22	Federal Trust.....	\$1,000,000	\$2,893,750		
23	Bond Proceeds.....	\$0	\$9,700,000		
24	OFFICE OF PUBLIC SAFETY				
25	C-33.50.	Not set out.			
26	C-33.60.	Not set out.			
27	C-33.70.	Not set out.			
28	TOTAL FOR OFFICE OF PUBLIC SAFETY			\$50,000	\$0
29	Fund Sources: General.....	\$50,000	\$0		
30	OFFICE OF VETERANS AFFAIRS AND HOMELAND SECURITY				
31	C-34.	Not set out.			
32	C-34.10.	Not set out.			
33	C-34.15.	Not set out.			
34	TOTAL FOR OFFICE OF VETERANS AFFAIRS				
35	AND HOMELAND SECURITY			\$0	\$541,539

ITEM C-34.15.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Fund Sources: Special.....	\$0	\$161,539		
2	Federal Trust.....	\$0	\$380,000		
3	OFFICE OF TRANSPORTATION				
4	C-35. Not set out.				
5	C-35.10. Not set out.				
6	C-35.15. Not set out.				
7	C-35.20. Not set out.				
8	C-35.25. Not set out.				
9	C-35.30. Not set out.				
10	§ 2-3. VIRGINIA PORT AUTHORITY (407)				
11	C-36. New Construction: Expand Port Terminals (17956).....			\$105,500,000	\$0
12	Fund Sources: Bond Proceeds.....	\$105,500,000	\$0		
13	<i>The purpose of this project is expanded to include paving of the Exxon yard and north gates to</i>				
14	<i>provide additional storage and accommodate straddle carriers, and the purchase of rolling</i>				
15	<i>stock to increase capacity.</i>				
16	C-36.10. Not set out.				
17	Total for Virginia Port Authority.....			\$107,000,000	\$1,500,000
18	Fund Sources: Commonwealth Transportation.....	\$1,500,000	\$1,500,000		
19	Bond Proceeds.....	\$105,500,000	\$0		
20	TOTAL FOR OFFICE OF TRANSPORTATION.....			\$118,600,000	\$21,500,000
21	Fund Sources: Commonwealth Transportation.....	\$13,100,000	\$21,500,000		
22	Bond Proceeds.....	\$105,500,000	\$0		
23	CENTRAL APPROPRIATIONS				
24	§ 2-4. CENTRAL CAPITAL OUTLAY (949)				
25	C-37. Not set out.				
26	C-38. Not set out.				
27	C-38.10. Capital Outlay Project Pool (17967).....			\$119,654,056	\$0
28					\$10,226,787
29	Fund Sources: General.....	\$19,500,000	\$0		
30	Dedicated Special Revenue.....	\$10,285,200	\$0		
31			\$10,226,787		
32	Bond Proceeds.....	\$89,868,856	\$0		
33	A. 1. The capital projects in paragraph B. of this item are hereby authorized and may be				
34	financed in whole or in part through bonds of the Virginia College Building Authority pursuant				
35	to § 23-30.24 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to				
36	§ 2.2-2263, Code of Virginia. Bonds of the Virginia College Building Authority issued to				
37	finance these projects may be sold and issued under the 21st Century College Program at the				
38	same time with other obligations of the Authority as separate issues or as a combined issue.				
39	The aggregate principle amounts will not exceed \$89,868,856 plus amounts to fund related				
40	issuance costs, and other financing expenses, in accordance with § 2.2-2263 of the Code of				
41	Virginia.				

ITEM C-38.10.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	2. From the list of projects included in paragraph B of this item, the Director of the			
2	Department of Planning and Budget shall provide the Chairmen of the Virginia College			
3	Building Authority and the Virginia Public Building Authority with the specific projects, as			
4	well as the amounts for these projects, to be financed by each authority within the dollar limit			
5	established by this authorization.			
6	3. Debt service on the projects contained in this item shall be provided from appropriations to			
7	the Treasury Board.			
8	4. The appropriations for said capital projects are contained in this item and are subject to the			
9	conditions in § 2-0 F of this act.			
10	B. The General Assembly hereby appropriates \$19,500,000 <i>in the first year</i> from the general			
11	fund and \$10,285,200 <i>in the first year and \$10,226,787 in the second year</i> from nongeneral			
12	fund sources in the first year for the projects listed in this section.			
13	Agency	Project Title		
14	Department of Conservation	Repairs and Upgrades to State Park Owned Dams		
15	and Recreation			
16	Woodrow Wilson	Roof Replacement Birdsall-Hoover Medical Administration Building 805		
17	Rehabilitation Center			
18	Woodrow Wilson	Asbestos Abatement, Phase 4 of 4		
19	Rehabilitation Center			
20	Woodrow Wilson	Implement ADA Compliance Measures - Campus Wide		
21	Rehabilitation Center			
22	Department for the Blind and	Replace Roof on Library Resource Center		
23	Vision Impaired	Replace Mechanical Systems Baskerville		
24	Department of Corrections	Replace Plumbing Systems Baskerville		
25	Department of Corrections	Roof Replacement Keen Mountain		
26	Department of Corrections	Roof Replacement Lawrenceville		
27	Department of Corrections	HVAC Replacement Lawrenceville		
28	Department of Corrections	Renovate Consolidated Labs		
29	Department of General Services	Capital Projects Space Improvement for Dept. of Conservation and Recreation		
30	Department of General Services	Monroe Building Exterior Repairs and Jefferson Building Window Replacement		
31	Department of General Services			
32	Department of Veterans	Virginia War Memorial / DVS Offices and Parking		
33	Services			
34	Jamestown-Yorktown	Yorktown Outside Areas, Signage and Amenities		
35	Foundation			
36	Jamestown-Yorktown	Road Wall and Sound Buffer		
37	Foundation			
38	Roanoke Higher Education	Waterproof Building		
39	Authority	Replace Roof 1985 Addition		
40	Virginia Museum of Fine Arts			
41	Virginia School for the Deaf	Install Sprinklers in Byrd Hall		
42	and Blind			
43	Virginia School for the Deaf	Improve Campus Security, ADA and Other Regulatory Compliance		
44	and Blind			
45	Virginia Workers'	Acquire New Headquarters Building		
46	Compensation Commission	Construct Cooling Plant and Replace Utilities, Phase IV		
47	College of William and Mary	Renovate the Brafferton and Brafferton Kitchen		
48	College of William and Mary	Improve Accessibility Infrastructure		
49	College of William and Mary	Improve Lake Matoaka Dam Spillway		
50	College of William and Mary	Improve Campus Stormwater Infrastructure		
51	College of William and Mary	New Biomass Boiler		
52	Longwood University	Replace Willett Hall HVAC		
53	Longwood University	Hylton Center		
54	George Mason University	Replace Mechanical Systems in the Oceanography and Physics Building		
55	Old Dominion University	Address Fire Alarm Systems and Access		
56	Virginia Tech	Improve Stormwater Management		
57	University of Mary Washington	Replace Boiler & Infrastructure - Phase 2		
58	James Madison University	Newman Lake Dam Repair		
59	James Madison University	Supplement West Wing Rockingham Hospital (17674)		
60	James Madison University			

	Item Details(\$)		Appropriations(\$)	
ITEM C-38.10.	First Year	Second Year	First Year	Second Year
	FY2013	FY2014	FY2013	FY2014

1 Richard Bland College Umbrella Maintenance Project
 2 University of Virginia's College
 3 at Wise Dam Safety Modifications

4 C. The Department of General Services, with the cooperation and support of the Workers'
 5 Compensation Commission, is hereby directed to manage acquisition ~~or to construct,~~
 6 *construction, or leasing under a capital lease* of a new headquarters facility for the commission
 7 out of such funds as are appropriated for such purposes. If construction is the most suitable
 8 alternative, the department shall undertake design and construction of the facility as well as
 9 acquisition of any land required for such construction. ~~Upon completion of the~~ *If a capital*
 10 *lease is a suitable alternative and is determined by the department to be economically*
 11 *beneficial compared to construction or acquisition alternatives, the department may proceed*
 12 *with negotiations for a capital lease pursuant to § 4-3.03 b.2 of this act. Upon occupancy of*
 13 *a new facility, the department shall sell the existing headquarters facility located at 1000 DMV*
 14 *Drive in Richmond, Virginia after first considering needs of the Commonwealth and other state*
 15 *departments, agencies and institutions.*

16 C-38.20. Not set out.

17 C-39. Not set out.

18 C-39.05. Planning: Detail Planning for Capital Projects (17968).... \$41,493,729 \$0

19 Fund Sources: Higher Education Operating.....	\$26,067,818	\$0
20 Dedicated Special Revenue.....	\$15,425,911	\$0

21 A. The following projects shall be funded for detailed planning entirely from amounts in the
 22 Central Capital Planning Fund established under § 2.2-1520 of the Code of Virginia and any
 23 general funds provided.

24 Agency Code	Agency	Project Title
25 146	Science Museum of Virginia	Construct Event Space and Upgrade Museum Exhibits
26 194	Department of General Services	Renovation of the 9th Street Office Building and Parking Deck
27 199	Department of Conservation and Recreation	Complete Phase I Development, Powhatan State Park
28 203	Woodrow Wilson Rehabilitation Center	Renovate Dining Hall and Activities Building, Phase II
29 203	Woodrow Wilson Rehabilitation Center	Renovate Anderson Vocational Training Building, Phase I
30 425	Jamestown-Yorktown Foundation	Yorktown Outside Areas, Signage and Amenities
31 778	Department of Forensic Science	Expand Western Virginia Forensic Laboratory and Office of the Chief Medical Examiner Facility

32 B. The following projects shall be funded for detailed planning 50 percent from amounts in the
 33 Central Capital Planning Fund established under § 2.2-1520 of the Code of Virginia, and 50
 34 percent from higher education operating nongeneral fund sources.

35 Agency Code	Agency	Project Title
36 212	Virginia State University	Erosion and Sediment Control Stormwater Master Plan / Retention Pond
37 212	Virginia State University	Renovate Lockett Hall
38 213	Norfolk State University	Replace Brown Hall
39 214	Longwood University	Construct Student Success Center
40 215	University of Mary Washington	Renovate Mercer and Woodward Halls
41 217	Radford University	Construct New Academic Building, Phase I & II
42 241	Richard Bland College	Renovate Ernst Hall
43 242	Christopher Newport University	Construct Student Success Center
44 260	Virginia Community College System	Construct Phase III Academic Building, Midlothian Campus, John Tyler
45 260	Virginia Community College System	Renovate Bayside Building, Virginia Beach Campus, Tidewater
46 260	Virginia Community College System	Construct New Classroom and Administration Building, Blue Ridge

ITEM C-39.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	260	Virginia Community College System	Renovate Building B, Parham Road Campus, J. Sargeant Reynolds	
2	260	Virginia Community College System	Renovate Reynolds Academic Building, Loudoun Campus, Northern Virginia	
3	260	Virginia Community College System	Renovate Main Hall, Middletown Campus, Lord Fairfax	
4	260	Virginia Community College System	Renovate Anderson Hall, Virginia Western	
5	268	Virginia Institute of Marine Science	Construct Consolidated Scientific Research Facility	
6	C. The following projects shall be funded for detailed planning entirely from higher education			
7	operating nongeneral fund sources.			
8	Agency Code	Agency	Project Title	
9	204	College of William and Mary	Renovate Tyler Hall	
10	207	University of Virginia	Renovate the Rotunda	
11	208	Virginia Tech	Construct Classroom Building	
12	211	Virginia Military Institute	Construct Corps Physical Training Facilities, Phase I and Phase II	
13	216	James Madison University	Construct Health and Engineering Academic Facility (East Wing Hospital)	
14	221	Old Dominion University	Construct New School of Education	
15	236	Virginia Commonwealth University	Construct and Renovate Information Commons and Libraries	
16	247	George Mason University	Construct Academic VII / Research III, Phase I	
17	247	George Mason University	Construct Life Sciences Building, Prince William	
18	D. In accordance with Title 2.2, Chapter 15.1, each institution shall submit their completed			
19	detailed planning documents to the Six-Year Capital Outlay Plan Advisory Committee for its			
20	review and recommendation.			
21	E. 1. Each public college and university is authorized to use additional higher education			
22	operating nongeneral funds to move to working drawings for the projects listed in paragraph B			
23	and paragraph C.			
24	2. Each agency may utilize other nongeneral funds to move to working drawings for the			
25	projects authorized in paragraph A.			
26	F. Each agency or institution shall be reimbursed for all nongeneral funds used when the			
27	project is funded to move into the construction phase.			
28	G. In accordance with § 2.2-1520, the Director, Department of Planning and Budget, shall			
29	reimburse the Central Capital Planning Fund for the amounts provided for detailed planning			
30	when the project is funded to move into the construction phase.			
31	H. 1. The Director, Department of Planning and Budget shall move the following projects to			
32	detailed planning. Agencies and institutions of higher education may utilize institutional			
33	nongeneral funds, for which they will be reimbursed upon approval of construction funding, to			
34	advance these projects.			
35	Agency Code	Agency	Project Title	
36	194	Department of General Services	Morson Row Renovation	
37	208	Virginia Tech	Renovate / Renew Academic Buildings	
38	215	University of Mary Washington	Construct Jepson Science Center Addition	
39	216	James Madison University	Renovate Madison Hall	
40	217	Radford University	Renovate Whitt Hall	
41	218	Virginia School for the Deaf at Blind at Staunton	Renovate Main Hall	
42	221	Old Dominion University	Construct a Joint Policing Facility	
43	236	Virginia Commonwealth University	Renovate Sanger Hall, Phase II	
44	236	University	Renovate Raleigh Building	
45	238	Virginia Museum of Fine Arts	Renovate Robinson House	
46	239	Frontier Culture Museum	Construct Early American Industry Exhibit	

ITEM C-39.05.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	242	Christopher Newport University	Construct Library, Phase II	
2	260	Virginia Community College System	Construct Phase VII Academic Building, Annandale Campus, Northern Virginia	
3	260	Virginia Community College System	Renovate Replace Phase I Academic and Administration Building, Eastern Shore	
4	260	Virginia Community College System	Renovate Engineering and Industrial Technology Building, Danville	
5	260	Virginia Community College System	Construct Bioscience Building, Blue Ridge	
6	260	Virginia Community College System	Construct Student Service and Learning Resources Center, Christanna Campus, Southside VA	
7	720	Department of Behavioral Health and Developmental Services	Replace Facility Roofs and Building Envelopes	
8	2. The following projects are authorized to proceed to preplanning:			
9	Agency Code	Agency	Project Title	
10	194	Department of General Services	Renovate Supreme Court Interior	
11	194	Department of General Services	Capitol Complex Infrastructure and Security	
12	207	University of Virginia	Renovate Gilmer Hall and Chemistry Building	
13	214	Longwood University	Admissions Office	
14	214	Longwood University	New Academic Building	
15	216	James Madison University	Renovate Madison Hall	
16	229	Virginia Cooperative Extension and Agricultural Experiment Station	Improve Kentland Facilities	
17	242	Christopher Newport University	Construct and Renovate Fine Arts and Rehearsal Space	
18	260	Virginia Community College System	Renovate Godwin Building, Northern Virginia CC, Annandale Campus	
19	268	Virginia Institute of Marine Science	Construct Facilities Management Building	
20	3. The Director, Department of Planning and Budget shall provide \$13,000,000 \$15,000,000			
21	from the Central Capital Planning Fund established under § 2.2-1520 of the Code of Virginia			
22	and \$16,000,000 \$18,600,000 from higher education nongeneral fund revenue sources for the			
23	projects contained in paragraphs H. 1. and H. 2. Agencies and institutions of higher education			
24	may utilize additional nongeneral funds to advance these projects for which they will be			
25	reimbursed upon approval of construction funding for their project. The Director, Department			
26	of Planning and Budget shall appropriate additional nongeneral fund upon request from			
27	agencies and institutions.			
28	4. Projects for all comprehensive and two-year institutions except for James Madison			
29	University and Virginia Military Institute shall be funded 50 percent from the central planning			
30	fund and 50 percent from higher education nongeneral fund sources. All projects for other			
31	public colleges and universities shall be funded entirely from higher education nongeneral fund			
32	sources. All other projects shall be funded entirely from central planning funds. However, all			
33	nongeneral funds used by either state agencies or public colleges and universities to conduct			
34	authorized project planning shall be reimbursed upon approval of construction funding, to			
35	advance the project.			
36	C-39.10. Not set out.			
37	C-39.20. Not set out.			
38	C-39.30. Not set out.			
39	C-39.40.	Comprehensive Capital Outlay Program (18049).....		\$0 \$1,154,500,000
40				\$1,165,414,000
41		Fund Sources: Higher Education Operating.....	\$0	\$56,000,000
42				\$37,600,000
43		Bond Proceeds	\$0	\$1,098,500,000
44				\$1,127,814,000

ITEM C-39.40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	A. 1. The capital projects in paragraph B of this item are hereby authorized and may be			
2	financed in whole or in part through bonds of the Virginia College Building Authority pursuant			
3	to § 23-30.24 et seq., Code of Virginia, or the Virginia Public Building Authority pursuant to			
4	§ 2.2-2263, Code of Virginia. Bonds of the Virginia College Building Authority issued to			
5	finance these projects may be sold and issued under the 21st Century College Program at the			
6	same time with other obligations of the Authority as separate issues or as a combined issue.			
7	The aggregate principal amounts will not exceed \$877,500,000 plus amounts to fund related			
8	issuance costs, and other financing expenses, in accordance with § 2.2-2263 of the Code of			
9	Virginia.			
10	2. a) Notwithstanding any other provision of law, the Director, Department of Planning and			
11	Budget, shall provide for the construction, renovation, or improvement of the projects listed in			
12	paragraph B from proceeds of bonds previously authorized in Part 2, §§ 1 through 4 of Chapter			
13	1, 2008 Acts of Assembly, Special Session 1 and from proceeds of bonds previously authorized			
14	in Items C-85, Chapter 874, 2010 Acts of Assembly.			
15	b) The purpose outlined in Item C-86, paragraph A, Chapter 2, Special Session I, 2012 Acts of			
16	Assembly is rescinded. The \$35,200,000 bond authority contained in that item shall be applied			
17	to the projects contained in paragraph B of this item.			
18	3. From time to time, the Directors of the Department of Planning and Budget and the			
19	Department of General Services shall provide the Chairman of the Virginia College Building			
20	Authority or the Virginia Public Building Authority as applicable, information as to the specific			
21	projects to be financed by such authority within the dollar limit established by this			
22	authorization.			
23	4. Debt service on the projects authorized in this item shall be provided from appropriations to			
24	the Treasury Board.			
25	5. The appropriations for said capital projects are authorized in this item and are subject to the			
26	conditions in § 2-0 F of this act.			
27	6. Except as provided herein, it is the intent of the General Assembly that not more than a total			
28	aggregate principal amount of \$250 million in debt obligations be issued excluding refunding			
29	bonds in any fiscal year for the capital projects set forth in this item, provided, however, if less			
30	than a total aggregate principal amount of \$250 million in debt obligations is incurred in any			
31	fiscal year for such capital projects, the unused amount may be added to any other subsequent			
32	fiscal year. Only under this circumstance may more than a total aggregate principal amount of			
33	\$250 million in debt obligations be issued in a fiscal year for such capital projects. The			
34	provisions of this paragraph do not apply to previously authorized debt referenced in paragraph			
35	2 of this item or the projects authorized in paragraphs C, D and E of this item.			
36	7. The issuance of debt authorized in this item shall proceed so that the projected average			
37	annual debt service on all tax supported debt over the ten-year horizon shall be below five			
38	percent of blended revenues, as defined by the Debt Capacity Advisory Committee. All			
39	issuance requirements shall be guided by the project cash flows submitted as part of paragraph			
40	A. 8.			
41	8. a) Agencies and institutions included in this item shall submit cash flow requirements for			
42	each project to the Director, Department of Planning and Budget and the Director, Department			
43	of General Services, the Chairmen of the House Appropriations and Senate Finance			
44	Committees and the Six-Year Capital Outlay Advisory Committee. The cash flows shall			
45	indicate quarterly cash needs to complete planning, working drawings and construction funding			
46	to the project completion. The Six-Year Capital Outlay Advisory Committee shall review the			
47	cash flow requirements and forward the project cash flows to the Department of the Treasury.			
48	The Department of Treasury shall use the cash flows as guidance for the issuance needs for the			
49	capital projects in this item by the Virginia College Building Authority and the Virginia Public			
50	Building Authority.			
51	b) The Six-Year Capital Outlay Advisory Committee shall, at a minimum, meet at the end of			
52	each quarter to evaluate project progress.			
53	9. In accordance with § 2.2-1520, the Director, Department of Planning and Budget shall			
54	reimburse the Central Capital Planning Fund, agencies and institutions for any amounts			

ITEM C-39.40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	provided for and expenses incurred for project planning for the projects in paragraph B of this			
2	item.			
3	10. All projects are authorized to proceed to working drawings and then to construction phase			
4	within the parameters outlined in § 2.2-1519, Code of Virginia.			
5	11. Beginning July 1, 2013, the Director, Department of Planning and Budget and the Director,			
6	Department of General Services shall provide a quarterly progress report to the Chairmen of			
7	the House Appropriations and Senate Finance Committees on the projects in this item.			
8	12. The Auditor of Public Accounts shall report on the adherence to the cash flow requirements			
9	for each project and any deviation in necessary project appropriation and allotment which			
10	creates a delay in the progress of the projects. The report shall be submitted annually to the			
11	Governor, Speaker of the House of Delegates, President Pro-Tempore of the State Senate and			
12	the Chairmen of the House Appropriations and Senate Finance Committees.			
13	B. The General Assembly hereby appropriates \$56,000,000 from nongeneral fund sources in the			
14	second year for the projects listed in this section.			
15	Agency	Project Title		
16	Science Museum of Virginia	Construct Event Space and Upgrade Museum		
17	Virginia State Police	Exhibits		
18	Department of General Services	Area Offices 14, 16 & 26		
19	Department of Conservation and Recreation	Renovation of the 9th Street Office Building and		
20	Department of Conservation and Recreation	Parking Deck		
21	Department of Conservation and Recreation	Complete Phase I Development, Powhatan State		
22	Library of Virginia	Park and Road Improvement		
23	Woodrow Wilson Rehabilitation Center	Widewater State Park, Phase I A		
24	Woodrow Wilson Rehabilitation Center	New Cabins Various State Parks		
25	College of William and Mary	State Library Improvements for Storage, Security		
26	University of Virginia	and IT		
27	Virginia Tech	Renovate Dining Hall and Activities Building,		
28	Virginia Military Institute	Phase II		
29	Virginia State University	Renovate Anderson Vocational Training Building,		
30	Virginia State University	Phase I		
31	Virginia State University	Renovate Tyler Hall		
32	Norfolk State University	Renovate the Rotunda		
33	Longwood University	Construct Classroom Building		
34	University of Mary Washington	Construct Corps Physical Training Facilities, Phase		
35	James Madison University	I and Phase II		
36	Radford University	Erosion and Sediment Control Stormwater Master		
37	Old Dominion University	Plan / Retention Pond		
38	Virginia Commonwealth University	Renovate Lockett Hall		
39	Virginia Commonwealth University	Water Storage Tank and Campus Water Distribution		
40	Virginia Museum of Fine Arts	Piping		
41	Richard Bland College	Replace Brown Hall		
42	Christopher Newport University	Construct Student Success Center		
43	George Mason University	Renovate Mercer and Woodard Halls		
44	George Mason University	Construct Health and Engineering Academic		
45	George Mason University	Facility (East Wing Hospital)		
		Construct New Academic Building, Phase I & II		
		Construct New School of Education		
		Construct and Renovate Information Commons and		
		Libraries		
		Replacement Facility for the Virginia Treatment		
		Center for Children		
		Renovate Robinson House		
		Renovate Ernst Hall		
		Construct Student Success Center		
		Construct Academic VII / Research III, Phase I		
		Construct Life Sciences Building, Prince William		
		(Construct Bull Run Hall IIIB Addition)		
		Central Utility Plant		

ITEM C-39.40.		Item Details(\$)		Appropriations(\$)	
		First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1	Virginia Community College System				Construct Phase III Academic Building, Midlothian Campus, John Tyler
2	Virginia Community College System				Renovate Bayside Building, Virginia Beach Campus, Tidewater
3	Virginia Community College System				Construct New Classroom and Administration Building, Blue Ridge
4	Virginia Community College System				Renovate Building B, Parham Road Campus, J. Sargeant Reynolds
5	Virginia Community College System				Expand Workforce Development Center, Danville
6	Virginia Community College System				Renovate Reynolds Academic Building, Loudoun Campus, Northern Virginia
7	Virginia Community College System				Renovate Main Hall, Middletown Campus, Lord Fairfax
8	Virginia Community College System				Renovate Replace Anderson Hall, Virginia Western
9	Virginia Community College System				Renovate Sowder Hall, Fauquier Campus, Lord Fairfax
10	Virginia Institute of Marine Science				Construct Consolidated Scientific Research Facility
11	Jamestown-Yorktown Foundation				Yorktown Outside Areas, Signage and Amenities
12	DBHDS				Western State Hospital Supplement
13	Department of Forensic Science				Expand Western Virginia Forensic Laboratory and Office of the Chief Medical Examiner Facility
14	Department of Corrections				Richmond P & P
15	Department of Corrections				Construct James River Water Line
16	Department of Veterans Services				Hampton Roads Veterans Care Center
17	Department of Veterans Services				Northern Virginia Veterans Care Center
18	C. 1. The water quality and supply projects in paragraph D of this item are hereby authorized				
19	and may be financed in whole or in part through bonds of the Virginia Public Building				
20	Authority issued pursuant to § 2.2-2263, Code of Virginia. The aggregate principal amounts				
21	will not exceed \$221,000,000 \$222,000,000 plus amounts to fund related issuance costs, and				
22	other financing expenses, in accordance with § 2.2-2263 of the Code of Virginia.				
23	2. The appropriations for said capital projects are contained in this item and are subject to the				
24	conditions in § 2-0 F of this act.				
25	3. Except as provided for in paragraph C.2. of this item, the provisions of §§ 2.0 and 4-4.01 of				
26	this act and the provisions of §2.2-1132, Code of Virginia, shall not apply to projects supported				
27	in programs set out in paragraph D of this item.				
28	4. The Department of Environmental Quality and the Department of Conservation and				
29	Recreation shall submit cash flow requirements for each program in paragraph D of this item to				
30	the Director, Department of Planning and Budget and the State Treasurer. The cash flows shall				
31	indicate quarterly cash needs to the programs' completion.				
32	5. Beginning July 1, 2013, the Director, Department of Planning and Budget and the State				
33	Treasurer shall provide a quarterly progress report to the Chairmen of the House Appropriations				
34	and Senate Finance Committees on the projects in this item.				
35	D.1. Stormwater Local Assistance Fund. From the appropriation and bond authorization				
36	provided in this item, up to \$35,000,000 of the bond proceeds shall be provided to the				
37	Department of <i>Environmental Quality Conservation and Recreation</i> for the Stormwater Local				
38	Assistance Fund, established in accordance with the provisions of Item 360 of this Act. In				
39	accordance with the purpose of the Fund set out in Item 360, the bond proceeds shall be used				
40	to provide grants solely for capital projects meeting all pre-requirements for implementation,				
41	including but not limited to: i) new stormwater best management practices; ii) stormwater best				
42	management practice retrofits; iii) stream restoration; iv) low impact development projects; v)				
43	buffer restoration; vi) pond retrofits; and vii) wetlands restoration. Such grants shall be in				
44	accordance with eligibility determinations made by the <i>State Water Control Board Virginia Soil</i>				
45	<i>and Water Conservation Board</i> under the authority of the Department of <i>Environmental Quality</i>				
46	<i>Conservation and Recreation</i> .				
47	2. Combined Sewer Overflow Matching Fund. From the appropriation and bond authorization				
48	provided in this item, up to \$75,000,000 \$76,000,000 of the bond proceeds shall be provided to				
49	the Department of Environmental Quality for the Combined Sewer Overflow Matching Fund,				

	Item Details(\$)		Appropriations(\$)	
ITEM C-39.40.	First Year	Second Year	First Year	Second Year
	FY2013	FY2014	FY2013	FY2014

1 established pursuant to § 62.1-241.12, Code of Virginia. These bond proceeds shall be used by
 2 the Virginia Resources Authority and the State Water Control Board to make grants to the
 3 cities of Lynchburg, ~~and~~ Richmond, *and Alexandria* to pay a portion of the capital costs of
 4 their combined sewer overflow control projects. Disbursements from these proceeds shall be
 5 authorized by the State Water Control Board, under the authority of the Department of
 6 Environmental Quality, and administered by the Virginia Resources Authority through the
 7 Combined Sewer Overflow Matching Fund. Of the net proceeds, up to \$30,000,000 shall be
 8 provided to the City of Lynchburg, *and up to \$45,000,000 shall be provided to the City of*
 9 *Richmond, and up to \$1,000,000 shall be provided to the City of Alexandria.* No such net
 10 proceeds shall be used to pay debt service on obligations of the cities of Lynchburg, ~~or~~
 11 Richmond, *or Alexandria* or any other localities or regional or local authorities.

12 3. Nutrient Removal Grants. From the appropriation and bond authorization provided in this
 13 item, up to \$101,000,000 of the bond proceeds shall be provided to the Department of
 14 Environmental Quality to reimburse entities as provided in § 10.1-2117 et seq., Code of
 15 Virginia, considered as eligible Significant and Non-Significant Dischargers in the Chesapeake
 16 Bay watershed for capital costs incurred for the design and installation of nutrient removal
 17 technology. Such reimbursements shall be in accordance with eligibility determinations made
 18 by the Department of Environmental Quality pursuant to the provisions of this enactment and
 19 Chapter 21.1 of Title 10.1, Code of Virginia, including but not limited to the qualifications of
 20 projects for Virginia Water Quality Improvement Grants as set forth in §§ 10.1-2129,
 21 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines developed by the
 22 Secretary of Natural Resources in accordance with § 10.1-2129, Code of Virginia.

23 4. Hopewell Regional Wastewater Treatment Authority. From the appropriation and bond
 24 authorization provided in this item, up to \$5,000,000 shall be provided to the Department of
 25 Environmental Quality to provide a supplemental Nutrient Removal Grant, as established in
 26 § 10.1-2117 et seq., Code of Virginia, to reimburse capital costs incurred by the Hopewell
 27 Regional Wastewater Treatment Authority for the design and installation of nutrient removal
 28 technology. Such reimbursement shall be in addition to any conventional grant awarded for the
 29 nutrient removal project to the extent determined by the Department of Environmental Quality
 30 pursuant to the provisions of Chapter 21.1 of Title 10.1, Code of Virginia, including but not
 31 limited to the qualifications of projects for Virginia Water Quality Improvement Grants as set
 32 forth in §§ 10.1-2129, 10.1-2130, and 10.1-2131, Code of Virginia, and in written guidelines
 33 developed by the Secretary of Natural Resources in accordance with § 10.1-2129.

34 5. Appomattox River Water Authority. From the appropriation and bond authorization provided
 35 in this item, up to \$5,000,000 shall be provided for the Department of Environmental Quality
 36 to provide a grant for the Appomattox River Water Authority, to increase the supply of
 37 drinking water for the counties of Dinwiddie, Prince George, and Chesterfield, the cities of
 38 Colonial Heights and Petersburg, and the U.S. Army Garrison at Fort Lee, and to improve
 39 stream flow within the Appomattox River. The amount provided shall be matched by local
 40 contributions from any one or more of the affected local governments totaling \$5,000,000.

41 *E. The administration of payments specifically listed in Paragraph D, and shown below, shall*
 42 *be subject to the provisions of § 4-1.03, C.1. of this Act.*

Agency	Project Title
43 Department of Environmental Quality Conservation and	
44 Recreation	Stormwater Local Assistance Fund
45 Department of Environmental Quality	Combined Sewer Overflow Matching Fund
46 Department of Environmental Quality	Nutrient Removal Grants

48

49 Total for Central Capital Outlay		\$351,995,877	\$1,215,776,092
50			\$1,236,916,879

51 Fund Sources: General	\$19,500,000	\$0	
52 Higher Education Operating.....	\$26,067,818	\$56,000,000	
53		\$37,600,000	
54 Dedicated Special Revenue	\$25,711,111	\$0	
55		\$10,226,787	
56 Bond Proceeds	\$280,716,948	\$1,159,776,092	

ITEM C-39.40.	Item Details(\$)		Appropriations(\$)	
	First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014
1		\$1,189,090,092		
2	C-40. Not set out.			
3	C-41. Not set out.			
4	C-42. Not set out.			
5	TOTAL FOR CENTRAL APPROPRIATIONS		\$351,995,877	\$1,215,776,092
6				\$1,236,916,879
7	Fund Sources: General	\$19,500,000	\$0	
8	Higher Education Operating	\$26,067,818	\$56,000,000	
9			\$37,600,000	
10	Dedicated Special Revenue	\$25,711,111	\$0	
11			\$10,226,787	
12	Bond Proceeds	\$280,716,948	\$1,159,776,092	
13			\$1,189,090,092	
14	TOTAL FOR PART 2: CAPITAL PROJECT			
15	EXPENSES		\$1,239,904,877	\$1,282,791,631
16				\$1,306,532,418
17	Fund Sources: General	\$20,050,000	\$0	
18	Special	\$2,222,000	\$161,539	
19	Higher Education Operating	\$64,881,818	\$70,250,000	
20			\$54,450,000	
21	Commonwealth Transportation	\$13,100,000	\$21,500,000	
22	Dedicated Special Revenue	\$25,711,111	\$1,631,250	
23			\$11,858,037	
24	Federal Trust	\$1,000,000	\$3,273,750	
25	Bond Proceeds	\$1,112,939,948	\$1,185,975,092	
26			\$1,215,289,092	

Item Details(\$)		Appropriations(\$)	
First Year FY2013	Second Year FY2014	First Year FY2013	Second Year FY2014

PART 3: MISCELLANEOUS

§ 3-1.01 INTERFUND TRANSFERS

A.1. In order to reimburse the general fund of the state treasury for expenses herein authorized to be paid therefrom on account of the activities listed below, the State Comptroller shall transfer the sums stated below to the general fund from the nongeneral funds specified, except as noted, on January 1 of each year of the current biennium. Transfers from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of the quarter. The payment for the fourth quarter of each fiscal year shall be made in the month of June.

	FY 2013	FY 2014
1. Alcoholic Beverage Control Enterprise Fund (§ 4.1-116, Code of Virginia)		
a) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from Alcoholic Beverage Control gross profits)	\$65,375,769	\$65,375,769
b) For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies (from gross wine liter tax collections as specified in § 4.1-234, Code of Virginia)	\$9,141,363	\$9,141,363
2. Forest Products Tax Fund (§ 58.1-1609, Code of Virginia)	\$26,652	\$26,652
For collection by Department of Taxation		\$30,757
3. Peanut Fund (§ 3.1-662 3.2-1906, Code of Virginia)	\$2,496	\$2,496
For collection by Department of Taxation:		\$4,003
4. For collection by Department of Taxation		
a) Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)	\$68,568	\$68,568
		\$86,913
b) Soft Drink Excise Tax	\$2,770	\$2,770
		\$2,935
c) Virginia Litter Tax	\$13,507	\$13,507
		\$12,748
5. Proceeds of the Tax on Motor Vehicle Fuels		
For inspection of gasoline, diesel fuel and motor oils	\$97,586	\$97,586
6. Virginia Retirement System (Trust and Agency)		
For postage by the Department of the Treasury	\$45,000	\$45,000
7. Department of Alcoholic Beverage Control (Enterprise)		
For services by the:		
a) Auditor of Public Accounts	\$75,521	\$75,521
b) Department of Accounts	\$64,607	\$64,607
c) Department of the Treasury	\$47,628	\$47,628
8. Commission on The Virginia Alcohol Safety Action Program (Special)		
For expenses incurred for care, treatment, study and rehabilitation of alcoholics by the Department of Behavioral Health and Developmental Services and other state agencies.	\$600,000	
TOTAL	\$75,561,467	\$74,961,467
		\$74,984,830

2.a. Transfers of net profits from the Alcoholic Beverage Control Enterprise Fund to the general fund shall be made four times a year, and such transfers shall be made within fifty (50) days of the close of each quarter. The transfer of fourth quarter profits shall be estimated and made in the month of June. In the event actual net profits are less than the estimate transferred in June, the difference shall be deducted from the net profits of the next quarter and the resulting sum transferred to the general fund. Distributions to localities shall be made within fifty (50) days of the close of each quarter. Net profits are estimated at \$66,595,630 the first year and ~~\$69,266,066~~ \$70,600,000 the second year.

b. Pursuant to § 4.1-116 B, Code of Virginia, the Department of Alcoholic Beverage Control shall notify the State Comptroller of the amount to be deducted quarterly from the net profits for transfer to the reserve fund established by the cited section.

1 B.1. If any transfer to the general fund required by any subsections of §§ 3-1.01 through 3-6.02 is subsequently determined to
2 be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby
3 directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

4 2. There is hereby appropriated from the applicable funds such amounts as are required to be refunded to the federal
5 government for mutually agreeable resolution of internal service fund over-recoveries as identified by the U. S. Department of
6 Health and Human Services' review of the annual Statewide Indirect Cost Allocation Plans.

7 C. In order to fund such projects for improvement of the Chesapeake Bay and its tributaries as provided in § 58.1-2289 D,
8 Code of Virginia, there is hereby transferred to the general fund of the state treasury the amounts listed below. The Department
9 of Motor Vehicles shall be responsible for effecting the provisions of this paragraph. The amounts listed below shall be
10 transferred on June 30 of each fiscal year.

11	154	Department of Motor Vehicles	\$7,416,469	\$7,416,469
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12 D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the
13 general fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to
14 increased local sales and use tax compliance efforts, *the Property Tax Unit*, and State Land Evaluation Advisory Committee
15 (SLEAC) services by the Department of Taxation estimated at \$5,936,004 the first year and ~~\$5,894,944~~ \$5,534,552 the
16 second year.

17 E. The State Comptroller shall transfer to the general fund from the Transportation Trust Fund a proportionate share of the
18 costs attributable to increased sales and use tax compliance efforts *and revenue forecasting for the Transportation Trust Fund*
19 by the Department of Taxation estimated at \$2,915,502 the first year and ~~\$2,894,972~~ \$2,714,776 the second year.

20 F. On or before June 30 of each year, the State Comptroller shall transfer \$6,691,692 the first year and \$6,125,197 the second
21 year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by
22 central service agencies:

23	Agency Name	Fund Group	FY 2013	FY 2014
24	Supreme Court of Virginia			
25	(111)	0900	\$212,288	\$0
26	Board of Bar Examiners (233)	0200	\$3,003	\$3,003
27	Department of Minority Business Enterprise (232)	0400	\$0	\$30,660
28	Virginia Veterans Care Center (128)	0200	\$39,905	\$39,905
29	Department of Agriculture and Consumer Services (301)	0900	\$0	\$73,138
30	Department of Forestry (411)	0200	\$0	\$26,254
31	Department of Labor and Industry (181)	0200	\$345	\$4,942
32	Board of Accountancy (226)	0900	\$9,286	\$8,301
33	Virginia Tobacco Indemnification and Community Revitalization Commission (851)	0900	\$150,280	\$193,222
34	Virginia Museum of Fine Arts (238)	0200	\$8,561	\$8,561
35	Jamestown-Yorktown Foundation (425)	0200	\$36,827	\$18,827
36	Southwest Virginia Higher Education Center (948)	0200	\$25,522	\$25,522
37	Woodrow Wilson Rehabilitation Center (203)	0200	\$81,312	\$81,312
38	Department of Rehabilitative Services (262)	0900	\$16,187	\$16,187
39	Department for the Deaf and Hard-of-Hearing (751)	0200	\$11,899	\$11,899
40	Virginia Foundation for Healthy Youth (852)	0900	\$21,695	\$21,695
41	Department of Conservation and Recreation (199)	0200	\$0	\$109,351
42	Department of Conservation and Recreation (199)	0900	\$154,527	\$0
	Marine Resources Commission (402)	0200	\$192,926	\$27,827

1	Department of Game and Inland Fisheries (403)	0900	\$576,206	\$309,512
2	Department of Environmental Quality (440)	0900	\$16,184	\$0
3	Virginia Museum of Natural History (942)	0200	\$1,745	\$1,745
4	Department of Criminal Justice Services (140)	0200	\$45,065	\$54,452
5	Department of State Police (156)	0200	\$39,757	\$39,757
6	Department of Fire Programs (960)	0200	\$0	\$27,245
7	Sitter-Barfoot Veterans Care Center (922)	0200	\$20,484	\$20,484
8	Department of Motor Vehicles (154)	0400	\$1,034,919	\$1,034,919
9	Virginia Port Authority (407)	0200	\$70,090	\$117,711
10	Virginia Port Authority (407)	0400	\$87,923	\$75,412
11	Department of Transportation (501)	0400	\$3,028,317	\$3,028,317
12	Department of Rail and Public Transportation (505)	0400	\$418,072	\$418,072
13	Motor Vehicle Dealer Board (506)	0200	\$14,311	\$14,311
14	Board of Towing and Recovery Operations (507)	0200	\$7,943	\$0
15	Department of Aviation (841)	0400	\$75,212	\$86,127
16	Virginia College Savings Plan (174)	0500	\$290,901	\$196,527
17				
18	TOTALS		\$6,691,692	\$6,125,197
19				

20 G.1. The Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § ~~58.1-4002.1~~ 58.1-4022.1, Code of
21 Virginia, an amount estimated at \$487,300,000 the first year and ~~\$462,000,000~~ \$517,200,000 the second year, from the State
22 Lottery Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the Comptroller
23 shall transfer the balance of the State Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer
24 will be made on a monthly basis. Prior to June 20 of each year, the State Lottery Director shall estimate the amount of profits
25 in the State Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be
26 transferred to the Lottery Proceeds Fund prior to June 22.

27 2. No later than 10 days after receipt of the annual audit report required by § 58.1-4023, Code of Virginia, the Comptroller
28 shall transfer to the Lottery Proceeds Fund the remaining audited balances of the State Lottery Fund for the prior fiscal year. If
29 such annual audit discloses that the actual revenue is less than the estimate on which the June transfer was based, the State
30 Comptroller shall adjust the next monthly transfer from the State Lottery Fund to account for the difference between the actual
31 revenue and the estimate transferred to the Lottery Proceeds Fund. The State Comptroller shall take all actions necessary to
32 effect the transfers required by this paragraph, notwithstanding the provisions of § ~~58.1-4022~~ 58.1-4022.1, Code of Virginia. In
33 preparing the Comprehensive Annual Financial Report, the State Comptroller shall report the Lottery Proceeds Fund as
34 specified in § 58.1-4002.1, Code of Virginia.

35 H.1. The State Treasurer is authorized to charge up to 20 basis points for each nongeneral fund account which he manages and
36 which receives investment income. The assessed fees, which are estimated to generate \$2,800,000 the first year and \$3,000,000
37 the second year, will be based on a sliding fee structure as determined by the State Treasurer. The amounts shall be paid into
38 the general fund of the state treasury.

39 2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the
40 Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in
41 addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the public
42 institutions of higher education, which are estimated to generate \$150,000 the first year and \$150,000 the second year, shall be
43 paid into the general fund of the state treasury.

44 b. The State Comptroller shall transfer to the general fund on June 30, 2013 and on June 30, 2014, respectively, the amount in
45 excess of \$5,000 in the Virginia College Building Authority Private College Financing Program Fees (Fund 0220) at the
46 Department of the Treasury.

47 3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing
48 structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount

- 1 financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall
2 be paid into the general fund of the state treasury.
- 3 4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia,
4 an administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of
5 issuance as determined by the State Treasurer. Such amounts collected are estimated to generate \$75,000 the first year and
6 \$75,000 the second year, and shall be paid into the general fund of the state treasury.
- 7 I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received
8 from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance
9 of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.
- 10 J. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any
11 amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia.
- 12 K.1. Not later than 30 days after the close of each quarter during the biennium, the Comptroller shall transfer, notwithstanding
13 the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of Virginia, from the
14 general fund to the Game Protection Fund. This transfer shall not exceed \$3,700,000 the first year and ~~\$3,700,000~~ \$5,700,000
15 the second year.
- 16 2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his discretion, direct the Comptroller to
17 transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the
18 official revenue forecast for such collections.
- 19 L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to
20 Medical Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not
21 exceed \$14,065,627 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the
22 yearly estimated amounts to the Trust Fund on July 15 of each year.
- 23 2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical
24 Insurance Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the
25 biennium.
- 26 M.1. Not later than thirty days after the close of each quarter during the biennium, the Comptroller shall transfer to the Game
27 Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E,
28 this transfer shall not exceed \$10,635,320 the first year and ~~\$10,635,320~~ \$13,000,000 the second year.
- 29 N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community
30 Revitalization Fund to the general fund an amount estimated at \$244,268 the first year and \$244,268 the second year. This
31 amount represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of
32 the Office of the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement
33 and § 3.1-336.2, Code of Virginia.
- 34 2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund
35 an amount estimated at \$48,854 the first year and \$48,854 the second year. This amount represents the Tobacco Settlement
36 Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the
37 1998 Tobacco Master Settlement Agreement and § 3.1-336.2, Code of Virginia.
- 38 O. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$4,000,000 the first year and
39 ~~\$5,092,429~~ \$4,589,914 the second year from the Court Debt Collection Program Fund at the Department of Taxation.
- 40 P. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$7,400,000 the first year and
41 \$7,400,000 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from
42 the share that would otherwise have been transferred to the State Corporation Commission.
- 43 Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at \$6,500,000 the first year and
44 an amount estimated at \$6,500,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions
45 Fund at the Department of Criminal Justice Services.
- 46 R. On or before June 30 each year, the State Comptroller shall transfer from agency and institution nongeneral fund accounts
47 to the general fund an amount estimated at \$861,400 the first year and \$861,400 the second year, resulting from savings
48 pursuant to a Virginia Information Technologies Agency rate decrease for telecommunications services effective November,
49 2003. The Director, Department of Planning and Budget, shall provide the Comptroller with the amount to be transferred from
50 each agency and institution of higher education.
- 51 S. The Department of Alcoholic Beverage Control shall sell the building in which the Alexandria Regional office is currently
52 located.— Notwithstanding the provisions of §2.2-1156, Code of Virginia, all the proceeds from the sale of such property,

1 ~~estimated to be \$11,700,000, shall be deposited into the general fund no later than June 30, 2014.~~

2 T. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$1,550,385 the first year and
3 \$1,550,385 the second year from operating efficiencies to be implemented by the Department of Alcoholic Beverage Control.

4 U. The State Comptroller shall transfer quarterly, one-half of the revenue received pursuant to § 18.2-270.01, of the Code of
5 Virginia, and consistent with the provisions of § 3-6.03 of this act, to the general fund in an amount not to exceed \$9,055,000
6 the first year, and \$9,055,000 the second year from the Trauma Center Fund contained in the Department of Health's Financial
7 Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203).

8 V. On or before June 30 each year, the State Comptroller shall transfer \$600,000 the first year and \$600,000 the second year
9 to the general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.

10 W. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary
11 provision of state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state
12 treasury the cash balance from any nongeneral fund account that has a cash balance of less than \$100. This provision shall not
13 apply to institutions of higher education, bond proceeds, or trust accounts. The State Comptroller shall consult with the
14 Director of the Department of Planning and Budget in implementing this provision and, for just cause, shall have discretion to
15 exclude certain balances from this transfer or to restore certain balances that have been transferred.

16 X. On or before June 30, 2013, the State Comptroller shall transfer from agency and institution nongeneral fund accounts to
17 the general fund amounts estimated at \$164,885, resulting from savings associated with the reduction of agency charges for the
18 statewide purchase and supply system operated by the Department of General Services. The Director, Department of Planning
19 and Budget, shall provide the Comptroller with the amount to be transferred from each agency and institution of higher
20 education. Constitutionally protected funds and amounts from federal sources are excluded from this action.

21 ~~Y.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. The estimated amount of the~~
22 ~~proceeds to be received is \$20,000,000. The Commonwealth may enter into negotiations with (1) the Virginia Tobacco~~
23 ~~Indemnification and Community Revitalization Commission; (2) regional local governments; and (3) regional industrial~~
24 ~~development authorities for the purchase of this property as an economic development site.~~

25 2. Notwithstanding the provisions of § 2.2-1156, Code of Virginia or any other provisions of law, up to \$10,000,000 from the
26 proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund and any amount above
27 \$10,000,000 shall be paid into the Federal Action Contingency Trust (FACT) Fund contained in Item 469 J. of this act. Any
28 proceeds deposited into the Federal Action Contingency Trust (FACT) Fund pursuant to this paragraph are hereby appropriated.
29 -

30 Z. The former Virginia School for the Deaf, Blind, and Multi-disabled campus operated by the Department of Education shall
31 be sold and the proceeds of such sale deposited into the general fund notwithstanding the provisions of §2.2-1156, Code of
32 Virginia. The estimated amount of the payments to be received is \$2,500,000 the first year.

33 AA. On or before June 30 each year the State Comptroller shall transfer an estimated \$2,450,000 from the fund created
34 pursuant to § 17.1-275.12 of the Code of Virginia, to Items 341, 393, and 417 of this act, for the purposes enumerated in
35 Section 17.1-275.12.

36 BB. On or before June 30 each year, the State Comptroller shall transfer \$10,518,587 the first year and \$10,518,587 the
37 second year to the general fund from the \$2.00 increase in the annual vehicle registration fee from the special emergency
38 medical services fund contained in the Department of Health's Emergency Medical Services Program (40200).

39 CC. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State
40 Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund
41 0926), the Department of Taxation's indirect costs of administering this tax estimated at \$114,775 the first year and \$114,034
42 \$114,413 the second year.

43 DD. On or before June 30 each year, the State Comptroller shall transfer \$111,900 the first year and \$111,900 the second year
44 from the State Surplus Property Sales fund in the Department of General Services. Of this amount, \$14,547 the first year and
45 \$14,547 the second year is reserved for federal reversion upon request.

46 EE. On or before June 30 each year, the State Comptroller shall transfer \$3,200,000 the first year and \$3,200,000 the second
47 year to the general fund from unobligated nongeneral fund balances in the State Corporation Commission.

48 FF. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$253,477 the first year and
49 \$168,985 the second year, from Fund 0200 in the Department of Agriculture and Consumer Services.

50 GG.1. On or before June 30, 2013, the State Comptroller shall transfer \$70,000 to the general fund from the Voluntary
51 Contribution Administration Fund (Fund 0251) in the Department of Taxation.

- 1 2. On or before June 30, 2013, the State Comptroller shall transfer \$9,287 to the general fund from the Surplus Supplies and
2 Equipment Fund (Fund 0287) in the Department of Taxation.
- 3 HH. On or before June 30, 2013, the State Comptroller shall transfer to the general fund \$8,915 from the Surplus Supplies and
4 Equipment Fund (Fund 0287) in the Department of Forensic Science.
- 5 II.1. ~~Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at \$162,900, from the sale~~
6 ~~by the Department of Forestry of the property located at 16010 James River Drive, Prince George, Virginia, shall be deposited~~
7 ~~into the general fund no later than June 30, 2014.~~
- 8 2. Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at ~~\$89,281~~ \$61,458, from the
9 sale by the Department of Forestry of the property located at 450 Timberline Drive, Galax, Virginia, shall be deposited into the
10 general fund no later than June 30, 2014.
- 11 3. Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at ~~\$173,000~~ \$140,000, from
12 the sale by the Department of Forestry of the property located at 2229 East Nine Mile Road, Sandston, Virginia, shall be
13 deposited into the general fund no later than June 30, 2014.
- 14 4. *Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at \$80,000, from the sale by*
15 *the Department of Forestry of the property located at 1593 Burchs Creek Road, Batesville, Virginia, shall be deposited into*
16 *the general fund no later than June 30, 2014.*
- 17 JJ. Any amount designated by the Comptroller from the June 30, 2012, or June 30, 2013, general fund balance for
18 transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby appropriated.
- 19 KK. On or before June 30 each year the State Comptroller shall transfer all amounts, estimated at \$939,682 the first year and
20 \$939,682 the second year, to the general fund from the fees generated by the Firearms Transaction Program Fund, the
21 Concealed Weapons Program, and the Conservator of the Peace Program pursuant to §§ 18.2-308, 18.2-308.2:2 and 19.2-13,
22 Code of Virginia.
- 23 LL. The Department of General Services is authorized to sell to Virginia Electric and Power Company, a Virginia corporation
24 d/b/a Dominion Virginia Power, for such consideration as the Governor may approve, a parcel of land containing 2.84 acres,
25 more or less, together with access thereto and any easements as may be necessary for construction and operation of an electric
26 power substation. The property is located in the northwest quadrant of the lands in possession of the Department of General
27 Services at 2400 West Leigh Street in Richmond, Virginia and occupied by the Office of Fleet Management Services.
28 Notwithstanding the provisions of § 2.2-1156, the proceeds of the sale, after deduction of expenses of the sale and deductions
29 for such cost as may be approved by the Governor for improvements to the remaining property needed to accommodate the
30 sale to Dominion Virginia Power, shall be deposited to the general fund.
- 31 MM. The Comptroller shall transfer balances from the Foundation for Virginia's Natural Resources Trust Fund to the Virginia
32 Land Conservation Fund to promote environmental education, pollution prevention, and citizen monitoring by fostering and
33 supporting collaborative efforts among businesses, citizens, communities, local governments, and state agencies.
- 34 NN.1. As required by §4-1.05 b of Chapter 3, 2012 Special Session I, \$22,408.78 in various inactive nongeneral fund
35 accounts were reverted by the State Comptroller to the general fund in the first year *and \$93,479.09 were reverted in the*
36 *second year.*
- 37 2. On or before June 30, 2013, the State Comptroller shall restore \$0.44 to the Central Capital Planning Fund (Fund 0965) in
38 the University of Mary Washington, pursuant to Section 4-1.05 b. of this act.
- 39 3. On or before June 30, 2013, the State Comptroller shall restore \$7,500 to the Public-Private Education Act Fund (Fund
40 0275) in George Mason University, pursuant to Section 4-1.05 b. of this act.
- 41 4. On or before June 30, 2013, the State Comptroller shall restore \$76.27 to the Central Capital Planning Fund (Fund 0965) in
42 George Mason University, pursuant to Section 4-1.05 b. of this act.
- 43 5. On or before June 30, 2013, the State Comptroller shall restore \$1,443.65 to the Special Fund (Fund 0200) in the
44 Department of Game and Inland Fisheries, pursuant to Section 4-1.05 b. of this act.
- 45 6. *On or before June 30, 2013, the State Comptroller shall restore \$2,898.39 to the Eminent Scholars Fund (Fund 0311) in*
46 *Virginia State University, pursuant to Section 4-1.05 b. of this act.*
- 47 OO.1. On or before June 30 of each year, the State Comptroller shall transfer amounts estimated at \$2,837,651 the first year
48 and ~~\$2,265,000~~ \$4,806,444 the second year from the agencies and fund sources listed below to the general fund of the state
49 treasury.

	Agency / Purpose	Fund	FY 2013	FY 2014
1	Office of the Attorney General (141)			
2	Regulatory And Consumer Advocacy			
3	Revolving Trust Fund excess cash balance	0239	\$6,800,000	\$1,400,000
4	Department of General Services (194)			
5	Trust And Agency Fund excess cash balance	0700	\$223,616	\$0
6	Department of Agriculture and Consumer Services (301)			
7	Virginia Pesticide Control Act Fund savings	0901	\$0	\$400,000
8	Department of Forestry (411)			
9	Transfer cash balances in the State Lands	0212	\$0	\$100,000
10	Department of Labor and Industry (181)			
11	Transfer nongeneral fund cash balances to the general fund	0200	\$0	\$60,000
12	James Madison University (216)			
13	Central Capital Planning Fund excess cash balance	0965	\$0.28	\$0
14	Virginia Museum of Fine Arts (238)			
15	Enterprise Fund savings	0500	\$0	\$5,000
16	Department of Taxation (161)			
17	Special Fund savings	0200	\$0	\$200,000 \$300,000
18	Parking Fund savings	0292	\$0	\$60,000
19	Department of Health (601)			
20	Special Fund excess cash balance	0200	\$1,105,014	\$0
21	Transfer Bedding and Upholstery Fund balances	0203	\$0	\$500,000
22	Appropriated Indirect Cost Recoveries Fund excess cash balance	0280	\$338,096	\$628,890
23	Transfer surplus property sales balance	0287	\$0	\$17,380
24	Transfer Medical and Physicians Assistant Scholarship and Loan Repayment Fund balances	0934	\$0	\$258,428
25	Transfer Nursing Scholarship and Loan Repayment Fund balances	0932	\$0	\$106,512
26	Department of Medical Assistance Services (602)			
27	State/Local Hospitalization Program Fund excess cash balance	0204	\$167,535	\$0
28	Department for Aging and Rehabilitative Services (262)			
29	Surplus Supplies and Equipment Sales Fund excess cash balance	0288	\$3,687	\$0
30	Department of Social Services (765)			
31	Disaster Recovery Fund excess cash balance	0246	\$2,465.88	\$0
32	Licensing Application Fees Fund excess cash balance	0273	\$200,000	\$0
33	Surplus Supplies and Equipment Sales Fund excess cash balance	0287	\$55.43	\$0
34	Department of Behavioral Health and Developmental Services (720)			
35	Transfer one-time balances in Background Checks Fund	0200	\$0	\$37,061
36	Department for the Blind and Vision Impaired (702)			
37	Surplus Supplies and Equipment Sales Fund excess cash balance	0288	\$977.20	\$0
38	Department of Conservation and Recreation (199)			
39	Transfer cash for dam safety administration	0926	\$0	\$47,143
40	Department of Correctional Education (750)			
41	Appropriated Indirect Cost Recoveries Fund excess cash balance	0280	\$178.60	\$0
42	Surplus Supplies and Equipment Sales Fund excess cash balance	0287	\$4,975.44	\$0

1	Department of Criminal Justice Services			
2	(140)			
3	Special Fund savings	0200	\$0	\$50,000
4				\$387,037
5	Asset Forfeiture and Seizure Fund savings	0221	\$0	\$150,000
6				\$487,037
7	Department of Emergency Management			
8	(127)			
9	Fire Protection Fund excess cash balance	0218	\$17	\$0
10	Department of Forensic Science (778)			
11	<i>Transfer Surplus Supplies and Equipment</i>			
12	<i>Fund cash balances</i>	0287	\$0	\$11,956
13	Department of State Police (156)			
14	Firearms Transaction Program Fund excess			
15	cash balance	0201	\$444,884	\$0
16	Concealed Weapons Program Fund excess			
17	cash balance	0220	\$346,149	\$0
18	Central Appropriations (995)			
19	Diamond Shamrock Oil Overcharge Fund			
20	excess cash balance	0740	\$0.07	\$0
21	Totals		\$2,837,651	\$2,265,000
22				\$4,806,444

23 2. Prior to such transfer, the Department of Planning and Budget is authorized to adjust the above-cited amounts between
24 fund/fund detail amounts, so as to increase or decrease the amounts for a designated fund/fund detail code, provided, however,
25 that such adjustments shall not increase the total transfers amount for an agency in excess of the sums cited above. The
26 Department of Planning and Budget shall notify the State Comptroller of such adjustments.

27 PP. On or before June 30 of each year, the State Comptroller shall transfer \$5,000,000 the first year and \$2,500,000 the second
28 year to the general fund from accumulated balances in the Governor's Development Opportunity Fund (Fund 0910, Agency
29 192).

30 QQ. On or before June 30, 2013, the State Comptroller shall transfer \$3,937,000 from the Virginia Tobacco Settlement Fund
31 to the general fund from the arbitration settlement with tobacco companies as part of the Master Settlement Agreement.

32 RR. On or before June 30, 2013, the State Comptroller shall transfer \$175,000 the first year from unobligated nongeneral fund
33 balances in the Community Health Services Fund (Fund 0205) to the general fund.

34 *SS. The Department of Agriculture and Consumer Services is authorized to sell the Northern Neck of Virginia Farmers*
35 *Market, located at 1647 Kings Highway, Oak Grove, Virginia, 22443. Notwithstanding the provisions of § 2.2-1156, Code of*
36 *Virginia, the proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding*
37 *tax-exempt bonds on the property. Any proceeds that remain after the implementation of such remediation options shall be*
38 *deposited to the general fund.*

39 § 3-1.02 INTERAGENCY TRANSFERS

40 The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, \$362,854 the first year and \$362,854
41 the second year to the Department of General Services for motor fuels testing.

42 § 3-1.03 SHORT-TERM ADVANCE TO THE GENERAL FUND FROM NONGENERAL FUNDS

43 A. To meet the occasional short-term cash needs of the general fund during the course of the year when cumulative
44 year-to-date disbursements exceed temporarily cumulative year-to-date revenue collections, the State Comptroller is authorized
45 to draw cash temporarily from nongeneral fund cash balances deemed to be available, although special dedicated funds related
46 to commodity boards are exempt from this provision. Such cash drawdowns shall be limited to the amounts immediately
47 required by the general fund to meet disbursements made in pursuance of an authorized appropriation. However, the amount of
48 the cash drawdown from any particular nongeneral fund shall be limited to the excess of the cash balance of such fund over
49 the amount otherwise necessary to meet the short-term disbursement requirements of that nongeneral fund. The State
50 Comptroller will ensure that those funds will be replenished in the normal course of business.

51 B. In the event that nongeneral funds are not sufficient to compensate for the operating cash needs of the general fund, the
52 State Treasurer is authorized to borrow, temporarily, required funds from cash balances within the Transportation Trust Fund,
53 where such trust fund balances, based upon assessments provided by the Commonwealth Transportation Commissioner, are not
54 otherwise needed to meet the short-term disbursement needs of the Transportation Trust Fund, including any debt service and
55 debt coverage needs, over the life of the borrowing. In addition, the State Treasurer shall ensure that such borrowings are
56 consistent with the terms and conditions of all bond documents, if any, that are relevant to the Transportation Trust Fund.

1 C. The Secretary of Finance, the State Treasurer and the Commonwealth Transportation Commissioner shall jointly agree on
 2 the amounts of such interfund borrowings. Such borrowed amounts shall be repaid to the Transportation Trust Fund at the
 3 earliest practical time when they are no longer needed to meet short-term cash needs of the general fund, provided, however,
 4 that such borrowed amounts shall be repaid within the biennium in which they are borrowed. Interest shall accrue daily at the
 5 rate per annum equal to the then current one-year United States Treasury Obligation Note rate.

6 D. Any temporary loan shall be evidenced by a loan certificate duly executed by the State Treasurer and the Commonwealth
 7 Transportation Commissioner specifying the maturity date of such loan and the annual rate of interest. Prepayment of
 8 temporary loans shall be without penalty and with interest calculated to such prepayment date. The State Treasurer is
 9 authorized to make, at least monthly, interest payments to the Transportation Trust Fund.

10 § 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT

11 § 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

12 The State Comptroller shall make available to the Virginia Racing Commission, on July 1 of each year, the amount of
 13 \$125,000 from the general fund as a temporary cash flow advance, to be repaid by December 30 of each year.

14 § 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

15 The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services
 16 received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of
 17 such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand
 18 against the appropriations made to any agency. The amounts so charged shall be recorded to the credit of the appropriate
 19 working capital fund accounts. In the event any portion of the charge so made shall be disputed, the amount in dispute may be
 20 restored to the agency appropriation by direction of the Governor.

21 § 3-2.03 LINES OF CREDIT

22 a. The State Comptroller shall provide lines of credit to the following agencies, not to exceed the amounts shown:

23 Administration of Health Insurance	
24	\$150,000,000
25 Department of Accounts, for the Payroll Service Bureau	\$400,000
26 Department of Accounts, Transfer Payments	\$5,250,000
27 Department of Accounts, for Enterprise Applications	\$90,000,000
28 Department of Alcoholic Beverage Control	\$60,000,000
29 Department of Corrections, for Virginia Correctional	
30 Enterprises	\$1,000,000
31 Department of Emergency Management	\$150,000
32 Department of Environmental Quality	\$5,000,000
33 Department of Human Resource Management, for the	
34 Workers' Compensation Self Insurance Trust Fund	\$10,000,000
35 Department of Behavioral Health and Developmental	
36 Services	\$20,000,000
37 Department of Motor Vehicles	\$5,000,000
38 Department of the Treasury, for the Unclaimed Property	
39 Trust Fund	\$5,000,000
40 Department of the Treasury, for the State Insurance	
41 Reserve Trust Fund	\$25,000,000
42 Department of the Treasury, for the Teacher Liability	
43 Insurance Program	\$1,000,000
44 State Lottery Department	\$40,000,000
45 Virginia Information Technologies Agency	\$40,000,000
46 Virginia Tobacco Settlement Foundation	\$3,000,000
47 Department of Historic Resources	\$600,000
48 Department of Correctional Education	\$300,000
49 Department of Fire Programs	\$30,000,000
50 Compensation Board	\$8,000,000

51 b. The State Comptroller shall execute an agreement with each agency documenting the procedures for the line of credit,
 52 including, but not limited to, applicable interest and the method for the drawdown of funds. The provisions of § 4-3.02 b of
 53 this act shall not apply to these lines of credit.

54 c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish
 55 guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with
 56 implementation of office space consolidation, relocation and/or office space co-location strategies, where such line of credit

1 shall be repaid by the agency or institution based on the cost savings and efficiencies realized by the agency or institution
 2 resulting from the consolidation and/or relocation. In such cases the terms of office space consolidation or co-location
 3 strategies shall be approved by the Secretary of Administration, in consultation with the Secretary of Finance, as demonstrating
 4 cost benefit to the Commonwealth. In no case shall the advances to an agency or institution exceed \$1,000,000 nor the
 5 repayment begin more than one year following the implementation or extend beyond a repayment period of seven years.

6 d. The State Comptroller is hereby authorized to provide lines of credit of up to \$2,500,000 to the Department of Motor
 7 Vehicles and up to \$2,500,000 to the Department of State Police to be repaid from revenues provided under the federal
 8 government's establishment of Uniform Carrier Registration.

9 e. The State Lottery Department is hereby authorized to use its line of credit to meet cash flow needs for operations at any
 10 time during the year and to provide cash to the State Lottery Fund to meet the required transfer of estimated lottery profits to
 11 the Lottery Proceeds Fund in the month of June, as specified in provisions of § 3-1.01G. of this act. The State Lottery
 12 Department shall repay the line of credit as actual cash flows become available. The Secretary of Finance is authorized to
 13 increase the line of credit to the State Lottery Department if necessary to meet operating needs.

14 f. The State Comptroller is hereby authorized to provide a line of credit of up to \$200,000 to the Department of Health to
 15 cover the actual costs of expanding the availability of vital records through the Department Motor Vehicles to be repaid from
 16 administrative processing fees provided under Code of Virginia, § 32.1-273 until such time as the line of credit is repaid.

17 § 3-3.00 GENERAL FUND DEPOSITS

18 § 3-3.01 PAYMENT BY THE VIRGINIA PUBLIC SCHOOL AUTHORITY

19 The Virginia Public School Authority shall transfer to the general fund an amount estimated at \$201,000 on or before June 30,
 20 2013 and an amount estimated at \$201,000 on or before June 30, 2014, to reimburse the Commonwealth for staff and other
 21 administrative services provided to the Authority by the Department of the Treasury.

22 § 3-3.02 PAYMENT BY THE STATE TREASURER

23 The State Treasurer shall transfer an amount estimated at \$14,000 on or before June 30, 2014, to the general fund from excess
 24 9(c) sinking fund balances.

25 § 3-3.03 INTEREST EARNINGS

26 A. Notwithstanding any other provision of law, the State Comptroller shall not allocate interest earnings to the following
 27 agencies and funds in either the first year or the second year of the biennium. The estimated amount of interest earnings that
 28 shall remain in the general fund as a result of this provision is \$11,389,754 the first year and \$7,593,169 the second year of
 29 the biennium.

30

31	Agency	Agency Code	Fund Name	Fund/Fund Detail
32	Supreme Court	111	Pro Hac Vice Fund	0254
33	Supreme Court	111	Court Technology Fund	0905
34	Department of Military Affairs	123	Armory Control Board Fund	0901
35	Department of Military Affairs	123	Virginia Military Family Relief Fund	0916
36	Department of Human Resource Management	129	Worker's Compensation Funding Account	0700
37	Department of Human Resource Management	129	Worker's Compensation Trust Fund	0742
38	Virginia Information Technologies Agency	136	GIS Fund	0905
39	Virginia Information Technologies Agency	136	Wireless E-911 Fund	0928
40	Virginia Information Technologies Agency	136	Virginia Technology Infrastructure Fund	0931
41	Department of Criminal Justice Services	140	School Resource Officer Incentive Grants Fund	0903
42	Department of Criminal Justice Services	140	Virginia Domestic Violence Victim Fund	0912
43	Department of Criminal Justice Services	140	Virginia Crime Victim - Witness Fund	0930
44	Department of Criminal Justice Services	140	Intensified Drug Enforcement Jurisdictions Fund	0935
45	Department of Criminal Justice Services	140	Regional Criminal Justice Academy Training Fund	0940
46	Department of Criminal Justice Services	140		

1	Department of Criminal Justice Services	140	Court Fees Suspense Fund	0975
2	Attorney General and Department of Law	141	Youth Internet Safety Fund	0237
3	Attorney General and Department of Law	141	Regulatory And Consumer Advocacy	
4	Virginia Commission for the Arts	148	Revolving Trust	0239
5	Administration of Health Insurance	149	Virginia Arts Foundation Fund	0910
6	Administration of Health Insurance	149	Health Insurance Fund - Local	0520
7	Administration of Health Insurance	149	Health Insurance Fund - State	0620
8	Administration of Health Insurance	149	Health Insurance Fund - State	
9	Department of Accounts	151	Restricted	0621
10	Department of Treasury	152	Pre-Medicare Eligible Retiree Health	
11	Department of Treasury	152	Benefits Trust Fund	0720
12	Department of Treasury	152	Commonwealth Health Research Fund	0936
13	Department of Treasury	152	Property Insurance Trust Fund	0740
14	Department of Treasury	152	Miscellaneous Insurance Trust Fund	0741
15	Department of Treasury	152	Liability Trust Fund	0743
16	Department of Treasury	152	Automobile Trust Fund	0744
17	Department of Treasury	152	Local Entities Bond Program	0745
18	Department of Treasury	152	Public Officials Insurance	0746
19	Department of Treasury	152	Law Enforcement Insurance	0747
20	Department of Treasury	152	George Washington Regional	
21	Department of State Police	156	Commission	0748
22	Department of State Police	156	Commuter Rail Trust Fund	0749
23	Department of State Police	156	Workforce Training Access Fund	0901
24	Department of State Police	156	State Asset Forfeiture Fund	0430
25	Department of State Police	156	State Asset Forfeiture Fund	0233
26	Department of State Police	156	Drug Investigation Trust Account -	
27	Compensation Board	157	Federal	0236
28	Department of Taxation	161	Insurance Fraud	0250
29	Department of Taxation	161	Drug Investigation Trust	
30	Department of Taxation	161	Account-State	0253
31	Department of Accounts Transfer	162	State Asset Forfeiture Suspense Fund	0733
32	Department of Accounts Transfer	162	Wireless E-911 Fund	0928
33	Department of Housing and Community	165	Wireless E-911 Fund	0928
34	Department of Housing and Community	165	Communications Sales And Use Tax	
35	Department of Housing and Community	165	Trust Fund	
36	Department of Housing and Community	165		0926
37	State Corporation Commission	171	Governor's Motion Picture	
38	State Corporation Commission	171	Opportunity Fund	0902
39	State Corporation Commission	171	Edvantage Reserve Fund	0708
40	Charitable Gaming Commission	173	Line Of Duty Death And Health	
41	Virginia College Savings Plan	174	Benefits Trust Fund	0742
42	Virginia Employment Commission	182	Derelict Structure Fund	0916
43	Secretary of Finance	190	Economic Development Loan Fund	0921
44	Secretary of Commerce and Trade	192	Virginia Manufactured Housing	
45	Secretary of Commerce & Trade	192	Transaction Recovery Fund	0925
46	Department of General Services	194	Virginia Water Quality Improvement	
47	Department of Education - Direct Aid to	197	Fund	0934
	Public Education	197	Fire Programs Fund	0218
			Underground Utility Damage	
			Prevention Fund	0902
			Virginia State Police-Insurance Fraud	
			Fund	0905
			State Asset Forfeiture Fund	0233
			Special Revenue	0500
			Workforce Development Training	
			Fund	0910
			Workforce Training Access Fund	0901
			Governor's Motion Picture	
			Opportunity Fund	0902
			Governor's Opportunity Fund	0910
			Main Street Station Property	0922
			School Nurse Incentive Grants Fund	0905

1	Department of Education - Direct Aid to Public Education	197	Va Public School Educational Technology Trust Fund	0928
2	Department of Education - Direct Aid to Public Education	197	Va Public School Construction Grants Fund	0930
3	Department of Education - Direct Aid to Public Education	197	Public Ed SOQ/Local Re Property Tax Relief Fund	0931
4	Department of Conservation and Recreation	199	Natural Area Preservation Fund	0215
5	Department of Conservation and Recreation	199	Chesapeake Bay Restoration Fund	0252
6	Department of Conservation and Recreation	199	Virginia Stormwater Management Fund	0902
7	Department of Conservation and Recreation	199	Flood Prevention And Protection Assistance Fund	0910
8	Department of Conservation and Recreation	199	Va Land Conservation Fund - Restricted	0917
9	Department of Conservation and Recreation	199	Virginia Land Conservation Fund - Unrestricted	0918
10	Department of Conservation and Recreation	199	Soil/Water Conservation District Dam Maintenance Fund	0925
11	Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund	0934
12	Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund Reserve	0935
13	Department of Conservation and Recreation	199	Virginia Natural Resources Commitment Fund	0936
14	Department of Conservation and Recreation	199	VOF - Open-Space Lands Preservation Trust Fund	0958
15	Department of Education - Central Office Operations	201	Virginia Teaching Scholarship Loan Fund	0908
16	Department of Education - Central Office Operations	201	Families In Education Incentive Grants Fund	0912
17	Department of Education - Central Office Operations	201	Community-Based Intervention-Susp/Expelled Student	0915
18	Department of Education - Central Office Operations	201	Artists In The Classroom Grants Fund	0916
19	Department of Education - Central Office Operations	201	School-To-Work Transition Grants Fund	0932
20	Department of Education - Central Office Operations	201	National Teacher Certification Incentive Reward Pg	0940
21	Department of Professional and Occupational Regulation	222	Common Interest Community Management Information Fund	0259
22	Board of Accountancy	226	Board Of Accountancy Trust Fund	0202
23	Board of Accountancy	226	Dedicated Special Revenue	0900
24	Department of Minority Business Enterprise	232	Capital Access Fund For Disadvantaged Businesses	0901
25	State Board of Bar Examiners	233	Special Revenue	0200
26	State Council of Higher Education for Virginia	245	VA Undergrad/Vocational Incentive Scholarship Fund	0905
27	State Council of Higher Education for Virginia	245	Brown V Board Of Education Scholarship Pgm Fund	0912
28	Department of Rehabilitative Services	262	Statewide Independent Living Fund	0903
29	Department of Rehabilitative Services	262	Commonwealth Neurotrauma Initiative Trust Fund	0915
30	Department of Agriculture and Consumer Services	301	Contested Pesticide Penalties	0708
31	Department of Agriculture and Consumer Services	301	Tobacco Loss Assistance Program Fund	0710
32	Department of Agriculture and Consumer Services	301	Virginia Farm Loan Revolving Account	0716
33	Department of Agriculture and Consumer Services	301	Certification Of Agricultural Products Trust Fund	0729
34	Virginia Agricultural Council	307	Dedicated Special Revenue	0900
35	Chippokes Plantation Farm Foundation	319	Dedicated Special Revenue	0900
36	Department of Business Assistance	325	Capital Access Fund For Disadvantaged Businesses	0901

			Information Technology Employment	
1	Department of Business Assistance	325	Performance Grnt	0905
2	Department of Business Assistance	325	Workforce Retraining Fund	0909
3	Department of Business Assistance	325	Economic Development Loan Fund	0921
			Small Business Environmental	
4	Department of Business Assistance	325	Compliance Assistance Fund	0930
			VSBFA-Virginia Export Loan	
5	Department of Business Assistance	325	Guarantee Fund	0956
6	Department of Business Assistance	325	Virginia Small Business Growth Fund	0957
7	Marine Resources Commission	402	Forfeited Asset Sharing Program Fund	0265
			Marine Habitat And Waterways	
8	Marine Resources Commission	402	Improvement Fund	0916
9	Department of Game and Inland Fisheries	403	Boating Safety And Regulation	0902
10	Department of Game and Inland Fisheries	403	Non Game Cash Fund	0904
11	Department of Game and Inland Fisheries	403	Feed The Hungry Fund	0913
			Virginia Fish Passage Grant And	
12	Department of Game and Inland Fisheries	403	Revolving Loan Fund	0922
13	Virginia Racing Commission	405	Special Revenue	0200
14	Virginia Racing Commission	405	Virginia Breeders Fund	0220
	Department of Mines, Minerals and			
15	Energy	409	Exxon Oil Overcharge Fund	0738
	Department of Mines, Minerals and			
16	Energy	409	Moto Pool Surety Bonds	0751
	Department of Mines, Minerals and			
17	Energy	409	Coal Surface Mining Contl &	
	Department of Mines, Minerals and			
18	Energy	409	Gas And Oil Plugging And Restoration	
	Department of Mines, Minerals and			
19	Energy	409	Fund	0755
20	Department of Forestry	411	Orphaned Well Fund	0952
21	Department of Forestry	411	Forfeited Asset Sharing Program Fund	0265
			State Forests System Fund	0901
			Virginia's Natural Resources Trust	
22	Department of Forestry	411	Fund	0909
23	Department of Forestry	411	Virginia Forest Water Quality Fund	0926
24	Department of Historic Resources	423	Trust And Agency	0700
25	Department of Historic Resources	423	Historic Resources Fund	0910
26	Department of Historic Resources	423	Preservation Easement Fund	0927
27	Department of Environmental Quality	440	Operating Permits Program	0510
			Underground Petroleum Storage Tank	
28	Department of Environmental Quality	440	Fund	0748
			Dupont Shenandoah River Mercury	
29	Department of Environmental Quality	440	Monitoring	0755
30	Department of Environmental Quality	440	Waste Tire Trust Fund	0906
			Virginia Environmental Emergency	
31	Department of Environmental Quality	440	Response Fund	0907
32	Department of Environmental Quality	440	Air Pollution Permit Program	0909
			Virginia Waste Management Board	
33	Department of Environmental Quality	440	Permit Program Fund	0911
			State Water Control Board Permit	
34	Department of Environmental Quality	440	Program Fund	0914
			Marine Habitat And Waterways	
35	Department of Environmental Quality	440	Improvement Fund	0916
			Vehicle Emissions Inspection Program	
36	Department of Environmental Quality	440	Fund	0919
			VA Motor Vehicle Emission	
37	Department of Environmental Quality	440	Reduction Program Fund	0924
38	Department of Environmental Quality	440	Litter Control And Recycling Fund	0925
			Small Business Environmental	
39	Department of Environmental Quality	440	Compliance Assistance Fund	0930
			Virginia Water Quality Improvement	
40	Department of Environmental Quality	440	Fund	0934
			Virginia Water Quality Improvement	
41	Department of Environmental Quality	440	Fund Reserve	0935
42	Motor Vehicle Dealer Board	506	Motor Vehicle Dealer Board Fund	0212
			Waterworks Technical Assistance	
43	Department of Health	601	Fund	0248

			Virginia Pregnant Women Support Fund	0276
1	Department of Health	601		
2	Department of Health	601	Donations - Local Health Departments	0901
3	Department of Health	601	Trauma Center Fund	0902
			Virginia Transplant Council Education Fund	0905
4	Department of Health	601		
			Virginia Rescue Squads Assistance Fund	0910
5	Department of Health	601		
6	Department of Health	601	Water Supply Assistance Grant Fund	0922
			Radioactive Materials Facility	
7	Department of Health	601	Licensure/Inspec Fd	0931
			Medical And Physicans Assistant Scholarship And Loan Repayment Fund	0932
8	Department of Health	601		
			Nursing Scholarship And Loan Repayment Fund	0934
9	Department of Health	601		
			Nurse Practitioner Scholarship And Loan Repayment Fund	0936
10	Department of Health	601		
			Dental Scholarship & Loan Repayment Fd	0938
11	Department of Health	601		
	Department of Medical Assistance Services			
12		602	Uninsured Medical Catastrophe Fund	0910
	Department of Behavioral Health and Developmental Services			
13		720	Mental Health/Retard Substance Abuse Srvs Trust Fd	0908
14	Department of Social Services	765	Putative Father Registry Fund	0914
15	Department of Social Services	765	Home Energy Assistance Fund	0925
16	Department of Corrections	767	Drug Offender Access Fund	0953
17	Department of Corrections	795	Corrections Special Reserve Fund	0230
18	Department of Corrections	799	Ded Impact Funds	0230
19	Department of Corrections	799	Drug Offender Access Fund	0953
			Technology Initiative	
20	Tobacco Indemnification & Revitalization	851	Tobacco-Dependent Localities	0926
			Tobacco Indemnification/Community Revitalization	0942
21	Tobacco Indemnification & Revitalization	851		
22	Virginia Tobacco Settlement Fund	852	Virginia Tobacco Settlement Fund	0943
	Virginia Commission on Energy and Environment			
23		868	Virginia Commission On Energy & Environment Fund	0223
24	Dept of Veterans Services	912	Veterans Services Fund	0941
25	Sitter-Barfoot Veterans Care Center	922	Veterans Services Fund	0941
			Advanced Communications Assistance Fund	0265
26	Innovative Technology Authority	934		
27	Department of Fire Programs	960	Fire Programs Fund	0218
28	DPB - Central Appropriations - Admin	995	Texaco Oil Overcharge Fund	0734
29	DPB - Central Appropriations - Admin	995	Stripper Well Oil Overcharge Fund	0739
			Diamond Shamrock Oil Overcharge Fund	0740
30	DPB - Central Appropriations - Admin	995		
			Commonwealth Technology Research Fund	0951
31	Central Appropriations	995		
	Department of Accounts-Statewide Activity			
32		997	Drug Offender Access Fund	0953
	Department of Alcoholic Beverage Control			
33		999	Enterprise	0500
	Department of Alcoholic Beverage Control			
34		999	State Asset Forfeiture Fund	0533

35 B. If actual general fund transfers in any year exceed the amount shown for "transfers" in the resources available for
 36 appropriation from the general fund in the first enactment of this act, the interest earnings retained by the general fund as a
 37 result of this provision shall be capped at \$11,389,754 the first year and \$7,593,169 the second year. Any interest earnings
 38 above this amount will be distributed proportionately back to the nongeneral funds shown in this item.

39 C. It is the intent of the General Assembly that the retention of interest earnings by the general fund shall be phased out over
 40 a three-year period beginning in FY 2014.

41

1 **§ 3-4.00 AUXILIARY ENTERPRISES AND SPONSORED PROGRAMS IN INSTITUTIONS OF HIGHER EDUCATION**

2 § 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

3 A. The educational and general programs in institutions of higher education shall recover the full indirect cost of auxiliary
4 enterprise programs as determined by the State Council of Higher Education. The State Comptroller shall credit those
5 institutions meeting this requirement with the interest earned by the investment of the funds of their auxiliary enterprise
6 programs.

7 B. No interest shall be credited for that portion of the fund's cash balance that represents any outstanding loans due from the
8 State Treasurer. The provisions of this section shall not apply to the capital projects authorized under Items C-36.21 and
9 C-36.40 of Chapter 924, 1997 Acts of Assembly.

10 **§ 3-5.00 ADJUSTMENTS AND MODIFICATIONS TO TAX COLLECTIONS**

11 § 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT

12 Notwithstanding any other provision of law, the amount deposited to the Priority Transportation Trust Fund pursuant to
13 §58.1-2531 shall not be reduced by more than \$266,667 by any refund of the Tax Credit for Retaliatory Costs to Other States
14 available under §58.1-2510.

15 §3-5.02 PAYMENT OF AUTO RENTAL TAX TO THE GENERAL FUND

16 Notwithstanding the provisions of §58.1-1741, Code of Virginia, or any other provision of law, all revenues resulting from the
17 fee imposed under subdivision A3 of §58.1-1736, Code of Virginia, shall be deposited into the general fund after the direct
18 costs of administering the fee are recovered by the Department of Taxation.

19 § 3-5.03 IMPLEMENTATION OF CHAPTER 3, ACTS OF ASSEMBLY OF 2004, SPECIAL SESSION I

20 Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established
21 under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall
22 be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality
23 prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary
24 to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be
25 distributed to localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of
26 this Act. The estimated amount of such transfers are \$222,816,252 the first year and \$230,406,252 \$334,700,000 the second
27 year.

28 § 3-5.04 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT

29 A. The ~~\$50,000~~ *\$125,000* taxable year limitation on individual ~~tax credits~~ *donations* under the Neighborhood Assistance Act
30 pursuant to § 58.1-439.24 of the Code of Virginia shall not apply in any taxable year beginning in the relevant fiscal year of
31 the Commonwealth if, after an equitable allocation of tax credits under the Act of such relevant fiscal year, the total amount of
32 tax credits granted for all programs approved under the Act for such fiscal year was less than \$15.0 million.

33 B. For purposes of this section, the term "individual" means the same as that term is defined in § 58.1-302, but excluding any
34 individual included in the definition of a "business firm" as such term is defined in § 58.1-439.18.

35 § 3-5.05 RETAIL SALES & USE TAX EXEMPTION FOR INTERNET SERVICE PROVIDERS

36 Notwithstanding any other provision of law, for purchases made on or after July 1, 2006, any exemption from the retail sales
37 and use tax applicable to production, distribution, and other equipment used to provide Internet-access services by providers of
38 Internet service, as defined in § 58.1-602, Code of Virginia, shall occur as a refund request to the Tax Commissioner. The Tax
39 Commissioner shall develop procedures for such refunds.

40 § 3-5.06 DISPOSITION OF EXCESS FEES COLLECTED BY CLERKS OF THE CIRCUIT COURTS

41 Notwithstanding §§ 15.2-540, 15.2-639, 15.2-848, 17.1-285, and any other provision of law general or special, effective July 1,
42 2009, the Commonwealth shall be entitled to two-thirds of the excess fees collected by the clerks of the circuit courts as
43 required to be reported under § 17.1-283. In making the calculations of excess fees required by this paragraph the
44 Compensation Board shall exclude courts in the thirty-first judicial circuit, but pay them in accordance with § 17.1-285.

45 § 3-5.07 ACCELERATED SALES TAX

46 A. Notwithstanding any other provision of law, in addition to the amounts required under the provisions of §§58.1-615 and
47 58.1-616, any dealer as defined by §58.1-612 or direct payment permit holder pursuant to §58.1-624 with taxable sales and
48 purchases of \$1,000,000 or greater for the 12-month period beginning July 1, and ending June 30 of the immediately preceding

1 calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June.
 2 Such tax payments shall be made on or before the 30th day of June, if payments are made by electronic fund transfer, as
 3 defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before
 4 the 25th day of June. Every dealer or direct payment holder shall be entitled to a credit for the payment under this section on
 5 the return for June of the current year due July 20.

6 B. The Tax Commissioner may develop guidelines implementing the provisions of this section. Such guidelines shall be
 7 exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq.).

8 C. For purposes of this section, taxable sales or purchases shall be computed without regard to the number of certificates of
 9 registration held by the dealer. The provisions of this section shall not apply to persons who are required to file only a Form
 10 ST-7, Consumer's Use Tax Return.

11 D. In lieu of the penalties provided in § 58.1-635, except with respect to fraudulent returns, failure to make a timely payment
 12 or full payment of the sales and use tax liability as provided in subsection A shall subject the dealer or direct payment permit
 13 holder to a penalty of six percent of the amount of tax underpayment that should have been properly paid to the Tax
 14 Commissioner. Interest shall accrue as provided in § 58.1-15. The payment required by this section shall become delinquent on
 15 the first day following the due date set forth in this section if not paid.

16 E. Payments made pursuant to this section shall be made in accordance with procedures established by the Tax Commissioner
 17 and shall be considered general fund revenue, except with respect to those revenues required to be distributed under the
 18 provisions of §§ 58.1-605 and 58.1-606 of the Code of Virginia.

19 F. That the State Comptroller shall make no distribution of the taxes collected pursuant to this section in accordance with
 20 §§ 58.1-605, 58.1-606, 58.1-638, and 58.1-638.1 of the Code of Virginia until the Tax Commissioner makes a written
 21 certification to the Comptroller certifying the sales and use tax revenues generated pursuant to this section. The Tax
 22 Commissioner shall certify the sales and use tax revenues generated as soon as practicable after the sales and use tax revenues
 23 have been paid into the state treasury in any month for the preceding month. If the Governor determines on July 31 of each
 24 year, that funds are available to transfer such collections in accordance with §§ 58.1-638 and 58.1-638.1, Code of Virginia, he
 25 shall direct the State Comptroller to make such allocation. The Governor will report his determination to the Chairman of the
 26 House Appropriations and Senate Finance Committees on August 15 of each year.

27 G. 1. Beginning with the tax payment that would be remitted on or before June 25, 2012, if the payment is made by other
 28 than electronic transfer, and by June 30, 2012, if payments are made by electronic fund transfer, the provisions of § 3-5.08 of
 29 Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of
 30 \$26,000,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar
 31 year.

32 2. Beginning with the tax payment that would be remitted on or before June 25, 2014, if the payment is made by other than
 33 electronic transfer, and by June 30, 2014, if payments are made by electronic fund transfer, the provisions of § 3-5.08 of
 34 Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of
 35 \$48,500,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar
 36 year.

37 3. It is the intent of the General Assembly that the payment requirement contained herein be phased out beginning in fiscal
 38 year 2013 and the payment amount should continue to be reduced until fully eliminated not later than June 2021.

39 § 3-5.08 DISCOUNTS AND ALLOWANCES

40 A. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the
 41 compensation allowed under § 58.1-622, Code of Virginia, shall be suspended for any dealer required to remit the tax levied
 42 under §§ 58.1-603 and 58.1-604, Code of Virginia, by electronic funds transfer pursuant to § 58.1-202.1, Code of Virginia, and
 43 the compensation available to all other dealers shall be limited to the following percentages of the first three percent of the tax
 44 levied under §§ 58.1-603 and 58.1-604, Code of Virginia:

45 Monthly Taxable Sales	Percentage
46 \$0 to \$62,500	1.6%
47 \$62,501 to \$208,000	1.2%
48 \$208,001 and above	0.8%

49 B. Notwithstanding any other provision of law, effective beginning with the return for June 2010, due July 2010, the
 50 compensation available under §§ 58.1-642, 58.1-656, 58.1-1021.03, and 58.1-1730, Code of Virginia, shall be suspended.

51 C. Beginning with the return for June 2011, due July 2011, the compensation under § 58.1-1021.03 shall be reinstated.

1 § 3-5.09 SALES TAX COMMITMENT TO HIGHWAY MAINTENANCE AND OPERATING FUND

2 A. Beginning July 1, 2013, of the sales and use tax revenue remaining after the distributions required by § 58.1-638, Code of
3 Virginia, the sales and use tax revenue generated by a 0.05 percent sales and use tax rate shall be paid, in the manner provided
4 in this item, to the Highway Maintenance and Operating Fund.

5 B. In computing the amount of sales and use tax revenue paid under subsection A, the amount of such revenue attributable to
6 sales and use tax on food for human consumption, as defined in § 58.1-611.1, Code of Virginia, shall be excluded.

7 C. The Highway Maintenance and Operating Fund's share of the net revenue distributable under this section shall be computed
8 as an estimate of the net revenue to be received into the state treasury each month, and such estimated payment shall be
9 adjusted for the actual net revenue received in the preceding month. All payments shall be made to the Fund on the last day of
10 each month.

11 § 3-5.10 REGIONAL FUELS TAX

12 *Funds collected pursuant to § 58.1-2291 et seq., Code of Virginia, from the additional sales tax on fuel in certain*
13 *transportation districts under § 58.1-2291 et seq., Code of Virginia, shall be returned to the respective commissions in*
14 *amounts equivalent to the shares collected in the respective member jurisdictions. However, no funds shall be collected*
15 *pursuant to § 58.1-2291 et seq., Code of Virginia, from levying the additional sales tax on aviation fuel as that term is defined*
16 *in § 58.1-2201, Code of Virginia.*

17 § 3-5.11 INTANGIBLE HOLDING COMPANY ADBACK

18 *Notwithstanding the provisions of § 58.1-402(B)(8), Code of Virginia, for taxable years beginning on and after January 1,*
19 *2004:*

20 *(i) The exception in § 58.1-402(B)(8)(a)(1) for income that is subject to a tax based on or measured by net income or capital*
21 *imposed by Virginia, another state, or a foreign government shall be limited and apply only to the portion of such income*
22 *received by the related member, which portion is attributed to a state or foreign government in which the related member has*
23 *sufficient nexus to be subject to such taxes; and*

24 *(ii) The exception in § 58.1-402(B)(8)(a)(2) for a related member deriving at least one-third of its gross revenues from*
25 *licensing to unrelated parties shall be limited and apply only to the portion of such income derived from licensing agreements*
26 *for which the rates and terms are comparable to the rates and terms of agreements that the related member has actually*
27 *entered into with unrelated entities.*

28 **§ 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES**

29 § 3-6.01 RECORDATION TAX FEE

30 There is hereby assessed a twenty dollar fee on (i) every deed for which the state recordation tax is collected pursuant to
31 §§ 58.1-801 A and 58.1-803, Code of Virginia; and (ii) every certificate of satisfaction admitted under § 55-66.6, Code of
32 Virginia. The revenue generated from fifty percent of such fee shall be deposited to the general fund. The revenue generated
33 from the other fifty percent of such fee shall be deposited to the Virginia Natural Resources Commitment Fund, a subfund of
34 the Virginia Water Quality Improvement Fund, as established in § 10.1-2128.1, Code of Virginia. The funds deposited to this
35 subfund shall be disbursed for the agricultural best management practices cost share program, pursuant to § 10.1 - 2128.1,
36 Code of Virginia.

37 § 3-6.02 ANNUAL VEHICLE REGISTRATION FEE (\$4.25 FOR LIFE)

38 Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the
39 time of registration of each pickup or panel truck and each motor vehicle shall be \$6.25.

40 § 3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

41 Notwithstanding § 46.2-411 of the Code of Virginia, the drivers license reinstatement fee payable to the Trauma Center Fund
42 shall be \$100.

43 § 3-6.04 QUALIFIED EQUITY AND SUBORDINATED DEBT INVESTMENT TAX CREDIT

44 Notwithstanding any other provision of law, for taxable years beginning on or after January 1, 2006, the amount of the
45 Qualified Equity and Subordinated Debt Investments Tax Credit available under § 58.1-339.4, Code of Virginia, shall be
46 limited to \$3,000,000 for calendar years 2006 and thereafter, except that for taxable years beginning on or after January 1,
47 2010, and before December 31, 2010, the credit shall be capped at \$5,000,000. For taxable years beginning on and after
48 January 1, 2011, and before December 31, 2011, the amount of the Qualified Equity and Subordinated Debt Investments Tax
49 Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$3,000,000. For taxable years beginning on and after

1 January 1, 2012, and before December 31, 2012, the amount of the Qualified Equity and Subordinated Debt Investments Tax
2 Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$4,000,000. For taxable years beginning on or after
3 January 1, 2013, and before December 31, 2013 the amount of the Qualified Equity and Subordinated Debt Investment Tax
4 Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$4,500,000. For taxable years beginning on or after
5 January 1, 2014, and before December 31, 2014 the amount of the Qualified Equity and Subordinated Debt Investment Tax
6 Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$5,000,000.

7 § 3-6.05 DEPOSIT OF FINES AND FEES

8 A. The Auditor of Public Accounts shall annually calculate the amount of total fines and fees collected by the District Courts.
9 The Auditor of Public Accounts will determine those localities in which total local fines and fee collections exceed 50 percent
10 of the total collections. Using the Auditor of Public Accounts' calculation for fiscal year 2011, the State Comptroller shall
11 deduct half of the amount in excess of 50 percent from any current payment of local fines and fees before remitting to the
12 localities their remaining collections. When the State Comptroller has recovered in total, the half of the amount exceeding 50
13 percent, he shall pay all local collections monthly directly to the locality's treasury. The State Comptroller shall promptly and
14 without delay transmit any and all non-withheld local fees and fines to the locality's treasury not later than sixty (60) days after
15 these fines and fees were deposited and recorded in the state treasury by the District Courts. Furthermore, the State
16 Comptroller and the Executive Secretary of the Supreme Court shall work with the District Courts and the localities to develop
17 a process to provide the localities a complete accounting of when these fees were collected. The State Comptroller shall
18 deposit the withheld funds in the Literary Fund, as they become available.

19 B. The Auditor of Public Accounts shall provide the State Comptroller the annual calculation by May 1 of each year for future
20 withholdings. The State Comptroller will act as a fiscal agent, holding the amounts of local fine and fee collections in an
21 agency fund.

22 C.1. The Office of the State Inspector General shall contract for an independent evaluation of the type of court fines and fees
23 currently collected by Virginia state and local governments and the effect of the implementation of the provisions of
24 paragraphs A and B of this section on such collections. This evaluation shall also determine among other things: 1) the
25 magnitude of the court fines and fees collected by each source; 2) the distribution or uses of such fines and fees by each type;
26 3) factors influencing the determination of the application of specific court fines and fees and the ability within the current
27 system to substitute or switch one such court fine or fee for another; 4) the impact of the flexibility in application of such
28 court fines or fees, as determined previously in number 3, on deposits to the Literacy Fund over time; and 5) recommendations
29 for improving the present system to better account for the individual types of court fines and fees collected and to align such
30 collections with the assigned or statutory responsibilities of Virginia state and local governments, taking into account the
31 constitutional requirements governing the deposit of court fines into the Literary Fund for public school purposes.

32 2. All agencies within the Legislative, Judicial, and Executive Departments, as well as local government offices, shall assist the
33 Office of the State Inspector General and its contractor in providing information and data necessary to complete this
34 evaluation. The Office of the Inspector General shall provide an interim report on the findings of this evaluation to the
35 Governor and the Chairmen of the House Appropriations and Senate Finance Committees by December 1, 2012. There is
36 hereby transferred from the general fund an amount not to exceed \$200,000 in the first year to a special fund to be established
37 in the Office of the State Inspector General to conduct this independent evaluation.

PART 4: GENERAL PROVISIONS

§ 4-0.00 OPERATING POLICIES

§ 4-0.01 OPERATING POLICIES

a. Each appropriating act of the General Assembly shall be subject to the following provisions and conditions, unless specifically exempt elsewhere in this act.

b. All appropriations contained in this act, or in any other appropriating act of the General Assembly, are declared to be maximum appropriations and conditional on receipt of revenue.

c. The Governor, as chief budget officer of the state, shall ensure that the provisions and conditions as set forth in this section are strictly observed.

d. Public higher education institutions are not subject to the provisions of § 2.2-4800, Code of Virginia, or the provisions of the Department of Accounts' Commonwealth Accounting Policies and Procedures manual (CAPP) topic 20505 with regard to students who are veterans of the United States armed services and National Guard and are in receipt of federal educational benefits under the G.I. Bill. Public higher education shall establish internal procedures for the continued enrollment of such students to include resolution of outstanding accounts receivable.

§ 4-1.00 APPROPRIATIONS

§ 4-1.01 PREREQUISITES FOR PAYMENT

a. The State Comptroller shall not pay any money out of the state treasury except pursuant to appropriations in this act or in any other act of the General Assembly making an appropriation during the current biennium.

b. Moneys shall be spent solely for the purposes for which they were appropriated by the General Assembly, except as specifically provided otherwise by § 4-1.03 Appropriation Transfers, § 4-4.01 Capital Projects, or § 4-5.01 a. Settlement of Claims with Individuals. Should the Governor find that moneys are not being spent in accordance with provisions of the act appropriating them, he shall restrain the State Comptroller from making further disbursements, in whole or in part, from said appropriations. Further, should the Auditor of Public Accounts determine that a state or other agency is not spending moneys in accordance with provisions of the act appropriating them, he shall so advise the Governor or other governing authority, the State Comptroller, the Chairman of the Joint Legislative Audit and Review Commission, and Chairmen of the Senate Finance and House Appropriations Committees.

c. Exclusive of revenues paid into the general fund of the state treasury, all revenues earned or collected by an agency, and contained in an appropriation item to the agency shall be expended first during the fiscal year, prior to the expenditure of any general fund appropriation within that appropriation item, unless prohibited by statute or by the terms and conditions of any gift, grant or donation.

§ 4-1.02 WITHHOLDING OF SPENDING AUTHORITY

a. For purposes of this subsection, withholding of spending authority is defined as any action pursuant to a budget reduction plan approved by the Governor to address a declared shortfall in budgeted revenue that impedes or limits the ability to spend appropriated moneys, regardless of the mechanism used to effect such withholding.

b.1. Changed Expenditure Factors: The Governor is authorized to reduce spending authority, by withholding allotments of appropriations, when expenditure factors, such as enrollments or population in institutions, are smaller than the estimates upon which the appropriation was based. Moneys generated from the withholding action shall not be reallocated for any other purpose, provided the withholding of allotments of appropriations under this provision shall not occur until at least 15 days after the Governor has transmitted a statement of changed factors and intent to withhold moneys to the Chairmen of the House Appropriations and Senate Finance Committees.

2. Moneys shall not be withheld on the basis of reorganization plans or program evaluations until such plans or evaluations have been specifically presented in writing to the General Assembly at its next regularly scheduled session.

c. Increased Nongeneral Fund Revenue:

1. General fund appropriations to any state agency for operating expenses are supplemental to nongeneral fund revenues collected by the agency. To the extent that nongeneral fund revenues collected in a fiscal year exceed the estimate on which the operating budget was based, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an equivalent amount. However, this limitation shall not apply to (a) restricted excess tuition and fees for educational and general programs in the institutions of higher education, as defined in § 4-2.01 c of this act; (b) appropriations to institutions of higher education designated for fellowships, scholarships and loans; (c) gifts or grants which

- 1 are made to any state agency for the direct costs of a stipulated project; (d) appropriations to institutions for the mentally ill or
 2 intellectually disabled payable from the Behavioral Health and Developmental Services Revenue Fund; and (e) general fund
 3 appropriations for highway construction and mass transit. Moneys unallotted under this provision shall not be reallocated for
 4 any other purpose.
- 5 2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program,
 6 following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by
 7 withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is
 8 prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations,
 9 which are required to match grant funds. Moneys unallotted under this provision shall not be reallocated for any other purpose.
- 10 d. Reduced General Fund Resources:
- 11 1. The term "general fund resources" as applied in this subsection includes revenues collected and paid into the general fund of
 12 the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium,
 13 and all unexpended balances brought forward from the previous biennium.
- 14 2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund
 15 appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold
 16 general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the
 17 estimated general fund resources available.
- 18 3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current
 19 fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared
 20 within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of
 21 general fund revenues shall be communicated to the Chairmen of the Senate Finance, House Appropriations and House Finance
 22 Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.
- 23 4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the
 24 Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to
 25 the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.
- 26 b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State
 27 Comptroller shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3)
 28 sales taxes for the just-completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official
 29 budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate
 30 income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes
 31 in the official budget estimate for the just-completed fiscal year, the Governor shall prepare a written re-estimate of general
 32 fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported
 33 to the Chairmen of the Senate Finance, House Finance and House Appropriations Committees, not later than September 1
 34 following the close of the fiscal year.
- 35 5.a) The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved
 36 by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House
 37 Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be
 38 submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of
 39 appropriations.
- 40 b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state
 41 agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the
 42 Governor's Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be forwarded to the
 43 Chairmen of the House Appropriations and Senate Finance Committees concurrently with that budget reduction plan.
- 44 6. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:
- 45 a) More than 15 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of
 46 any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or
 47 nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and House
 48 Appropriations Committees. State agencies providing funds directly to grantees named in this act shall not apportion a larger
 49 cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.05 b.4. of this act, the
 50 remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation,
 51 shall be made by July 31, or in two equal installments, one payable by July 31 and the other payable by December 31, if the
 52 remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a
 53 different payment schedule.
- 54 b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies
 55 and its authorities, or for payment of a legally authorized deficit.

- 1 c) The payments for care of graves of Confederate dead.
- 2 d) The employer contributions, and employer-paid member contributions, to the Social Security System, Virginia Retirement
3 System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System,
4 Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional
5 Retirement Plan for Superintendents, the Volunteer Service Award Program, the Virginia Retirement System's group life
6 insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees
7 and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower
8 than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is
9 lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and
10 employee paid rates or contributions for health insurance and matching deferred compensation for state employees,
11 state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General
12 Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary
13 billing cycles that have been established by law or policy by the governing board.
- 14 e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.
- 15 f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.
- 16 g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund
17 source for payment of salaries and wages); however, the percentage of reduction shall be uniformly applied to all employees
18 within the Executive Department.
- 19 h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting
20 revenues for such appropriation are estimated to be insufficient to pay the appropriation.
- 21 7. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction
22 or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to
23 the maximum of 15 percent, as prescribed in subdivision 6a of this subsection.
- 24 8. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the
25 appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund
26 appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such
27 appropriations; however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund
28 sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next
29 biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the
30 Chairmen of the Senate Finance, House Finance, and House Appropriations Committees. For purposes of this subsection, major
31 nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.
- 32 9. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of
33 each year of the biennium, or within 20 days from that date, any available unexpended balances in other funds in the state
34 treasury, subject to the following:
- 35 a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a
36 fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of
37 such transfer within five calendar days of the transfer;
- 38 b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913,
39 Code of Virginia, debt service funds, or federal funds; and
- 40 c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the
41 amount transferred from each account or fund and recommendations for restoring such amounts.
- 42 10. The Director, Department of Planning and Budget, shall report spending authority withheld under the provisions of this
43 subsection to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the
44 action to withhold. Said report shall include the amount withheld by agency and appropriation item.
- 45 11. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between
46 projected general fund resources and appropriations, the Speaker of the House of Delegates and the President pro tempore of
47 the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the General
48 Assembly.

1 § 4-1.03 APPROPRIATION TRANSFERS

2 GENERAL

3 a. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority from one state
4 or other agency to another, to effect the following:

5 1) distribution of amounts budgeted in the central appropriation to agencies, or withdrawal of budgeted amounts from agencies
6 in accordance with specific language in the central appropriation establishing reversion clearing accounts;

7 2) distribution of pass-through grants or other funds held by an agency as fiscal agent;

8 3) correction of errors within this act, where such errors have been identified in writing by the Chairmen of the House
9 Appropriations and Senate Finance Committees;

10 4) proper accounting between fund sources 0100 and 0300 in higher education institutions;

11 5) transfers specifically authorized elsewhere in this act or as specified in the Code of Virginia;

12 6) to supplement capital projects in order to realize efficiencies or provide for cost overruns unrelated to changes in size or
13 scope; or

14 7) to administer a program for another agency or to effect budgeted program purposes approved by the General Assembly,
15 pursuant to a signed agreement between the respective agencies.

16 b. During any fiscal year, the Director, Department of Planning and Budget, may transfer appropriation authority within an
17 agency to effect proper accounting between fund sources and to effect program purposes approved by the General Assembly,
18 unless specifically provided otherwise in this act or as specified in the Code of Virginia. However, appropriation authority for
19 local aid programs and aid to individuals, with the exception of student financial aid, shall not be transferred elsewhere without
20 advance notice to the Chairmen of the House Appropriations and Senate Finance Committees. Further, any transfers between
21 capital projects shall be made only to realize efficiencies or provide for cost overruns unrelated to changes in size or scope.

22 c.1. In addition to authority granted elsewhere in this act, the Director, Department of Planning and Budget, may transfer
23 operating appropriations authority among sub-agencies within the Judicial System, the Department of Corrections, and the
24 Department of Behavioral Health and Developmental Services to effect changes in operating expense requirements which may
25 occur during the biennium.

26 2. The Director, Department of Planning and Budget, may transfer appropriations from the Department of Behavioral Health
27 and Developmental Services to the Department of Medical Assistance Services, consisting of the general fund amounts required
28 to match federal funds for reimbursement of services provided by its institutions and Community Services Boards.

29 3. The Director, Department of Planning and Budget, may transfer appropriations from the Office of Comprehensive Services
30 to the Department of Medical Assistance Services, consisting of the general fund amounts required to match federal funds for
31 reimbursement of services provided to eligible children.

32 4. The Director, Department of Planning and Budget, may transfer an appropriation or portion thereof within a state or other
33 agency, or from one such agency to another, to support changes in agency organization, program or responsibility enacted by
34 the General Assembly to be effective during the current biennium.

35 5. The Director, Department of Planning and Budget, may transfer appropriations from the second year to the first year, with
36 said transfer to be reported in writing to the Chairmen of the Senate Finance and House Appropriations Committees within five
37 calendar days of the transfer, when the expenditure of such funds is required to:

38 a) address a threat to life, safety, health or property, or

39 b) provide for unbudgeted cost increases for statutorily required services or federally mandated services, in order to continue
40 those services at the present level, or

41 c) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred
42 during a situation deemed threatening to life, safety, health, or property, or

43 d) provide for payments to the beneficiaries of certain public safety officers killed in the line of duty, as authorized in Title
44 2.2, Chapter 4, Code of Virginia and for payments to the beneficiaries of certain members of the National Guard and United
45 States military reserves killed in action in any armed conflict on or after October 7, 2001, as authorized in § 44-93.1 B., Code
46 of Virginia, or

47 e) continue a program at the present level of service or at an increased level of service when required to address unanticipated

- 1 increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or
- 2 f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided
3 that any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.
- 4 6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed
5 specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized
6 budgeting and accounting systems.
- 7 7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any
8 project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such
9 capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building
10 Authority.
- 11 8. In the event of the transition of a city to town status pursuant to the provisions of Chapter 41 of Title 15.2 of the Code of
12 Virginia (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of
13 Chapter 35 of Title 15.2, Code of Virginia (§ 15.2-3500 et seq.) subsequent to July 1, 1999, the provisions of § 15.2-1302
14 shall govern distributions from state agencies to the county in which the town is situated or to the consolidated city, and the
15 Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency,
16 or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

17 § 4-1.04 APPROPRIATION INCREASES

18 a. UNAPPROPRIATED NONGENERAL FUNDS:

19 1. Sale of Surplus Materials:

20 The Director, Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by
21 the amount of credit resulting from the sale of surplus materials under the provisions of § 2.2-1125, Code of Virginia.

22 2. Insurance Recovery:

23 The Director, Department of Planning and Budget, shall increase the appropriation authority for any state agency by the
24 amount of the proceeds of an insurance policy or from the State Insurance Reserve Trust Fund, for expenditures as far as may
25 be necessary, to pay for the repair or replacement of lost, damaged or destroyed property, plant or equipment.

26 3. Gifts, Grants and Other Nongeneral Funds:

27 a) Subject to § 4-1.02 c, Increased Nongeneral Fund Revenue, and the conditions stated in this section, the Director,
28 Department of Planning and Budget, is hereby authorized to increase the appropriations to any state agency by the amount of
29 the proceeds of donations, gifts, grants or other nongeneral funds paid into the state treasury in excess of such appropriations
30 during a fiscal year. Such appropriations shall be increased only when the expenditure of moneys is authorized elsewhere in
31 this act or is required to:

32 1) address a threat to life, safety, health or property or

33 2) provide for unbudgeted increases in costs for services required by statute or services mandated by the federal government, in
34 order to continue those services at the present level or implement compensation adjustments approved by the General
35 Assembly, or

36 3) provide for payment of overtime salaries and wages, when the obligations for payment of such overtime were incurred
37 during a situation deemed threatening to life, safety, health, or property, or

38 4) continue a program at the present level of service or at an increased level of service when required to address unanticipated
39 increases in noncredit instruction at institutions of higher education or business and industrial development opportunities which
40 will benefit the state's economy, or

41 5) participate in a federal or sponsored program *provided that the provisions of § 4-5.03 shall also apply to increases in*
42 *appropriations for additional gifts, grants, and other nongeneral fund revenue which require a general fund match as a*
43 *condition of their acceptance, or*

44 6) realize cost savings in excess of the additional funds provided, or

45 7) permit a state agency or institution to use a donation, gift or grant for the purpose intended by the donor, or

46 8) provide for cost overruns on capital projects and for capital projects authorized under § 4-4.01 m of this act, or

- 1 9) address caseload or workload changes in programs approved by the General Assembly.
- 2 b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.
- 3 c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from
4 donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and
5 verify their accuracy, as part of the budget planning and review process.
- 6 d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the
7 Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the
8 purpose for which it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject
9 to the provisions of §§ 4-2.03 Indirect Costs, 4-4.01 Capital Projects General, and 4-5.03 b Services and Clients-New Services,
10 of this act.
- 11 e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations,
12 Gifts, Grants, and Contracts of this act.
- 13 4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of
14 the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director,
15 Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. Revenues
16 deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly
17 specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director
18 shall make a listing of such transactions available to the public via electronic means no less than ten business days following
19 the approval of the appropriation of any such balance.
- 20 5. Reporting:
- 21 The Director, Department of Planning and Budget, shall report on increases in unappropriated nongeneral funds in accordance
22 with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.
- 23 b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS
- 24 The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the
25 purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent
26 of any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent
27 of the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund
28 appropriations for the Department of Corrections.
- 29 § 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS
- 30 a. GENERAL FUND OPERATING EXPENSE:
- 31 1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of
32 the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of
33 Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable,
34 in the determination of the Governor, to address any of the six conditions listed in § 4-1.03 c.5 of this act or to provide
35 financial incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general
36 fund appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or
37 institutions of higher education, all other such unexpended general fund appropriations unexpended on the last day of the
38 previous biennium or the last day of the first year of the current biennium shall revert to the general fund.
- 39 General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent Agencies
40 shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund
41 appropriations shall also be reappropriated for institutions of higher education, subject to § 2.2-5005, Code of Virginia.
- 42 2. a. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the
43 Senate Finance and House Appropriations Committees on the reappropriated amounts for each state agency in the Executive
44 Department. He shall provide a preliminary report of reappropriation actions on or before November 1 and a final report on or
45 before December 20 to the Chairmen of the House Appropriations and Senate Finance Committees.
- 46 b. The Director, Department of Planning and Budget, may transfer reappropriated amounts within an agency to cover
47 nonrecurring costs.
- 48 3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with
49 management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having
50 jurisdiction over the agency or institution, acting jointly.

1 4. The general fund resources available for appropriation in the first enactment of this act include the reversion of certain
 2 unexpended balances in operating appropriations as of June 30 of the prior fiscal year, which were otherwise required to be
 3 reappropriated by language in the Appropriation Act.

4 5. Upon request, the Director, Department of Planning and Budget, shall provide a report to the Chairmen of the House
 5 Appropriations and Senate Finance Committees showing the amount reverted for each agency and the total amount of such
 6 reversions.

7 b. NONGENERAL FUND OPERATING EXPENSE:

8 Based on analysis by the State Comptroller, when any nongeneral fund has had no increases or decreases in fund balances for
 9 a period of 24 months, the State Comptroller shall promptly transfer and pay the balance into the fund balance of the general
 10 fund. If it is subsequently determined that an appropriate need warrants repayment of all or a portion of the amount transferred,
 11 the Director, Department of Planning and Budget shall include repayment in the next budget bill submitted to the General
 12 Assembly. This provision does not apply to funds held in trust by the Commonwealth.

13 c. CAPITAL PROJECTS:

14 1. Upon certification by the Director, Department of Planning and Budget, the State Comptroller is hereby authorized to revert
 15 to the fund balance of the general fund any portion of the unexpended general fund cash balance and corresponding
 16 appropriation or reappropriation for a capital project when the Director determines that such portion is not needed for
 17 completion of the project. The State Comptroller may similarly return to the appropriate fund source any part of the
 18 unexpended nongeneral fund cash balance and reduce any appropriation or reappropriation which the Director determines is not
 19 needed to complete the project.

20 2. The unexpended general fund cash balance and corresponding appropriation or reappropriation for capital projects shall
 21 revert to and become part of the fund balance of the general fund during the current biennium as of the date the Director,
 22 Department of Planning and Budget, certifies to the State Comptroller that the project has been completed in accordance with
 23 the intent of the appropriation or reappropriation and there are no known unpaid obligations related to the project. The State
 24 Comptroller shall return the unexpended nongeneral fund cash balance, if there be any, for such completed project to the
 25 source from which said nongeneral funds were obtained. Likewise, he shall revert an equivalent portion of the appropriation or
 26 reappropriation of said nongeneral funds.

27 3. The Director, Department of Planning and Budget, may direct the restoration of any portion of the reverted amount if he
 28 shall subsequently verify an unpaid obligation or requirement for completion of the project. In the case of a capital project for
 29 which an unexpended cash balance was returned and appropriation or reappropriation was reverted in the prior biennium, he
 30 may likewise restore any portion of such amount under the same conditions.

31 § 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

32 a. LIMITED CONTINUATION OF APPROPRIATIONS.

33 Notwithstanding any contrary provision of law, any unexpended balances on the books of the State Comptroller as of the last
 34 day of the previous biennium shall be continued in force for such period, not exceeding 10 days from such date, as may be
 35 necessary in order to permit payment of any claims, demands or liabilities incurred prior to such date and unpaid at the close
 36 of business on such date, and shown by audit in the Department of Accounts to be a just and legal charge, for values received
 37 as of the last day of the previous biennium, against such unexpended balances.

38 b. LIMITATIONS ON CASH DISBURSEMENTS.

39 Notwithstanding any contrary provision of law, the State Comptroller may begin preparing the accounts of the Commonwealth
 40 for each subsequent fiscal year on or about 10 days before the start of such fiscal year. The books will be open only to enter
 41 budgetary transactions and transactions that will not require the receipt or disbursement of funds until after June 30. Should an
 42 emergency arise, or in years in which July 1 falls on a weekend requiring the processing of transactions on or before June 30,
 43 the State Comptroller may, with notification to the Auditor of Public Accounts, authorize the disbursement of funds drawn
 44 against appropriations of the subsequent fiscal year, not to exceed the sum of three million dollars (\$3,000,000) from the
 45 general fund. This provision does not apply to debt service payments on bonds of the Commonwealth which shall be made in
 46 accordance with bond documents, trust indentures, and/or escrow agreements.

47 § 4-1.07 ALLOTMENTS

48 Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority,
 49 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and
 50 Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia,
 51 and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if

1 the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the
2 head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and
3 Budget, under this section.

4 § 4-2.00 REVENUES

5 § 4-2.01 NONGENERAL FUND REVENUES

6 a. SOLICITATION AND ACCEPTANCE OF DONATIONS, GIFTS, GRANTS, AND CONTRACTS:

7 1. No state agency shall solicit or accept any donation, gift, grant, or contract without the written approval of the Governor
8 except under written guidelines issued by the Governor which provide for the solicitation and acceptance of nongeneral funds,
9 except that donations or gifts to the Virginia War Memorial Foundation that are small in size and number and valued at less
10 than \$5,000, such as library items or small display items, may be approved by the Executive Director of the Virginia War
11 Memorial in consultation with the Secretary of Veterans Affairs and Homeland Security. All other gifts and donations to the
12 Virginia War Memorial Foundation must receive written approval from the Secretary of Veterans Affairs and Homeland
13 Security.

14 2. The Governor may issue policies in writing for procedures which allow state agencies to solicit and accept nonmonetary
15 donations, gifts, grants, or contracts except that donations, gifts and grants of real property shall be subject to § 4-4.00 of this
16 act and § 2.2-1149, Code of Virginia. This provision shall apply to donations, gifts and grants of real property to endowment
17 funds of institutions of higher education, when such endowment funds are held by the institution in its own name and not by a
18 separately incorporated foundation or corporation.

19 3. The preceding subdivisions shall not apply to property and equipment acquired and used by a state agency or institution
20 through a lease purchase agreement and subsequently donated to the state agency or institution during or at the expiration of
21 the lease purchase agreement, provided that the lessor is the Virginia College Building Authority.

22 4. The use of endowment funds for property, plant or equipment for state-owned facilities is subject to §§ 4-2.03 Indirect
23 Costs, 4-4.01 Capital Projects-General and 4-5.03 Services and Clients of this act.

24 b. HIGHER EDUCATION TUITION AND FEES

25 1. Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, all nongeneral fund collections by public
26 institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state
27 treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance
28 with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts,
29 endowment funds, or income derived from endowments and gifts.

30 2. a) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at
31 levels they deem to be appropriate for all resident student groups based on, but not limited to, competitive market rates,
32 provided that the total revenue generated by the collection of tuition and fees from all students is within the nongeneral fund
33 appropriation for educational and general programs provided in this act.

34 b) The Boards of Visitors or other governing bodies of institutions of higher education may set tuition and fee charges at
35 levels they deem to be appropriate for all nonresident student groups based on, but not limited to, competitive market rates,
36 provided that: i) the tuition and mandatory educational and general fee rates for nonresident undergraduate and graduate
37 students cover at least 100 percent of the average cost of their education, as calculated through base adequacy guidelines
38 adopted, and periodically amended, by the Joint Subcommittee Studying Higher Education Funding Policies, and ii) the total
39 revenue generated by the collection of tuition and fees from all students is within the nongeneral fund appropriation for
40 educational and general programs provided in this act.

41 c) For institutions charging nonresident students less than 100 percent of the cost of education, the State Council of Higher
42 Education for Virginia may authorize a phased approach to meeting this requirement, when in its judgment, it would result in
43 annual tuition and fee increases for nonresident students that would discourage their enrollment.

44 d) The Boards of Visitors or other governing bodies of institutions of higher education shall not increase the current proportion
45 of nonresident undergraduate students if the institution's nonresident undergraduate enrollment exceeds 25 percent. Norfolk
46 State University, Virginia Military Institute, Virginia State University, and two-year public institutions are exempt from this
47 restriction.

48 3. a) In setting the nongeneral fund appropriation for educational and general programs at the institutions of higher education,
49 the General Assembly shall take into consideration the appropriate student share of costs associated with providing full funding
50 of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to
51 the 60th percentile of peer institutions, and other priorities set forth in this act.

52 b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to

- 1 cover at least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced
2 in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and
3 other priorities set forth in this act.
- 4 4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as
5 well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities
6 to citizens of Virginia is served, while recognizing the material contributions provided by the presence of nonresident students.
7 The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student
8 enrollments and the domiciliary status of students.
- 9 b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House
10 Appropriations and Senate Finance Committees no later than August 1 of each year the annual change in total charges for
11 tuition and all required fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of
12 Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed
13 students for tuition and required fees at institutions outside of the Commonwealth.
- 14 c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003
15 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology
16 resources at the institutions of higher education.
- 17 d) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, each institution shall work with the State
18 Council of Higher Education for Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee
19 estimates for tuition savings plans.
- 20 5. a) It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within
21 its educational and general program closely approximate the anticipated annual budget each fiscal year.
- 22 b) In coordination with the institutions, the State Council of Higher Education for Virginia shall report no later than August 1
23 of each year on the estimated amount of revenue each institution expects to collect from tuition and mandatory educational and
24 general fees during the fiscal year.
- 25 c) This report shall serve as the foundation for any administrative increase in nongeneral fund appropriations within the
26 institutions' educational and general programs that is approved by the Director, Department of Planning and Budget, pursuant
27 to the authority provided in § 4-1.04 of this act.
- 28 d) Each institution must notify the Director, State Council of Higher Education for Virginia, prior to requesting an
29 administrative increase to the nongeneral fund appropriation for tuition and fee revenue within its educational and general
30 program. Within 30 days of receiving such notification, the Director of the State Council of Higher Education for Virginia
31 shall review and provide comment, as necessary, to the Director, Department of Planning and Budget. The Director,
32 Department of Planning and Budget, shall evaluate the institution's request along with any comments received from the
33 Director, State Council of Higher Education for Virginia, prior to taking action on the requested administrative increase.
- 34 e) In consultation with the Director, Department of Planning and Budget, the Director, State Council of Higher Education for
35 Virginia, shall include a summary of all requested and approved administrative increases to nongeneral fund appropriations for
36 tuition and fee revenue within the educational and general programs of the institutions of higher education as part of the
37 annual nongeneral fund revenue report.
- 38 f) In consultation with the Department of Planning and Budget and the State Council of Higher Education for Virginia, the
39 Governor shall reconcile actual nongeneral fund expenditures with nongeneral fund appropriations included in the act and
40 recommend technical adjustments, as he deems appropriate, in submitting his budget amendments prior to the next General
41 Assembly session.
- 42 6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants
43 and paid at an annual contract rate of \$4,000 or more may be considered resident students for the purposes of charging tuition
44 and fees.
- 45 7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education
46 includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the
47 construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the
48 Commonwealth of Virginia Educational Facilities Bond Act of 2002.
- 49 8. a) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, mandatory fees for purposes other than
50 educational and general programs shall not be increased for Virginia undergraduates beyond five percent annually, excluding
51 requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to
52 carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on
53 the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance
54 Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

- 1 b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the
 2 General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the
 3 General Assembly.
- 4 c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia
 5 Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified case-by-case
 6 basis, subject to approval by the State Board for Community Colleges.
- 7 9. Any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the
 8 Code of Virginia must absorb the cost of any discretionary waivers.
- 9 10. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional
 10 Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to
 11 those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.
- 12 c. HIGHER EDUCATION PLANNED EXCESS REVENUES:
- 13 An institution of higher education, except for those public institutions governed by Chapters 933 and 943 of the 2006 Acts of
 14 Assembly, may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition
 15 and Fees, subject to the following:
- 16 1. Such revenues are identified by language in the appropriations in this act to any such institution.
- 17 2. The use of such moneys is fully documented by the institution to the Governor prior to each fiscal year and prior to
 18 allotment.
- 19 3. The moneys are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as
 20 the basis for funding in subsequent biennia.
- 21 4. The receipt and expenditure of these moneys shall be recorded as restricted funds on the books of the Department of
 22 Accounts and shall not revert to the surplus of the general fund at the end of the biennium.
- 23 5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of
 24 § 4-1.04 a.3 Gifts, Grants, and Other Nongeneral Funds of this act.
- 25 § 4-2.02 GENERAL FUND REVENUE
- 26 a. STATE AGENCY PAYMENTS INTO GENERAL FUND:
- 27 1. Except as provided in § 4-2.02 a.2., all moneys, fees, taxes, charges and revenues received at any time by the following
 28 agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:
- 29 a) Marine Resources Commission, from all sources, except:
- 30 1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.
- 31 2) Revenue payable to the Virginia Marine Products Fund established by § 3.2-2705, Code of Virginia.
- 32 3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of
 33 Virginia.
- 34 4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.
- 35 5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.
- 36 b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws
 37 under Title 40.1, Code of Virginia.
- 38 2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code
 39 of Virginia.
- 40 c) All state institutions for the mentally ill or intellectually disabled, from fees or per diem paid employees for the performance
 41 of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff
 42 member of any such institution when summoned as a witness in any court.
- 43 d) Secretary of the Commonwealth, from all sources.

1 e) The Departments of Corrections, Juvenile Justice, and Correctional Education, as required by law, including revenues from
2 sales of dairy and other farm products.

3 f) Auditor of Public Accounts, from charges for audits or examinations when the law requires that such costs be borne by the
4 county, city, town, regional government or political subdivision of such governments audited or examined.

5 g) Department of Education, from repayment of student scholarships and loans, except for the cost of such collections.

6 h) Department of the Treasury, from the following source:

7 Fees collected for handling cash and securities deposited with the State Treasurer pursuant to § 46.2-454, Code of Virginia.

8 i) Attorney General, from recoveries of attorneys' fees and costs of litigation.

9 j) Department of Social Services, from net revenues received from child support collections after all disbursements are made in
10 accordance with state and federal statutes and regulations, and the state's share of the cost of administering the programs is
11 paid.

12 k) Department of General Services, from net revenues received from refunds of overpayments of utilities charges in prior fiscal
13 years, after deduction of the cost of collection and any refunds due to the federal government.

14 l) Without regard to paragraph e) above, the following revenues shall be excluded from the requirement for deposit to the
15 general fund and shall be deposited as follows: (1) payments to Virginia Correctional Enterprises shall be deposited into the
16 Virginia Correctional Enterprises Fund; (2) payments to the Departments of Corrections, Juvenile Justice and Correctional
17 Education for work performed by inmates, work release prisoners, probationers or wards, which are intended to cover the
18 expenses of these inmates, work release prisoners, probationers, or wards, shall be retained by the respective agencies for their
19 use; and (3) payments to the Department of Correctional Education for work performed shall be retained by the agency to
20 increase vocational training activities and to purchase work tools and work clothes for inmates, upon release.

21 2. The provisions of § 4-2.02 a.1. State Agency Payments into General Fund shall not apply to proceeds from the sale of
22 surplus materials pursuant to § 2.2-1125, Code of Virginia. However, the State Comptroller is authorized to transfer to the
23 general fund of the state treasury, out of the credits under § 4-1.04 a.1 Unappropriated Nongeneral Funds - Sale of Surplus
24 Materials of this act, sums derived from the sale of materials originally purchased with general fund appropriations. The State
25 Comptroller may authorize similar transfers of the proceeds from the sale of property not subject to § 2.2-1124, Code of
26 Virginia, if said property was originally acquired with general fund appropriations, unless the General Assembly provides
27 otherwise.

28 m) Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the
29 safekeeping and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance
30 Collateral Assessment Fund to defray such safekeeping and handling expenses.

31 n)1. Unless otherwise specifically required to ensure compliance with federal or state law, regulation, court order, or court rule,
32 and only to the extent thereof, each settlement under subsection A. of § 2.2-514, Code of Virginia, that provides for the
33 payment, conveyance, grant, forfeiture, assignment, or other distribution of moneys or of any real, tangible, or intangible
34 property to settle the Commonwealth's interest shall provide that such moneys or property be deposited or assigned for deposit
35 into the general fund of the state treasury to be appropriated as determined by the General Assembly. The provisions of this
36 paragraph shall only apply to such settlements in favor of the Commonwealth and shall apply to both civil and criminal
37 matters.

38 2. The provisions of this paragraph shall not apply to any settlement (a) in which the total value of such moneys or property
39 does not exceed \$250,000, (b) in which the entire amount of the settlement is for services provided or for property sold or
40 provided under a contract, (c) involving the interest of the Virginia Retirement System, or (d) for an act or practice covered by
41 the Virginia Consumer Protection Act (§ 59.1-196 et. seq., Code of Virginia) or the Virginia Antitrust Act (§ 59.1-9.1 et. seq.,
42 Code of Virginia).

43 b. DEFINITION OF GENERAL FUND REVENUE FOR PERSONAL PROPERTY RELIEF ACT

44 Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536,
45 Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and
46 interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1,
47 Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and
48 property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited
49 to the general fund of the state treasury pursuant to § 4-2.02 a.1., of this act. However, in no case shall (i) lump-sum
50 payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale
51 of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524
52 and subsection B of § 58.1-3536, Code of Virginia.

1 c. DATE OF RECEIPT OF REVENUES:

2 All June general fund collections received under Subtitle I of Title 58.1, Code of Virginia, bearing a postmark date or
3 electronic transactions with a settlement or notification date on or before the first business day in July, when June 30 falls on a
4 Saturday or Sunday, shall be considered as June revenue and recorded under guidelines established annually by the Department
5 of Accounts.

6 § 4-2.03 INDIRECT COSTS

7 a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:

8 Each state agency, including institutions of higher education, which accepts a grant or contract shall recover full statewide and
9 agency indirect costs unless prohibited by the grantor agency or exempted by provisions of this act.

10 b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:

11 The following conditions shall apply to indirect cost recoveries received by all agencies other than institutions of higher
12 education:

13 1. The Governor shall include in the recommended nongeneral fund appropriation for each agency in this act the amount which
14 the agency includes in its revenue estimate as an indirect cost recovery. The recommended nongeneral fund appropriations
15 shall reflect the indirect costs in the program incurring the costs.

16 2. If actual agency indirect cost recoveries exceed the nongeneral fund amount appropriated in this act, the Director,
17 Department of Planning and Budget, is authorized to increase the nongeneral fund appropriation to the agency by the amount
18 of such excess indirect cost recovery. Such increase shall be made in the program incurring the costs.

19 3. Statewide indirect cost recoveries shall be paid into the general fund of the state treasury, unless the agency is specifically
20 exempted from this requirement by language in this act. Any statewide indirect cost recoveries received by the agency in
21 excess of the exempted sum shall be deposited to the general fund of the state treasury.

22 c. INSTITUTIONS OF HIGHER EDUCATION:

23 The following conditions shall apply to indirect cost recoveries received by institutions of higher education:

24 1. Seventy percent shall be retained by the institution as an appropriation of moneys for the conduct and enhancement of
25 research and research-related requirements. Such moneys may be used for payment of principal of and interest on bonds issued
26 by or for the institution pursuant to § 23-19, Code of Virginia, for any appropriate purpose of the institution, including, but not
27 limited to, the conduct and enhancement of research and research-related requirements.

28 2. Thirty percent of the indirect cost recoveries for the level of sponsored programs authorized in the appropriations in Part 1
29 of Chapter 1042 of the Acts of Assembly of 2003, shall be included in the educational and general revenues of the institution
30 to meet administrative costs.

31 3. Institutions of higher education may retain 100 percent of the indirect cost recoveries related to research grant and contract
32 levels in excess of the levels authorized in Chapter 1042 of the Acts of Assembly of 2003. This provision is included as an
33 additional incentive for increasing externally funded research activities.

34 d. REPORTS

35 The Director, Department of Planning and Budget, shall report to the Chairmen of the Senate Finance and House
36 Appropriations Committees no later than September 1 of each year on the indirect cost recovery moneys administratively
37 appropriated.

38 e. REGULATIONS:

39 The State Comptroller is hereby authorized to issue regulations to carry out the provisions of this subsection, including the
40 establishment of criteria to certify that an agency is in compliance with the provisions of this subsection.

41 **§ 4-3.00 DEFICIT AUTHORIZATION AND TREASURY LOANS**

42 § 4-3.01 DEFICITS

43 a. GENERAL:

44 1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund
45 appropriations under the provisions of this act shall obligate or expend moneys in excess of its general fund appropriations, nor

1 shall it obligate or expend moneys in excess of nongeneral fund revenues that are collected and appropriated.

2 2. The Governor is authorized to approve deficit funding for a state agency under the following conditions:

3 a) an unanticipated federal or judicial mandate has been imposed,

4 b) insufficient moneys are available in the first year of the biennium for start-up of General Assembly-approved action, or

5 c) delay pending action by the General Assembly at its next legislative session will result in the curtailment of services
6 required by statute or those required by federal mandate or will produce a threat to life, safety, health or property.

7 d) Such approval by the Governor shall be in writing under the conditions described in § 4-3.02 a Authorized Deficit Loans of
8 this act and shall be promptly communicated to the Chairmen of the House Appropriations and Senate Finance Committees
9 within five calendar days of deficit approval.

10 3. Deficits shall not be authorized for capital projects.

11 4. The Department of Transportation may obligate funds in excess of the current biennium appropriation for projects of a
12 capital nature not covered by § 4-4.00 Capital Projects, of this act provided such projects a) are delineated in the Virginia
13 Transportation Six-Year Improvement Program, as approved by the Commonwealth Transportation Board; and b) have
14 sufficient cash allocated to each such project to cover projected costs in each year of the Program; and provided that c)
15 sufficient revenues are projected to meet all cash obligations for such projects as well as all other commitments and
16 appropriations approved by the General Assembly in the biennial budget.

17 b. UNAUTHORIZED DEFICITS: If any agency contravenes any of the prohibitions stated above, thereby incurring an
18 unauthorized deficit, the Governor is hereby directed to withhold approval of such excess obligation or expenditure. Further,
19 there shall be no reimbursement of said excess, nor shall there be any liability or obligation upon the state to make any
20 appropriation hereafter to meet such unauthorized deficit. Further, those members of the governing board of any such agency
21 who shall have voted therefor, or its head if there be no governing board, making any such excess obligation or expenditure
22 shall be personally liable for the full amount of such unauthorized deficit and, at the discretion of the Governor, shall be
23 deemed guilty of neglect of official duty and be subject to removal therefor. Further, the State Comptroller is hereby directed
24 to make public any such unauthorized deficit, and the Director, Department of Planning and Budget, is hereby directed to set
25 out such unauthorized deficits in the next biennium budget. In addition, the Governor is directed to bring this provision of this
26 act to the attention of the members of the governing board of each state agency, or its head if there be no governing board,
27 within two weeks of the date that this act becomes effective. The governing board or the agency head shall execute and return
28 to the Governor a signed acknowledgment of such notification.

29 c. TOTAL AUTHORIZED DEFICITS: The amount which the Governor may authorize, under the provisions of this section
30 during the current biennium, to be expended from loans repayable out of the general fund of the state treasury, for all state
31 agencies, or other agencies combined, in excess of general fund appropriations for the current biennium, shall not exceed one
32 and one-half percent (1 1/2%) of the revenues collected and paid into the general fund of the state treasury as defined in
33 § 4-2.02 b. of this act during the last year of the previous biennium and the first year of the current biennium.

34 d. The Governor shall report any such authorized and unauthorized deficits to the Chairmen of the House Appropriations and
35 Senate Finance Committees within five calendar days of deficit approval. By August 15 of each year, the Governor shall
36 provide a comprehensive report to the Chairmen of the House Appropriations and Senate Finance Committees detailing all
37 such deficits.

38 § 4-3.02 TREASURY LOANS

39 a. AUTHORIZED DEFICIT LOANS: A state agency requesting authorization for deficit spending shall prepare a plan for the
40 Governor's review and approval, specifying appropriate financial, administrative and management actions necessary to eliminate
41 the deficit and to prevent future deficits. If the Governor approves the plan and authorizes a state agency to incur a deficit
42 under the provisions of this section, the amount authorized shall be obtained by the agency by borrowing the authorized
43 amount on such terms and from such sources as may be approved by the Governor. At the close of business on the last day of
44 the current biennium, any unexpended balance of such loan shall be applied toward repayment of the loan, unless such action
45 is contrary to the conditions of the loan approval. The Director, Department of Planning and Budget, shall set forth in the next
46 biennial budget all such loans which require an appropriation for repayment. A copy of the approved plan to eliminate the
47 deficit shall be transmitted to the Chairmen of the House Appropriations and the Senate Finance Committees within five
48 calendar days of approval.

49 b. ANTICIPATION LOANS: Authorization for anticipation loans are limited to the provisions below.

50 1.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund
51 revenues, any state agency may borrow from the state treasury the required sums with the prior written approval of the
52 Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans shall not exceed the
53 amount of the anticipated collections of such revenues and shall be repaid only from such revenues when collected.

- 1 b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund
2 revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation
3 and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the
4 Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond
5 proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be
6 repaid only from such proceeds when collected.
- 7 2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the
8 minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating
9 expenses shall not exceed twelve months.
- 10 3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital
11 project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.
- 12 4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to
13 meet the projected expenditures for the project within the current biennium.
- 14 5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall
15 monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from
16 authorized debt and have anticipation loans.
- 17 6. Unless otherwise prohibited by federal or state law, the State Treasurer shall charge current market interest rates on
18 anticipation loans made for operating purposes and capital projects subject to the following:
- 19 a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt
20 from interest payments on borrowed balances.
- 21 b) Interest payments on anticipation loans for nongeneral fund capital projects or nongeneral fund operating expenses shall be
22 made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or
23 from the proceeds of authorized debt without the approval of the State Treasurer.
- 24 c) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and
25 Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each
26 loan.
- 27 c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED
28 UNDER § 4-4.01M: Authorization for anticipation loans for projects not included in this act or for projects authorized under
29 § 4-4.01 m are limited to the provisions below:
- 30 1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.
- 31 2.a) When the payment of authorized obligations for operating expenses is required prior to the collection of nongeneral fund
32 revenues, any state agency may borrow from the state treasury the required sum with the prior written approval of the
33 Secretary of Finance or his designee as to the amount, terms, and sources of such funds. Such loans shall not exceed the
34 amount of the anticipated collections of such nongeneral fund revenues and shall be repaid only from such nongeneral fund
35 revenues when collected.
- 36 b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 m is required prior to the
37 collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and
38 government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the
39 Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from
40 nongeneral fund revenues associated with the project.
- 41 3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the
42 minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses
43 shall not exceed 12 months.
- 44 4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 m, the agency shall develop a plan
45 for repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all
46 such plans and reported to the Chairman of the House Appropriations and Senate Finance Committees.
- 47 5. Anticipation loans for capital projects authorized under § 4-4.01 m shall be in amounts not greater than the sum identified
48 by the agency as required to meet the projected expenditures for the project within the current biennium. Such loans shall be
49 repaid only from nongeneral fund revenues associated with the project.
- 50 6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects authorized under
51 § 4-4.01 m. Interest payments on anticipation loans for nongeneral fund capital projects authorized under § 4-4.01 m shall be

1 made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan
2 without the approval of the Director of the Department of Planning and Budget.

3 a) REPORTING: All outstanding loans shall be reported by the Governor to the Chairmen of the House Appropriations and
4 Senate Finance Committees by August 15 of each year. The report shall include a status of the repayment schedule for each
5 loan.

6 § 4-3.03 CAPITAL LEASES

7 a. GENERAL:

8 1. As part of their capital budget submission, all agencies and institutions of the Commonwealth proposing building projects
9 that may qualify as capital lease agreements, as defined in Generally Accepted Accounting Principles (GAAP), and that may be
10 supported in whole, or in part, from appropriations provided for in this act, shall submit copies of such proposals to the
11 Directors of the Departments of Planning and Budget and General Services, the State Comptroller, and the State Treasurer. The
12 Secretary of Finance may promulgate guidelines for the review and approval of such requests.

13 2. The proposals shall be submitted in such form as the Secretary of Finance may prescribe. The Comptroller and the Director,
14 Department of General Services shall be responsible for evaluating the proposals to determine if they qualify as capital lease
15 agreements. The State Treasurer shall be responsible for incorporating existing and authorized capital lease agreements in the
16 annual Debt Capacity Advisory Committee reports.

17 b. APPROVAL OF FINANCINGS:

18 1. For any project which qualifies as a capital lease, as defined in the preceding subdivisions a 1 and 2, and which is financed
19 through the issuance of securities, the Treasury Board shall approve the terms and structure of such financing pursuant to
20 § 2.2-2416, Code of Virginia.

21 2. For any project for which costs will exceed \$5,000,000 and which is financed through a capital lease transaction, the
22 Treasury Board shall approve the financing terms and structure of such capital lease in addition to such other reviews and
23 approvals as may be required by law. Prior to consideration by the Treasury Board, the Departments of Accounts, General
24 Services, and Planning and Budget shall notify the Treasury Board upon their approval of any transaction which qualifies as a
25 capital lease under the terms of this section. The State Treasurer shall notify the Chairmen of the House Appropriations and
26 Senate Finance Committees of the action of the Treasury Board as it regards this subdivision within five calendar days of its
27 action.

28 c. REPORTS: Not later than December 20 of each year, the Secretary of Finance and the Secretary of Administration shall
29 jointly be responsible for providing the Chairmen of the House Appropriations and Senate Finance Committees with
30 recommendations involving proposed capital lease agreements.

31 d. This section shall not apply to capital leases that are funded entirely with nongeneral fund revenues and are entered into by
32 public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly.

33 § 4-4.00 CAPITAL PROJECTS

34 § 4-4.01 GENERAL

35 a. Definition:

36 1. When used in this section, "capital project" or "project" means acquisition of property and new construction and
37 improvements related to state-owned property, plant or equipment (including plans therefor), as the terms "acquisition", "new
38 construction", and "improvements" are defined in the instructions for the preparation of the Executive Budget. "Capital project"
39 or "project" shall also mean any improvements to property leased for use by a state agency, and not owned by the state, when
40 such improvements are financed by public funds, except as hereinafter provided in subdivisions 3 and 4 of this subsection.

41 2. The provisions of this section are applicable equally to acquisition of property and plant by purchase, gift, or any other
42 means, including the acquisition of property through a lease/purchase contract, regardless of the method of financing or the
43 source of funds. Acquisition of property by lease shall be subject to § 4-3.03 of this act.

44 3. The provisions of this section shall not apply to property or equipment acquired by lease or improvements to leased
45 property and equipment when the improvements are provided by the lessor pursuant to the terms of the lease and upon
46 expiration of the lease remain the property of the lessor.

47 4. The provisions of this section shall not apply to property leased by state agencies for the purposes described in §§ 2.2-1151
48 C and 33.1-93, Code of Virginia.

- 1 b. Notwithstanding any other provisions of law, requests for appropriations for capital projects shall be subject to the
2 following:
- 3 1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the
4 Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the
5 director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to
6 similar public and private sector projects.
- 7 2. The first priority of any agency or institution in requesting capital outlay appropriations shall be maintenance reserve funds.
- 8 3. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, financings for
9 capital projects shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of
10 Virginia, and any subsequent amendments thereto.
- 11 4. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written
12 commitment from the host locality to share in the operating expense of the armory.
- 13 c. Each agency head shall provide to the Director, Department of Planning and Budget, a plan for the use of the maintenance
14 reserve appropriation of the agency in Part 2 of this act prior to the allotment of funds. The plan shall give first priority to the
15 repair or replacement of roof on buildings under control of the agency. The agency head shall certify in the agency's annual
16 update to its maintenance reserve plan that to the best of his or her knowledge, all necessary roof repairs have been
17 accomplished, are in the process of being accomplished, or the necessary funds for accomplishing the work have been
18 requested before the agency requests funds for other improvements or new construction projects. Such roof repairs and
19 replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services
20 Manual.
- 21 d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to
22 time and report any proposed change to the Chairmen of the House Appropriations and Senate Finance Committees prior to its
23 implementation. Such report shall include an analysis of the impact of the suggested change on affected agencies and
24 institutions.
- 25 e. Nothing in §§ 2-0 and 4-4.00 of this act shall be deemed to override the provisions of §§ 2.2-1132 and 62.1-132.6, Code of
26 Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and
27 procurement activities.
- 28 f. It is the intent of the General Assembly that the Department of Conservation and Recreation shall be authorized to initiate
29 and accept by gift or purchase with nongeneral fund dollars any lands for State Park or Natural Area purposes which may
30 become available, and that are not specifically appropriated by the General Assembly, when such acquisitions are made in
31 accordance with the provisions of this section and other applicable provisions of state law including approval by the Governor.
- 32 g. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and
33 paragraph m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education
34 shall be pursuant to approvals by the General Assembly as provided in the Six-Year Capital Outlay Plan established pursuant
35 to § 2.2-1515, et seq., Code of Virginia. Otherwise, the consideration of capital projects shall be limited to:
- 36 1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and
37 2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in
38 cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing
39 facilities.
- 40 This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 m hereof, or projects included under the
41 central appropriations for capital project expenses in this act.
- 42 h. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to
43 this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift
44 or is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the
45 need for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and
46 specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for
47 the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or
48 construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project
49 conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a
50 program approved by the General Assembly.
- 51 i. Initiation Generally:
- 52 1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or

1 revised without the prior written approval of the Governor.

2 2. The requirements of § 10.1-1190, Code of Virginia, shall be met prior to the release of funds for a major state project,
3 provided, however, that the Governor is authorized to release from any appropriation for a major state project made pursuant to
4 this act such sum or sums as may be necessary to pay for the preparation of the environmental impact report required by
5 § 10.1-1188, Code of Virginia.

6 3. The Governor, at his discretion, may release from any capital project appropriation or reappropriation made pursuant to this
7 act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects and engineers,
8 provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the
9 appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the
10 preliminary design for any such project may be based on such estimated costs as may be approved by the Governor in writing,
11 where it is shown to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen
12 conditions, have made the appropriation inadequate for the completion of the project for which the appropriation was made,
13 and where in the judgment of the Governor such changed conditions justify the payment of architectural or engineering fees
14 based on costs exceeding the appropriation.

15 4. Architectural or engineering contracts shall not be awarded in perpetuity for capital projects at any state institution, agency
16 or activity.

17 j. Capital Projects Financed with Bonds: Capital projects proposed to be financed with (i) 9 (c) general obligation bonds or (ii)
18 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the agency or institution, shall
19 be reviewed as follows:

20 1. By August 15 of each year, requests for inclusion in the Executive Budget of capital projects to be financed with 9(c)
21 general obligation bonds shall be submitted to the State Treasurer for evaluation of financial feasibility. Submission shall be in
22 accordance with the instructions prescribed by the State Treasurer. The State Treasurer shall distribute copies of financial
23 feasibility studies to the Director, Department of Planning and Budget, the Secretary for the submitting agency or institution,
24 the Chairmen of the House Appropriations and Senate Finance Committees, and the Director, State Council of Higher
25 Education for Virginia if the project is requested by an institution of higher education.

26 2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State
27 Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues
28 or revenues of the institution. The State Council of Higher Education shall identify the impact of all projects requested by the
29 institutions of higher education, and as described in § 4-4.01 j.1. of this act, on the current and projected cost to students in
30 institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State
31 Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the
32 House Appropriations and Senate Finance Committees no later than October 1 of each year.

33 3. Prior to the issuance of debt for 9(c) general obligation projects, when more than one year has elapsed since the review of
34 financial feasibility specified in § 4-4.01 j 1 above, an updated feasibility study shall be prepared by the agency and reviewed
35 by the State Treasurer prior to requesting the Governor's Opinion of Financial Feasibility required under Article X, Section 9
36 (c), of the Constitution of Virginia.

37 k. Transfers to supplement capital projects from nongeneral funds may be made under the conditions set forth in §§ 4-1.03 a,
38 4-1.04 a.3, and 4-4.01 m of this act.

39 1.1.Change in Size and Scope: Unless otherwise provided by law, the scope of any capital project may not be increased or
40 decreased by more than five percent in size beyond the plans and justification which were the basis for the appropriation or
41 reappropriation in this act or for the Governor's authorization pursuant to § 4-4.01 m of this act. However, this prohibition is
42 not applicable to changes in size and scope required because of circumstances determined by the Governor to be an
43 emergency, or requirements imposed by the federal government when such capital project is for armories or other
44 defense-related installations and is funded in whole or in part by federal funds, or minor increases or decreases in square
45 footage determined by the Director, Department of General Services to be reasonable and appropriate based on a written
46 justification submitted by the agency stating the reason for the increase, with the provision that such increase will not increase
47 the cost of the project beyond the amount appropriated; or decreases in scope to offset unbudgeted costs when such costs are
48 determined by the Director, Department of Planning and Budget, to be reasonable based on a written justification submitted by
49 the agency specifying the amount and nature of the unbudgeted costs and the types of actions that will be taken to decrease
50 the scope of the project. The written justification shall also include a certification, signed by the agency head, that the
51 resulting project will be consistent with the original programmatic intent of the appropriations.

52 2. If space planning, energy conservation, and environmental standards guides for any type of construction have been approved
53 by the Governor or the General Assembly, the Governor shall require capital projects to conform to such planning guides.

54 m. Projects Not Included In This Act:

55 1. Authorization by Governor:

- 1 a) The Governor may authorize initiation of, planning for, construction of or acquisition of a nongeneral fund capital project
 2 not specifically included in this act or provided for a program approved by the General Assembly through appropriations,
 3 under one or more of the following conditions:
- 4 1) The project is required to meet an emergency situation.
- 5 2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will
 6 be fully funded by revenues of auxiliary enterprises or sponsored programs.
- 7 3) The project is to be operated as an educational and general program in an institution of higher education and will be fully
 8 funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.
- 9 4) The project consists of plant or property which has become available or has been received as a gift.
- 10 5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission
 11 or the Virginia Tobacco Settlement Foundation.
- 12 b) The foregoing conditions are subject to the following criteria:
- 13 1) Funds are available within the appropriations made by this act (including those subject to §§ 4-1.03 a, 4-1.04 a.3, and
 14 4-2.03) without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.
- 15 2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.
- 16 3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated
 17 operating costs, and the fund sources for the project and its operating costs.
- 18 4) The Chairmen of the House Appropriations and Senate Finance Committees shall be notified by the Governor prior to the
 19 authorization of any capital project under the provisions of this subsection.
- 20 5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.
- 21 2. Authorization by Director, Department of Planning and Budget:
- 22 a) The Director, Department of Planning and Budget, may authorize initiation of a capital project not included in this act, if
 23 the General Assembly has enacted legislation to fund the project from bonds of the Virginia Public Building Authority,
 24 Virginia College Building Authority, or from reserves created by refunding of bonds issued by those Authorities.
- 25 3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:
- 26 a) In accordance with § 4-5.06 of this act, the board of visitors of any public institution of higher education that: i) has met
 27 the eligibility criteria set forth in Chapters 933 and 945 of the 2005 Acts of Assembly for additional operational and
 28 administrative autonomy, including having entered into a memorandum of understanding with the Secretary of Administration
 29 for delegated authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund
 30 appropriation for emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of
 31 any capital project that is not specifically set forth in this act provided that the project meets at least one of the conditions and
 32 criteria identified in § 4-4.01 m 1 of this act.
- 33 b) At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and
 34 Chairmen of the House Appropriations and Senate Finance Committees and must provide a life-cycle budget analysis of the
 35 project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.
- 36 c) The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine
 37 maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher
 38 education in accordance with this provision.
- 39 n. Acquisition, maintenance, and operation of buildings and nonbuilding facilities in colleges and universities shall be subject
 40 to the following policies:
- 41 1. The anticipated program use of the building or nonbuilding facility should determine the funding source for expenditures for
 42 acquisition, construction, maintenance, operation, and repairs.
- 43 2. Expenditures for land acquisition, site preparation beyond five feet from a building, and the construction of additional
 44 outdoor lighting, sidewalks, outdoor athletic and recreational facilities, and parking lots in the Virginia Community College
 45 System shall be made only from appropriated federal funds, Trust and Agency funds, including local government allocations or
 46 appropriations, or the proceeds of indebtedness authorized by the General Assembly.

- 1 3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all
2 colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking
3 facilities.
- 4 4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting,
5 sidewalks, and other infrastructure facilities may be made from any appropriated funds.
- 6 5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and
7 outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing
8 on a community college campus as of July 1, 1988.
- 9 6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative
10 authority as set forth in Chapters 933 and 945 of the 2005 Acts of Assembly or Chapters 824 and 829 of the 2008 Acts of
11 Assembly, any repair, renovation, or new construction project costing up to \$2,000,000 shall be exempt from the capital outlay
12 review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects,
13 which in combination would exceed the \$2,000,000 maximum.
- 14 2. All institutions of higher education shall be exempt from the capital review and approval process for repair, renovation, or
15 new construction projects costing up to \$2,000,000.
- 16 b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing
17 up to \$2,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid
18 award made after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide
19 exemptions to the threshold.
- 20 7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities
21 as a priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of
22 Plant" subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and
23 Budget, or his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the
24 House Appropriations and Senate Finance Committees.
- 25 o. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which
26 require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such
27 appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the
28 opinion of the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his
29 judgment may be necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be
30 in accordance with § 4-8.00, Reporting Requirements.
- 31 p. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project
32 beyond that anticipated when the project was initially approved by the General Assembly except to comply with requirements
33 imposed by the federal government when such capital project is for armories or other defense-related installations and is
34 funded in whole or in part by federal funds. General fund appropriations in excess of those necessary to complete the project
35 shall not be reallocated to expand or enhance the project, or be reallocated to a different project. The prohibitions in this
36 subsection shall not apply to transfers from projects for which reappropriations have been authorized.
- 37 q. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as
38 owner or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.
- 39 r. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned
40 properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be
41 adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to
42 submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the
43 appearance of the structure, landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed
44 within thirty days and the comments of that department shall be submitted to the Governor through the Department of General
45 Services for use in making a final determination.
- 46 s.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the
47 Commonwealth to the educational or real estate foundation of any institution of higher education where he finds that such
48 property was acquired with local or private funds or by gift or grant to or for the use of the institution, and not with funds
49 appropriated to the institution by the General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of
50 Virginia, and any other statute concerning conveyance, transfer or sale of state property. If the foundation conveys any interest
51 in the property or any improvements thereon, such conveyance shall likewise be exempt from compliance with any statute
52 concerning disposition of state property. Any income or proceeds from the conveyance of any interest in the property shall be
53 deemed to be local or private funds and may be used by the foundation for any foundation purpose.
- 54 2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts
55 of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly.

- 1 t.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving
 2 state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the
 3 provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting
 4 procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the
 5 lease agreement was developed.
- 6 2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts
 7 of Assembly or Chapters 824 and 829 of the 2008 Acts of Assembly.
- 8 u. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be considered
 9 an operating expense, provided that:
- 10 1. The scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of
 11 Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard
 12 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services.
- 13 2. The project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board
 14 approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General
 15 Services.
- 16 3. The scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy.
- 17 4. However, if the project scope entails: (a) constructing, enlarging, altering, repairing or demolishing a building or structure,
 18 (b) changing the use of a building either within the same use group or to a different use group when the new use requires
 19 greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or disturbing any
 20 asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures, the project shall
 21 be subject to the capital outlay process as outlined in this section.
- 22 5. The total project cost does not exceed \$3,000,000. If the total project cost exceeds \$3,000,000, the project shall be subject
 23 to the capital budgeting process. However, energy performance projects underway before July 1, 2005, shall continue to be
 24 treated as operating expenses. Notwithstanding the above, if energy savings from a performance project offset the debt service,
 25 interest payments, and the cost of the project, the project shall not be subject to the capital budgeting process and the total
 26 project cost shall not exceed \$7,000,000.
- 27 6. If the total project exceeds \$250,000, the agency director will submit written notification to the Director, Department of
 28 Planning and Budget, verifying that the project meets all of the above conditions. The director shall notify, in turn, the
 29 Chairmen of the House Appropriations and Senate Finance Committees that such projects have been initiated.
- 30 v. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional
 31 facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves
 32 acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the
 33 Commonwealth on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located
 34 has adopted a resolution supporting the location of such project within the boundaries of the affected jurisdiction. The
 35 foregoing does not prohibit expenditures for site studies, real estate options, correctional facility design and related
 36 expenditures.
- 37 w. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, any
 38 alternative financing agreement entered into between a state agency or institution of higher education and a private entity or
 39 affiliated foundation must be reviewed and approved by the Treasury Board.
- 40 x. Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost
 41 study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective
 42 option for the construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as
 43 part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.
- 44 y. Any new construction project developed by or for the Chippokes Plantation Farm Foundation, with an estimated cost of
 45 \$750,000 or less, shall be exempt from the capital outlay review and approval process.
- 46 z. Construction or improvement projects of the Department of Military Affairs are not exempt from the capital outlay review
 47 process when the state procurement process is utilized, except for those projects with both an estimated cost of \$1,000,000 or
 48 less and are 100 percent federally reimbursed.

49 § 4-4.02 PLANNING AND BUDGETING

- 50 a. It shall be the intent of the General Assembly to make biennial appropriations for a capital improvements program sufficient
 51 to address the program needs of the Commonwealth. The capital improvements program shall include maintenance and
 52 deferred maintenance of the Commonwealth's existing facilities, and of the facility requirements necessary to deliver the

1 programs of state agencies and institutions.

2 b. In effecting these policies, the Governor shall establish a capital budget plan to address the renewal and replacement of the
3 Commonwealth's physical plant, using such guidelines as recommended by industry or government to maintain the
4 Commonwealth's investment in its property and plant.

5 **§ 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES**

6 § 4-5.01 TRANSACTIONS WITH INDIVIDUALS

7 a. SETTLEMENT OF CLAIMS: Whenever a dispute, claim or controversy involving the interest of the Commonwealth is
8 settled pursuant to § 2.2-514, Code of Virginia, payment may be made out of any appropriations, designated by the Governor,
9 to the state agency(ies) which is (are) party to the settlement.

10 b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

11 1. General:

12 a) The appropriations made in this act to state institutions of higher education within the Items for student financial assistance
13 may be expended for any one, all, or any combination of the following purposes: grants to undergraduate students enrolled at
14 least one-half time in a degree, certificate or diploma program; grants to full-time graduate students; grants to students enrolled
15 full-time in a dual or concurrent undergraduate and graduate program. The institutions may also use these appropriations for
16 the purpose of supporting work study programs. Institutions may also contribute to federal or private student grant aid
17 programs requiring matching funds by the institution, except for programs requiring work. The State Council of Higher
18 Education for Virginia shall annually review each institution's plan for the expenditures of its appropriation for undergraduate
19 student financial assistance prior to the start of the fall term to determine program compliance. The institution's plan shall
20 include the institution's assumptions and calculations for determining the cost of attendance, student financial need, and student
21 remaining need as well as an award schedule or description of how funds are awarded. For the purposes of the proposed plan,
22 each community college shall be considered independently.

23 b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset
24 all, or portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1)
25 hereof, the cost of books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to
26 the remaining need of individual students, with students with higher levels of remaining need receiving grants before other
27 students. No criteria other than the need of the student shall be used to determine the award amount other than as specified in
28 Item 206 J of this act. Because of the low cost of attendance and recognizing that federal grants provide a much higher portion
29 of cost than at other institutions, a modified approach and minimum award amount for the neediest VGAP student should be
30 implemented for community college and Richard Bland College students based on remaining need and the combination of
31 federal and grant state aid. Student financial need shall be determined by a need-analysis system approved by the Council.

32 c)1) All need-based awards made to graduate students shall be determined by the use of a need-analysis system approved by
33 the Council.

34 2) As part of the six-year financial plans required in the provisions of Chapters 933 and 945 of the 2005 Acts of Assembly,
35 each institution of higher education shall report the extent to which tuition and fee revenues are used to support graduate
36 student aid and graduate compensation and how the use of these funds impacts planned increases in student tuition and fees.

37 d) A student who receives a grant under such Items and who, during a semester, withdraws from the institution which made
38 the award must surrender the unearned portion. The institution shall calculate the unearned portion of the award based on the
39 percentage used for federal Return to Title IV program purposes.

40 e) An award made under such Items to assist a student in attending an institution's summer session shall be prorated according
41 to the size of comparable awards made in that institution's regular session.

42 f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to the soil
43 scientist scholarships authorized under § 23-38.3, Code of Virginia.

44 g) Unless noted elsewhere in this act, awards shall be named "Commonwealth" grants.

45 h) Unless otherwise provided by statute, undergraduate awards shall not be made to students seeking a second or additional
46 baccalaureate degree until the financial aid needs of first-degree seeking students are fully met.

47 2. Grants To Undergraduate Students:

48 a) Each institution which makes undergraduate grants paid from its appropriation for student financial assistance shall expend
49 such sums as approved for that purpose by the Council.

- 1 b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the
2 institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes
3 of eligibility under Title IV of the federal Higher Education Act, as amended.
- 4 c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP)
5 authorized in Title 23, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution
6 with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this
7 act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other
8 students with equivalent remaining need.
- 9 2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required
10 fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the
11 VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with
12 the greatest financial need shall be guaranteed an award at least equal to tuition.
- 13 3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially
14 needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic
15 performance and to consider higher education an achievable objective in their futures.
- 16 4) Students may not receive a VGAP and a Commonwealth grant in the same semester.
- 17 3. Grants To Graduate Students:
- 18 a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria
19 determined by the institution making the award. The amount of an award shall be determined by the institution making the
20 award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in
21 the appropriation.
- 22 b) The institution is required to transfer to educational and general appropriations all funds used to pay graduate assistantships
23 or for duties which require work.
- 24 c) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at
25 the institution making the award.
- 26 d) Not more than 50 percent of the funds designated by an institution as graduate grants from the appropriation, and approved
27 as such by the Council, shall be awarded to persons not eligible to be classified as Virginia domiciliary resident students
28 except in cases where the persons meet the criteria outlined in § 4-2.01b.6.
- 29 4. Matching Funds: Any institution of higher education may, with the approval of the Council, use funds from its appropriation
30 for fellowships and scholarships to provide the institutional contribution to any student financial aid program established by the
31 federal government or private sources which requires the matching of the contribution by institutional funds, except for
32 programs requiring work.
- 33 5. Discontinued Loan Program:
- 34 a) If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is
35 discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional
36 share was derived unless other arrangements for the use of the funds are recommended by the Council and approved by the
37 Department of Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the
38 funds shall be used according to arrangements authorized by the Council and approved by the Department of Planning and
39 Budget.
- 40 b)1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23, Chapter 4.01,
41 Code of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a
42 nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact
43 that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be
44 reestablished thereafter for that institution.
- 45 2) The cash so paid into the state treasury shall be used only for grants to undergraduate and graduate students in the Higher
46 Education Student Financial Assistance program according to arrangements authorized by the Council and approved by the
47 Department of Planning and Budget.
- 48 3) Payments on principal and interest of any promissory notes held by the discontinued loan fund shall continue to be received
49 by the institution, which shall deposit such payments in the state treasury to the nonrevertible nongeneral fund account
50 specified in subdivision (1) preceding, to be used for grants as specified in subdivision (2) preceding.
- 51 6. Reporting: The Council shall collect student-specific information for undergraduate students as is necessary for the operation

1 of the Student Financial Assistance Program. The Council shall maintain regulations governing the operation of the Student
2 Financial Assistance Program based on the provisions outlined in this section, the Code of Virginia, and State Council policy.

3 C. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

4 Notwithstanding any other provision of law, executive branch agencies shall not pay compensation to citizen members of
5 boards, commissions, authorities, councils, or other bodies from any fund for the performance of such members' duties in the
6 work of the board, commission, authority, council, or other body.

7 § 4-5.02 THIRD PARTY TRANSACTIONS

8 a. EMPLOYMENT OF ATTORNEYS:

9 1.a. All attorneys authorized by this act to be employed by any state agency and all attorneys compensated out of any moneys
10 appropriated in this session of the General Assembly shall be appointed by the Attorney General and be in all respects subject
11 to the provisions of Title 2.2, Chapter 5, Code of Virginia, to the extent not to conflict with Title 12.1, Chapter 4, Code of
12 Virginia; provided, however, that if the Governor certifies the need for independent legal counsel for any Executive
13 Department agency, such agency shall be free to act independently of the Office of the Attorney General in regard to selection,
14 and provided, further, that compensation of such independent legal counsel shall be paid from the moneys appropriated to such
15 Executive Department agency or from the moneys appropriated to the Office of the Attorney General.

16 b. For purposes of this act, "attorney" shall be defined as an employee or contractor who represents an agency before a court,
17 board or agency of the Commonwealth of Virginia or political subdivision thereof. This term shall not include members of the
18 bar employed by an agency who perform in a capacity that does not require a license to practice law, including but not limited
19 to, instructing, managing, supervising or performing normal or customary duties of that agency.

20 2. This section does not apply to attorneys employed by state agencies in the Legislative Department, Judicial Department or
21 Independent Agencies.

22 3. Reporting on employment of attorneys shall be in accordance with § 4-8.00, Reporting Requirements.

23 b. STUDIES AND CONSULTATIVE SERVICES REQUIRED BY GENERAL ASSEMBLY: No expenditure for payments on
24 third party nongovernmental contracts for studies or consultative services shall be made out of any appropriation to the General
25 Assembly or to any study group created by the General Assembly, nor shall any such expenditure for third party
26 nongovernmental contracts be made by any Executive Department agency in response to a legislative request for a study,
27 without the prior approval of two of the following persons: the Chairman of the House Appropriations Committee; the
28 Chairman of the Senate Finance Committee; the Speaker of the House of Delegates; the President pro tempore of the Senate.
29 All such expenditures shall be made only in accordance with the terms of a written contract approved as to form by the
30 Attorney General.

31 c. USE OF CONSULTING SERVICES: All state agencies and institutions of higher education shall make a determination of
32 "return on investment" as part of the criteria for awarding contracts for consulting services.

33 d. DEBT COLLECTION SERVICES:

34 1. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Virginia Commonwealth University
35 Health System Authority shall have the option to participate in the Office of the Attorney General's debt collection process.
36 Should the Authority choose not to participate, the Authority shall have the authority to collect its accounts receivable by
37 engaging private collection agents and attorneys to pursue collection actions, and to independently compromise, settle, and
38 discharge accounts receivable claims.

39 2. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the University of Virginia Medical Center
40 shall have the authority to collect its accounts receivable by engaging private collection agents and attorneys to pursue
41 collection actions, and to independently compromise, settle, and discharge accounts receivable claims, provided that the
42 University of Virginia demonstrates to the Secretary of Finance that debt collection by an agent other than the Office of the
43 Attorney General is anticipated to be more cost effective. Nothing in this paragraph is intended to limit the ability of the
44 University of Virginia Medical Center from voluntarily contracting with the Office of the Attorney General's Division of Debt
45 Collection in cases where the Center would benefit from the expertise of legal counsel and collection services offered by the
46 Office of the Attorney General.

47 3. Notwithstanding any provision of the Code of Virginia or this act to the contrary, the Department of Taxation shall be
48 exempt from participating in the debt collection process of the Office of the Attorney General.

1 § 4-5.03 SERVICES AND CLIENTS

2 a. CHANGED COST FACTORS:

3 1. No state agency, or its governing body, shall alter factors (e.g., qualification level for receipt of payment or service) which
4 may increase the number of eligible recipients for its authorized services or payments, or alter factors which may increase the
5 unit cost of benefit payments within its authorized services, unless the General Assembly has made an appropriation for the
6 cost of such change.

7 2. State agencies shall submit any proposed modifications in rates to be charged by internal service funds, pursuant to
8 §§ 2.2-803, 2.2-1011, and 2.2-2013, Code of Virginia, that impact on agency expenditures to the Department of Planning and
9 Budget for review prior to approval by the Joint Legislative Audit and Review Commission. In its review, the Department of
10 Planning and Budget shall determine whether the requested rate modifications are consistent with budget assumptions and
11 report its findings to the Commission prior to the approval of the rate request.

12 b. NEW SERVICES:

13 1. No state agency shall begin any new service that will call for future additional property, plant or equipment or that will
14 require an increase in subsequent general or nongeneral fund operating expenses without first obtaining the authorization of the
15 General Assembly.

16 2. Pursuant to the policies and procedures of the State Council of Higher Education regarding approval of academic programs
17 and the concomitant enrollment, no state institution of higher education shall operate any academic program with funds in this
18 act unless approved by the Council and included in the Executive Budget, or approved by the General Assembly. The Council
19 may grant exemptions to this policy in exceptional circumstances.

20 3. Reporting on all new services shall be in accordance with § 4-8.00, Reporting Requirements.

21 c. *MEDICAID EXPANSION:*

22 *Notwithstanding the provisions of Item 301 of this Act or § 30-347, Code of Virginia, any amendment to the State Plan for*
23 *Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly*
24 *eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act shall sunset*
25 *on June 30, 2016. The Medicaid Innovation and Reform Commission shall continue to assess progress made toward*
26 *implementation of reforms to Medicaid. The assessment shall include progress toward implementation of a 42 U.S.C. § 1035*
27 *waiver established under the Patient Protection and Affordable Care Act, evidence of improved patients access to healthcare*
28 *including mental health care, quality of care, patient safety, and population health as well as improved cost-effectiveness in*
29 *public programs that support health and healthcare in the Commonwealth of Virginia. Reforms to be considered include but*
30 *are not limited to health information exchange, health innovation, data transparency, health workforce development, payment*
31 *reform, reduction in fraud and abuse in public programs, and waiver redesign.*

32 e. *d. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:*

33 No moneys appropriated by this act shall be used for off-campus sites unless as provided for in this section.

34 1. A public college or university seeking to create, establish, or operate an off-campus instructional site, funded directly or
35 indirectly from the general fund or with revenue from tuition and mandatory educational and general fees generated from credit
36 course offerings, shall first refer the matter to the State Council of Higher Education for Virginia for its consideration and
37 approval. The State Council of Higher Education for Virginia may provide institutions with conditional approval to operate the
38 site for up to one year, after which time the college or university must receive approval from the Governor and General
39 Assembly, through legislation or appropriation, to continue operating the site.

40 2. For the colleges of the Virginia Community College System, the State Board for Community Colleges shall be responsible
41 for approving off-campus locations. Sites governed by this requirement are those at any locations not contiguous to the main
42 campus of the institution, including locations outside Virginia.

43 3. a) The provisions herein shall not apply to credit offerings on the site of a public or private entity if the offerings are
44 supported entirely with private, local, or federal funds or revenue from tuition and mandatory educational and general fees
45 generated entirely by course offerings at the site.

46 b) Offerings at previously approved off-campus locations shall also not be subject to these provisions.

47 c) Further, the provisions herein do not govern the establishment and operations of campus sites with a primary function of
48 carrying out grant and contract research where direct and indirect costs from such research are covered through external
49 funding sources. Such locations may offer limited graduate education as appropriate to support the research mission of the site.

50 d) Nothing herein shall prohibit an institution from offering non-credit continuing education programs at sites away from the

1 main campus of a college or university.

2 4. The State Council of Higher Education shall establish guidelines to implement this provision.

3 ~~d.~~ *e.* PERFORMANCE MEASUREMENT

4 1. In accordance with § 2.2-1501, Code of Virginia, the Department of Planning and Budget shall develop a programmatic
5 budget and accounting structure for all new programs and activities to ensure that it provides the appropriate financial and
6 performance measures to determine if programs achieve desired results and outcomes. The Department of Accounts shall
7 provide assistance as requested by the Department of Planning and Budget. The Department of Planning and Budget shall
8 provide this information each year when the Governor submits the budget in accordance with § 2.2-1509, Code of Virginia, to
9 the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

10 2.a) Within thirty days of the enactment of this act, the Director, Department of Planning and Budget, shall submit in writing
11 to the Chairmen of the House Appropriations and Senate Finance Committees a list of the new initiatives for which
12 appropriations are provided in this act.

13 b) Not later than ninety days after the end of the first year of the biennium, the Director, Department of Planning and Budget,
14 shall prepare a report on the performance of each new initiative contained in the list, to be submitted to the Chairmen of the
15 House Appropriations and Senate Finance Committees. The report shall compare the actual results, including expenditures, of
16 the initiative with the anticipated results and the appropriation for the initiative. This information shall be used to determine
17 whether the initiative should be extended beyond the beginning period. In the preparation of this report, all state agencies shall
18 provide assistance as requested by the Department of Planning and Budget.

19 § 4-5.04 GOODS AND SERVICES

20 a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

21 1. Public Information Encouraged: Each public institution of higher education is expected and encouraged to provide
22 prospective students with accurate and objective information about its programs and services. The institution may use public
23 funds under the control of the institution's Board of Visitors for the development, preparation and dissemination of factual
24 information about the following subjects: academic programs; special programs for minorities; dates, times and procedures for
25 registration; dates and times of course offerings; admission requirements; financial aid; tuition and fee schedules; and other
26 information normally distributed through the college catalog. This information may be presented in any and all media, such as
27 newspapers, magazines, television or radio where the information may be in the form of news, public service announcements
28 or advertisements. Other forms of acceptable presentation would include brochures, pamphlets, posters, notices, bulletins,
29 official catalogs, flyers available at public places and formal or informal meetings with prospective students.

30 2. Excessive Promotion Prohibited: Each public institution of higher education is prohibited from using public funds under the
31 control of the institution's Board of Visitors for the development, preparation, dissemination or presentation of any material
32 intended or designed to induce students to attend by exaggerating or extolling the institution's virtues, faculty, students,
33 facilities or programs through the use of hyperbole. Artwork and photographs which exaggerate or extol rather than supplement
34 or complement permissible information are prohibited. Mass mailings are generally prohibited; however, either mass mailings
35 or newspaper inserts, but not both, may be used if other methods of distributing permissible information are not economically
36 feasible in the institution's local service area.

37 3. Remedial Education: Senior institutions of higher education shall make arrangements with community colleges for the
38 remediation of students accepted for admission by the senior institutions.

39 4. Compliance: The president or chancellor of each institution of higher education is responsible for the institution's
40 compliance with this subsection.

41 b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

42 1.a) The Virginia Information Technologies Agency shall procure information technology and telecommunications goods and
43 services of every description for its own benefit or on behalf of other state agencies and institutions, or authorize other state
44 agencies or institutions to undertake such procurements on their own.

45 b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any
46 non-major information technology project request from the Virginia Community College System, Longwood University, or
47 from an institution of higher education which is a member of the Virginia Association of State Colleges and University
48 Purchasing Professionals (VASCUPP) as of July 1, 2003, or any procurement of information technology and
49 telecommunications goods and services by public institutions of higher education governed by some combination of Chapters
50 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of
51 the 2008 Acts of Assembly, or Chapters 824 and 829 of the 2008 Acts of Assembly, requests for authorization from state
52 agencies and institutions to procure information technology and telecommunications goods and services on their own behalf
53 shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are

- 1 hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion
 2 University, Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute
 3 and State University, and the University of Virginia.
- 4 c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request
 5 conforms to the statewide information technology plan and the individual information technology plan of the requesting agency
 6 or institution.
- 7 d) Any procurement authorized by the Chief Information Officer or his designee for information technology and
 8 telecommunications goods and services, including geographic information systems, shall be issued by the requesting state
 9 agency or institution in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia
 10 Information Technologies Agency.
- 11 e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System
 12 from using the services of Network Virginia.
- 13 f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical
 14 research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator
 15 is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to
 16 competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as
 17 required, to establish and maintain research network infrastructure.
- 18 2. If the billing rates and associated systems for computer, telecommunications and systems development services to state
 19 agencies are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund
 20 between programs affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program
 21 appropriations affected by the altered billing systems.
- 22 3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under
 23 the provisions of § 2.2-803, Code of Virginia.
- 24 4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs,
 25 including geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data,
 26 or services which may be available or soon made available for use by state agencies, institutions, authorities, and other public
 27 bodies. State agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in
 28 identifying the development and operational requirements for proposed IT and GIS systems, products, data, and services,
 29 including the proposed use, functionality, capacity and the total cost of acquisition, operation and maintenance.
- 30 5. This section shall not apply to public institutions of higher education governed by some combination of Chapters 933 and
 31 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly or Chapters 594 and 616 of the 2008
 32 Acts of Assembly, or Chapters 824 and 829 of the 2008 Acts of Assembly.
- 33 6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia
 34 Information Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and
 35 laptops to their employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the
 36 appropriate fund or funds used to purchase the equipment.
- 37 c. MOTOR VEHICLES AND AIRCRAFT:
- 38 1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the
 39 state without the prior written approval of the Director, Department of General Services.
- 40 2. The institutions of higher education shall be exempt from this provision but shall be required to report their entire inventory
 41 of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30
 42 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of
 43 higher education to like vehicles under the state contract. If the comparison demonstrates for a given institution that the cost to
 44 the Commonwealth is greater for like vehicles than would be the case based on a contract of statewide applicability, the
 45 Governor or his designee may suspend the exemption granted to the institution pursuant to this subparagraph c.
- 46 3. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state
 47 agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state
 48 agencies affected by such transfers.
- 49 d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION: Except for public institutions of higher
 50 education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, no state Executive Department agency or the
 51 State Lottery Department shall expend any public funds for the production of motion picture films or of programs for
 52 television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of
 53 the Governor or as otherwise provided in this act, except for educational television programs produced for

1 elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on
 2 Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent
 3 agencies, other than the State Lottery Department, prior approval action rests with the supervisory bodies of these entities.
 4 With respect to television programs which are so approved and other programs which are otherwise authorized or are not
 5 produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive
 6 negotiation, for program production and transmission services which are performed by public telecommunications entities, as
 7 defined in § 2.2-2427, Code of Virginia.

8 e. TRAVEL: Reimbursement for the cost of travel on official business of the state government is authorized to be paid
 9 pursuant to law and regulations issued by the State Comptroller to implement such law. Notwithstanding any contrary
 10 provisions of law:

11 1. For the use of personal automobiles in the discharge of official duties outside the continental limits of the United States, the
 12 State Comptroller may authorize an allowance not exceeding the actual cost of operation of such automobiles;

13 2. The first 15,000 miles of use during each fiscal year of personal automobiles in the discharge of official duties within the
 14 continental limits of the United States shall be reimbursed at an amount equal to the most recent business standard mileage
 15 rate as established by the Internal Revenue Service for employees or self-employed individuals to use in computing their
 16 income tax deductible costs for operating passenger vehicles owned or leased by them for business purposes, or in the instance
 17 of a state employee, at the lesser of (a) the IRS rate or (b) the lowest combined capital and operational trip pool rate charged
 18 by the Department of General Services, Office of Fleet Management Services (OFMS), posted on the OFMS website at time of
 19 travel, for the use of a compact state-owned vehicle. If the head of the state agency concerned certifies that a state-owned
 20 vehicle was not available, or if, according to regulations issued by the State Comptroller, the use of a personal automobile in
 21 lieu of a state-owned automobile is considered to be an advantage to the state, the reimbursement shall be at the rate of the
 22 IRS rate. For such use in excess of 15,000 miles in each fiscal year, the reimbursement shall be at a rate of 13.0 cents per
 23 mile, unless a state-owned vehicle is not available; then the rate shall be the IRS rate;

24 3. The State Comptroller may authorize exemptions to restrictions upon use of common carrier accommodations;

25 4. The State Comptroller may authorize reimbursement by per diem in lieu of actual costs of meals and any other expense
 26 category deemed necessary for the efficient and effective operation of state government;

27 5. State employees traveling on official business of state government shall be reimbursed for their travel costs using the same
 28 bank account authorized by the employee in which their net pay is direct deposited; and

29 6. This section shall not apply to members and employees of public school boards.

30 f. SMALL PURCHASE CHARGE CARD, ELECTRONIC DATA INTERCHANGE, DIRECT DEPOSIT, AND PAYLINE
 31 OPT OUT: The State Comptroller is hereby authorized to charge state agencies a fee of \$5 per check or earnings notice when,
 32 in his judgment, agencies have failed to comply with the Commonwealth's electronic commerce initiatives to reduce
 33 unnecessary administrative costs for the printing and mailing of state checks and earning notices. The fee shall be collected by
 34 the Department of Accounts through accounting entries.

35 g. PURCHASES OF APPLIANCES AND EQUIPMENT: State agencies and institutions shall purchase Energy Star rated
 36 appliances and equipment in all cases where such appliances and equipment are available.

37 h. ELECTRONIC PAYMENTS: Any recipient of payments from the State Treasury who receives six or more payments per
 38 year issued by the State Treasurer shall receive such payments electronically. The State Treasurer shall decide the appropriate
 39 method of electronic payment and, through his warrant issuance authority, the State Comptroller shall enforce the provisions of
 40 this section. The State Comptroller is authorized to grant administrative relief to this requirement when circumstances justify
 41 non-electronic payment.

42 i. LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES: It is the intent of the General Assembly that State agencies
 43 shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to
 44 achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance,
 45 procurement, social services programs, and facilities management.

46 j. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by
 47 the General Assembly for providing abortion services, except as otherwise required by federal law or state statute.

48 k. TELECOMMUNICATION SERVICES AND DEVICES:

49 1. The Chief Information Officer and the State Comptroller shall develop statewide requirements for the use of cellular
 50 telephones and other telecommunication devices by in-scope Executive Department agencies, addressing the assignment,
 51 evaluation of need, safeguarding, monitoring, and usage of these telecommunication devices. The requirements shall include an
 52 acceptable use agreement template clearly defining an employee's responsibility when they receive and use a
 53 telecommunication device. Statewide requirements shall require some form of identification on a device in case it is lost or

- 1 stolen and procedures to wipe the device clean of all sensitive information when it is no longer in use.
- 2 2. In-scope Executive Department agencies providing employees with telecommunication devices shall develop agency-specific
3 policies, incorporating the guidance provided in § 4-5.04 k. 1. of this act and shall maintain a cost justification for the
4 assignment or a public health, welfare and safety need.
- 5 3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to
6 meet the needs of in-scope Executive Department agency personnel. The Chief Information Officer shall regularly procure
7 these services and provide statewide contracts for use by all such agencies. These contracts shall require the vendors to provide
8 detailed usage information in a useable electronic format to enable the in-scope agencies to properly monitor usage to make
9 informed purchasing decisions and minimize costs.
- 10 4. The Chief Information Officer shall examine the feasibility of providing tools for in-scope Executive Department agencies to
11 analyze usage and cost data to assist in determining the most cost effective plan combinations for the entity as a whole and
12 individual users.

13 1. ALTERNATIVE PROCUREMENT: If any payment is declared unconstitutional for any reason or if the Attorney General
14 finds in a formal, written, legal opinion that a payment is unconstitutional, in circumstances where a good or service can
15 constitutionally be the subject of a purchase, the administering agency of such payment is authorized to use the affected
16 appropriation to procure, by means of the Commonwealth's Procurement Act, goods and services, which are similar to those
17 sought by such payment in order to accomplish the original legislative intent.

18 § 4-5.05 NONSTATE AGENCIES, INTERSTATE COMPACTS AND ORGANIZATIONAL MEMBERSHIPS

19 a. The accounts of any agency, however titled, which receives funds from this or any other appropriating act, and is not owned
20 or controlled by the Commonwealth of Virginia, shall be subject to audit or shall present an audit acceptable to the Auditor of
21 Public Accounts when so directed by the Governor or the Joint Legislative Audit and Review Commission.

22 b.1. For purposes of this subsection, the definition of "nonstate agency" is that contained in § 2.2-1505, Code of Virginia.

23 2. Allotment of appropriations to nonstate agencies shall be subject to the following criteria:

24 a) Such agency is located in and operates in Virginia.

25 b) The agency must be open to the public or otherwise engaged in activity of public interest, with expenditures having actually
26 been incurred for its operation.

27 3. No allotment of appropriations shall be made to a nonstate agency until such agency has certified to the Secretary of
28 Finance that cash or in-kind contributions are on hand and available to match equally all or any part of an appropriation which
29 may be provided by the General Assembly, unless the organization is specifically exempted from this requirement by language
30 in this act. Such matching funds shall not have been previously used to meet the match requirement in any prior appropriation
31 act.

32 4. Operating appropriations for nonstate agencies equal to or in excess of \$150,000 shall be disbursed to nonstate agencies in
33 twelve or fewer equal monthly installments depending on when the first payment is made within the fiscal year. Operating
34 appropriations for nonstate agencies of less than \$150,000 shall be disbursed in one payment once the nonstate agency has
35 successfully met applicable match and application requirements.

36 5. The provisions of § 2.2-4343 A 14, Code of Virginia shall apply to any expenditure of state appropriations by a nonstate
37 agency.

38 c.1. Each interstate compact commission and each organization in which the Commonwealth of Virginia or a state agency
39 thereof holds membership, and the dues for which are provided in this act or any other appropriating act, shall submit its
40 biennial budget request to the state agency under which such commission or organization is listed in this act. The state agency
41 shall include the request of such commission or organization within its own request, but identified separately. Requests by the
42 commission or organization for disbursements from appropriations shall be submitted to the designated state agency.

43 2. Each state agency shall submit by November 1 each year, a report to the Director, Department of Planning and Budget,
44 listing the name and purpose for organizational memberships held by that agency with annual dues of \$5,000 or more. The
45 institutions of higher education shall be exempt from this reporting requirement.

46 § 4-5.06 DELEGATION OF AUTHORITY

47 a. The designation in this act of an officer or agency head to perform a specified duty shall not be deemed to supersede the
48 authority of the Governor to delegate powers under the provisions of § 2.2-104, Code of Virginia.

49 b. The nongeneral fund capital outlay decentralization programs initiated pursuant to § 4-5.08b of Chapter 912, 1996 Acts of

1 Assembly as continued in subsequent appropriation acts are hereby made permanent. Decentralization programs for which
 2 institutions have executed memoranda of understanding with the Secretary of Administration pursuant to the provisions of
 3 § 4-5.08b of Chapter 912, 1996 Acts of Assembly shall no longer be considered pilot projects, and shall remain in effect until
 4 revoked.

5 c. Institutions wishing to participate in a nongeneral fund capital outlay decentralization program for the first time shall submit
 6 a letter of interest to the appropriate Cabinet Secretary. Within 90 calendar days of the receipt of the institution's request to
 7 participate, the responsible Cabinet Secretary shall determine whether the institution meets the eligibility criteria and, if
 8 appropriate, establish a decentralization program at the institution. The Cabinet Secretary shall report to the Governor and
 9 Chairmen of the Senate Finance and House Appropriations Committees by December 1 of each year all institutions that have
 10 applied for inclusion in a decentralization program and whether the institutions have been granted authority to participate in the
 11 decentralization program.

12 d. The provisions identified in § 4-5.08 f and § 4-5.08 h of Chapter 1042 of the Acts of Assembly of 2003 pertaining to pilot
 13 programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby
 14 continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability
 15 program.

16 e. If during an independent audit conducted by the Auditor of Public Accounts, the audit discloses that an institution is not
 17 performing within the terms of the memoranda of understanding or their addenda, the Auditor shall report this information to
 18 the Governor, the responsible Cabinet Secretary, and the Chairmen of the Senate Finance and House Appropriations
 19 Committees.

20 f. Institutions that have executed memoranda of understanding with the Secretary of Administration for nongeneral fund capital
 21 outlay decentralization programs are hereby granted a waiver from the provisions of § 2.2-4301, Competitive Negotiation,
 22 subdivision 3a, Code of Virginia, regarding the not to exceed amount of \$100,000 for a single project, the not to exceed sum
 23 of \$500,000 for all projects performed, and the option to renew for two additional one-year terms.

24 g. Notwithstanding any contrary provision of law or this act, delegations of authority in this act to the Governor shall apply
 25 only to agencies and personnel within the Executive Department, unless specifically stated otherwise.

26 h. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts
 27 of Assembly.

28 § 4-5.07 LEASE, LICENSE OR USE AGREEMENTS

29 a. Agencies shall not acquire or occupy real property through lease, license or use agreement until the agency certifies to the
 30 Director, Department of General Services, that (i) funds are available within the agency's appropriations made by this act for
 31 the cost of the lease, license or use agreement and (ii) except for good cause as determined by the Department of General
 32 Services, the volume of such space conforms with the space planning procedures for leased facilities developed by the
 33 Department of General Services and approved by the Governor. The Department of General Services shall acquire and hold
 34 such space for use by state departments, agencies and institutions within the Executive Branch and may utilize brokerage
 35 services, portfolio management strategies, strategic planning, transaction management, project and construction management,
 36 and lease administration strategies consistent with industry best practices as adopted by the Department from time to time.
 37 These provisions may be waived in writing by the Director, Department of General Services. However, these provisions shall
 38 not apply to institutions of higher education that have met the conditions prescribed in subsection B of § 23-38.88, Code of
 39 Virginia.

40 b. Agencies acquiring personal property in accordance with § 2.2-2417, Code of Virginia, shall certify to the State Treasurer
 41 that funds are available within the agency's appropriations made by this act for the cost of the lease.

42 § 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS

43 a. The Comptroller shall not draw any warrants to issue checks for semiconductor manufacturing performance grant programs,
 44 pursuant to Title 59.1, Chapter 22.3, Code of Virginia, without a specific legislative appropriation. The appropriation shall be
 45 in accordance with the terms and conditions set forth in a memorandum of understanding between a qualified manufacturer and
 46 the Commonwealth. These terms and conditions shall supplement the provisions of the Semiconductor Manufacturing
 47 Performance Grant Program, the Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program, and the
 48 Semiconductor Memory or Logic Wafer Manufacturing Performance Grant Program II, as applicable, and shall include but not
 49 be limited to the numbers and types of semiconductor wafers that are produced; the level of investment directly related to the
 50 building and equipment for manufacturing of wafers or activities ancillary to or supportive of such manufacturer within the
 51 eligible locality; and the direct employment related to these programs. To that end, the Secretary of Commerce and Trade shall
 52 certify in writing to the Governor and to the Chairmen of the House Appropriations and Senate Finance Committees the extent
 53 to which a qualified manufacturer met the terms and conditions. The appropriation shall be made in full or in proportion to a
 54 qualified manufacturer's fulfillment of the memorandum of understanding.

1 b. The Governor shall consult with the House Appropriations and Senate Finance Committees before amending any existing
 2 memorandum of understanding. These Committees shall have the opportunity to review any changes prior to their execution by
 3 the Commonwealth.

4 § 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY

5 a. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the departments, divisions, institutions, or agencies of the
 6 Commonwealth, or the Governor, shall sell or lease surplus real property only under the following circumstances:

7 1. Any emergency declared in accordance with §§ 44-146.18:2 or 44-146.28, Code of Virginia, or

8 2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate
 9 Finance Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such
 10 conveyance and the individual or entity taking title to such property.

11 3. Surplus property valued at less than \$5,000,000 that is possessed and controlled by a public institution of higher education,
 12 pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

13 b. In any circumstance provided for in subsection a of this section, the cognizant board or governing body of the agency or
 14 institution holding title or otherwise controlling the state-owned property shall approve, in writing, the proposed conveyance of
 15 the property.

16 c. In accordance with § 15.2-2005, Code of Virginia, the consent of the General Assembly is herein provided for the road
 17 known as Standpipe Road, that was relocated and established on a portion of the Virginia Department of Transportation's
 18 Culpeper District Office property, identified as Tax Map No. 50-28, to improve the operational efficiency of the local road
 19 network in the Town of Culpeper. Further, the Virginia Department of Transportation is hereby authorized to convey to the
 20 Town of Culpeper, upon such terms and conditions as the Department deems proper and for such considerations the
 21 Department may determine, the property on which "Standpipe Road (Relocated)(Variable Width R/W)" on the plat entitled
 22 "plat Showing Property and Various Easements for Standpipe Road Relocated, Tax Map 50-28, Town of Culpeper, Culpeper
 23 County, Virginia" prepared by ATCS P.L.C and sealed March 14, 2012, together with easements to the Town of Culpeper for
 24 electric utility, slopes and drainage as shown on said plat. The conveyance shall be made with the approval of the Governor
 25 and in a form approved by the Attorney General. The appropriate officials of the Commonwealth are hereby authorized to
 26 prepare, execute, and deliver such deed and other documents as may be necessary to accomplish the conveyance.

27 § 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

28 a. The Commonwealth shall receive the fair market value of surplus state property which is designated by the Governor for
 29 economic development purposes, and for any properties owned by an Industrial Development Authority in any county where
 30 the Commonwealth has a continuing interest based on the deferred portion of the purchase price, which shall be assessed by
 31 more than one independent appraiser certified as a Licensed General Appraiser. Such property shall not be disposed of for less
 32 than its fair market value as determined by the assessments.

33 b. Recognizing the commercial, business and industrial development potential of certain lands declared surplus, and for any
 34 properties owned by an Industrial Development Authority in any county where the Commonwealth has a continuing interest
 35 based on the deferred portion of the purchase price, the Governor shall be authorized to utilize funds available in the
 36 Governor's discretion, to meet the requirements of the preceding subsection a. Sale proceeds, together with the money from the
 37 Governor's Development Opportunity Fund, shall be deposited as provided in § 2.2-1156 D, Code of Virginia.

38 c. Within thirty days of closing on the sale of surplus property designated for economic development, the Governor or his
 39 designee shall report to the Chairmen of the Senate Finance and House Appropriations Committees. The report shall include
 40 information on the number of acres sold, sales price, amount of proceeds deposited to the general fund and Conservation
 41 Resources Fund, and the fair market value of the sold property.

42 d. Except for subaqueous lands that have been filled prior to January 1, 2006, the Governor shall not sell or convey those
 43 subaqueous lands identified by metes and bounds in Chapter 884 of the Acts of the Assembly of 2006.

VETO THIS SECTION AS IT CONSTITUTES SEPARATE LEGISLATION. /s/ Robert F. McDonnell (6/11/12) (Vetoed item is enclosed in brackets.)

44 § 4-5.11 ASSIGNMENT OF GENERAL FUND FOR NONRECURRING EXPENDITURES

45 In developing the annual budget bill submitted pursuant to § 2.2-1509, Code of Virginia, including any amendments to a
 46 general appropriation act pursuant to such section, "Nonrecurring expenditures" shall mean only the acquisition or construction
 47 of capital outlay projects as defined in § 2.2-1518, Code of Virginia, the acquisition or construction of capital improvements,
 48 the acquisition of land, the acquisition of equipment, or other expenditures of a one-time nature as specified in the general
 49 appropriation act. Such term shall not include any expenditures relating to transportation, including but not limited to
 50 transportation maintenance.

§ 4-6.00 POSITIONS AND EMPLOYMENT

§ 4-6.01 EMPLOYEE COMPENSATION

a. The compensation of all kinds and from all sources of each appointee of the Governor and of each officer and employee in the Executive Department who enters the service of the Commonwealth or who is promoted to a vacant position shall be fixed at such rate as shall be approved by the Governor in writing or as is in accordance with rules and regulations established by the Governor. No increase shall be made in such compensation except with the Governor's written approval first obtained or in accordance with the rules and regulations established by the Governor. In all cases where any appointee, officer or employee is employed or promoted to fill a vacancy in a position for which a salary is specified by this act, the Governor may fix the salary of such officer or employee at a lower rate or amount within the respective level than is specified. In those instances where a position is created by an act of the General Assembly but not specified by this act, the Governor may fix the salary of such position in accordance with the provisions of this subsection.

b. Annual salaries of persons appointed to positions by the General Assembly, pursuant to the provisions of §§ 2.2-200 and 2.2-400, Code of Virginia, shall be paid in the amounts shown.

	July 1, 2012 to June 24, 2013	June 25, 2013 to November 24, 2013	November 25, 2013 to June 30, 2014
Chief of Staff	\$160,459	\$160,459	\$160,459
Secretary of Administration	\$152,793	\$152,793	\$152,793
Secretary of Agriculture and Forestry	\$152,793	\$152,793	\$152,793
Secretary of Commerce and Trade	\$160,433	\$160,433	\$160,433
Secretary of the Commonwealth	\$152,793	\$152,793	\$152,793
Secretary of Education	\$152,793	\$152,793	\$152,793
Secretary of Finance	\$160,433	\$160,433	\$160,433
Secretary of Health and Human Resources	\$152,793	\$152,793	\$152,793
Secretary of Natural Resources	\$152,793	\$152,793	\$152,793
Secretary of Public Safety	\$160,433	\$160,433	\$160,433
Secretary of Technology	\$152,793	\$152,793	\$152,793
Secretary of Transportation	\$160,433	\$160,433	\$160,433
Secretary of Veterans Affairs and Homeland Security	\$160,433	\$160,433	\$160,433

c.1.a) Annual salaries of persons appointed to positions listed in subdivision c 6 hereof shall be paid in the amounts shown for the current biennium, unless changed in accordance with conditions stated in subdivisions c 2 through c 5 hereof.

b) The starting salary of a new appointee shall not exceed the midpoint of the range, except where the midpoint salary is less than a ten percent increase from an appointee's preappointment compensation. In such cases, an appointee's starting salary may be set at a rate which is ten percent higher than the preappointment compensation, provided that the maximum of the range is not exceeded. However, in instances where an appointee's preappointment compensation exceeded the maximum of the respective salary range, then the salary for that appointee may be set at the maximum salary for the respective salary range.

c) Nothing in subdivision c 1 shall be interpreted to supersede the provisions of § 4-6.01 e, f, g, h, i, j, k, l, and m of this act.

1 d) For new appointees to positions listed in § 4-6.01c.6., the Governor is authorized to provide for fringe benefits in addition
 2 to those otherwise provided by law, including post retirement health care and other non-salaried benefits provided to similar
 3 positions in the public sector.

4 2.a)1) The Governor may increase or decrease the annual salary for incumbents of positions listed in subdivision c 6 below at
 5 a rate of up to 10 percent in any single fiscal year between the minimum and the maximum of the respective salary range in
 6 accordance with an assessment of performance and service to the Commonwealth.

7 2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions
 8 listed in subdivision c.7. below at a rate of up to 10 percent in any fiscal year between the minimum and maximum of the
 9 respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

10 b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are
 11 listed in §§ 1-1 through 1-9, and 4-6.01 b, c, and d of this act, based on an annual assessment of performance, in accordance
 12 with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over
 13 and above the salaries listed in this act, and shall not become part of the base rate of pay.

14 2) The appointing or governing authority shall report performance bonuses which are granted to executive branch employees to
 15 the Department of Human Resource Management for retention in its records.

16 3. From the effective date of the Executive Pay Plan set forth in Chapter 601, Acts of Assembly of 1981, all incumbents
 17 holding positions listed in this § 4-6.01 shall be eligible for all fringe benefits provided to full-time classified state employees
 18 and, notwithstanding any provision to the contrary, the annual salary paid pursuant to this § 4-6.01 shall be included as
 19 creditable compensation for the calculation of such benefits.

20 4. Notwithstanding § 4-6.01.c.2.b)1) of this Act, the Board of Commissioners of the Virginia Port Authority may supplement
 21 the salary of its Executive Director, with the prior approval of the Governor. The Board should be guided by criteria which
 22 provide a reasonable limit on the total additional income of the Executive Director. The criteria should include, without
 23 limitation, a consideration of the salaries paid to similar officials at comparable ports of other states. The Board shall report
 24 approved supplements to the Department of Human Resource Management for retention in its records.

25 5. With the written approval of the Governor, the Board of Trustees of the Virginia Museum of Fine Arts, the Science
 26 Museum of Virginia, the Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, Gunston Hall, the Library
 27 Board, and the Virginia College Savings Plan Board may supplement the salary of the Director of each museum, the Librarian
 28 of Virginia, and the Director of the Virginia College Savings Plan Board from nonstate funds. In approving a supplement, the
 29 Governor should be guided by criteria which provide a reasonable limit on the total additional income and the criteria should
 30 include, without limitation, a consideration of the salaries paid to similar officials at comparable museums and libraries of
 31 other states. The respective Boards shall report approved supplements to the Department of Human Resource Management for
 32 retention in its records.

33 6.a) The following salaries shall be paid for the current biennium in the amounts shown, however, all salary changes shall be
 34 subject to subdivisions c 2 through c 5 above.

	July 1, 2012 to June 24, 2013	June 25, 2013 to November 24, 2013	November 25, 2013 to June 30, 2014
Level I Range	\$143,449 - \$198,450	\$146,318 - \$202,419	\$146,318 - \$202,419
Midpoint	\$170,950	\$174,369	\$174,369
Chief Information Officer, Virginia Information Technologies Agency	\$157,500	\$157,500	\$157,500
Commissioner, Department of Motor Vehicles	\$143,449	\$143,449	\$143,449
Commissioner, Department of Social Services	\$147,000	\$147,000	\$147,000

1	Commissioner,			
2	Department of			
3	Behavioral Health and			
4	Developmental Services	\$191,672	\$191,672	\$191,672
5				
6	Commonwealth			
7	Transportation			
8	Commissioner	\$198,450	\$198,450	\$198,450
9				
10	Director, Department of			
11	Corrections	\$150,000	\$150,000	\$150,000
12				
13	Director, Department of			
14	Environmental Quality	\$157,729	\$157,729	\$157,729
15				
16	Director, Department of			
17	Medical Assistance			
18	Services	\$165,669	\$165,669	\$165,669
19				
20	Director, Department of			
21	Planning and Budget	\$157,500	\$157,500	\$157,500
22				
23	State Health			
24	Commissioner	\$191,906	\$191,906	\$191,906
25				
26	State Tax Commissioner	\$143,646	\$143,646	\$143,646
27				
28	Superintendent of Public			
29	Instruction	\$175,467	\$175,467	\$175,467
30				
31	Superintendent of State			
32	Police	\$153,076	\$153,076	\$153,076
33				
34				
35		July 1, 2012	June 25, 2013	November 25, 2013
36		to	to	to
37		June 24, 2013	November 24, 2013	June 30, 2014
38				
39	Level II Range	\$100,800 - \$157,249	\$102,816 - \$160,394	\$102,816 - \$160,394
40				
41				
42	Midpoint	\$129,025	\$131,605	\$131,605
43				
44				
45	Alcoholic Beverage			
46	Control Commissioner	\$120,000	\$126,000	\$126,000
47				
48	Alcoholic Beverage			
49	Control Commissioner	\$122,000	\$122,000	\$122,000
50				
51	Chairman, Alcoholic			
52	Beverage Control Board	\$130,978	\$130,978	\$130,978
53				
54	Commissioner,			
55	Department of			
56	Agriculture and			
57	Consumer Services	\$120,000	\$120,000	\$120,000
58				
59	Commissioner,			
60	Department of Veterans			
61	Services	\$120,000	\$120,000	\$120,000
62				
63	Commissioner, Virginia			
64	Employment			
65	Commission	\$128,100	\$128,100	\$128,100
66				

1	Executive Director,			
2	Department of Game and			
3	Inland Fisheries	\$130,977	\$130,977	\$130,977
4				
5	Commissioner, Marine			
6	Resources Commission	\$115,395	\$115,395	\$115,395
7				
8	Director, Department of			
9	Business Assistance	\$100,800	\$100,800	\$100,800
10				
11	Director, Department of			
12	Forensic Science	\$153,972	\$153,972	\$153,972
13				
14	Director, Department of			
15	General Services	\$148,293	\$148,293	\$148,293
16				
17	Director, Department of			
18	Mines, Minerals and			
19	Energy	\$124,888	\$124,888	\$124,888
20				
21	Director, Department of			
22	Human Resource			
23	Management	\$137,955	\$137,955	\$137,955
24				
25	Director, Department of			
26	Juvenile Justice	\$120,750	\$120,750	\$120,750
27				
28	Director, Department of			
29	Rail and Public			
30	Transportation	\$132,132	\$132,132	\$132,132
31				
32	Executive Director,			
33	DMV Dealer Board	\$115,445	\$115,445	\$115,445
34				
35	Executive Director,			
36	Virginia Port Authority	\$137,186	\$137,186	\$137,186
37				
38	State Comptroller			
39		\$157,249	\$157,249	\$157,249
40	State Treasurer	\$157,249	\$157,249	\$157,249
41				
42				
43				
44		July 1, 2012	June 25, 2013	November 25, 2013
45		to	to	to
46		June 24, 2013	November 24, 2013	June 30, 2014
47				
48	Level III Range			
49		\$101,493- \$139,535		
50			\$103,523 -\$142,326	\$103,523 -\$142,326
51				
52	Midpoint	\$120,514		
53			\$122,925	\$122,925
54				
55	Adjutant General	\$132,890	\$132,890	\$132,890
56				
57	Chairman, Virginia			
58	Parole Board	\$120,750	\$120,750	\$120,750
59				
60	Commissioner,			
61	Department of Labor and			
62	Industry	\$110,250	\$110,250	\$110,250
63				
64	Commissioner,			
65	Department for Aging			
66	and Rehabilitative			
67	Services	\$130,815	\$130,815	\$130,815

1				
2	Coordinator, Department			
3	of Emergency			
4	Management	\$120,383	\$120,383	\$120,383
5				
6	Director, Department of			
7	Aviation	\$127,937	\$127,937	\$127,937
8				
9	Director, Department of			
10	Conservation and			
11	Recreation	\$128,000	\$128,000	\$128,000
12				
13				
14	Director, Department of			
15	Criminal Justice Services	\$113,400	\$113,400	\$113,400
16				
17				
18				
19	Director, Department of			
20	Health Professions	\$126,127	\$126,127	\$126,127
21				
22	Director, Department of			
23	Historic Resources	\$105,189	\$105,189	\$105,189
24				
25	Director, Department of			
26	Housing and Community			
27	Development	\$124,335	\$124,335	\$124,335
28				
29	Director, Department of			
30	Professional and			
31	Occupational Regulation	\$112,000	\$112,000	\$112,000
32				
33	Director, The Science			
34	Museum of Virginia	\$128,767	\$128,767	\$128,767
35				
36	Director, Virginia			
37	Museum of Fine Arts	\$133,726	\$133,726	\$133,726
38				
39	Director, Virginia			
40	Museum of Natural			
41	History	\$110,250	\$110,250	\$110,250
42				
43	Executive Director,			
44	Jamestown-Yorktown			
45	Foundation	\$127,940	\$127,940	\$127,940
46				
47	Executive Secretary,			
48	Virginia Racing			
49	Commission	\$108,472	\$108,472	\$108,472
50				
51	Librarian of Virginia	\$139,535	\$139,535	\$139,535
52				
53	State Forester,			
54	Department of Forestry	\$101,493	\$101,493	\$101,493
55				
56				
57				
58				
59		July 1, 2012	June 25, 2013	November 25, 2013
60		to	to	to
61		June 24, 2013	November 24, 2013	June 30, 2014
62				
63	Level IV Range			
64		\$98,214 - \$109,725	\$100,178 - \$111,920	\$100,178 - \$111,920
65				
66	Midpoint			
67		\$103,970	\$106,049	\$106,049

1				
2	Administrator,			
3	Commonwealth's			
4	Attorneys' Services			
5	Council	\$98,214	\$98,214	\$98,214
6				
7				
8				
9	Commissioner, Virginia			
10	Department for the Blind			
11	and Vision Impaired	\$109,725	\$109,725	\$109,725
12				
13	Director, Department of			
14	Minority Business			
15	Enterprise	\$101,130	\$101,130	\$101,130
16				
17	Executive Director,			
18	Board of Accountancy	\$109,200	\$109,200	\$109,200
19				
20	Executive Director,			
21	Frontier Culture Museum			
22	of Virginia	\$106,139	\$106,139	\$106,139
23				
24				
25				
26	Secretary, State Board of			
27	Elections	\$104,000	\$104,000	\$104,000
28				
29				
30		July 1, 2012	June 25, 2013	November 25, 2013
31		to	to	to
32		June 24, 2013	November 24, 2013	June 30, 2014
33				
34	Level V Range	\$20,288 - \$88,583	\$20,694 - \$90,355	\$20,694 - \$90,355
35				
36				
37	Midpoint	\$54,436	\$55,525	\$55,525
38				
39				
40	Director, Gunston Hall	\$86,176	\$86,176	\$86,176
41				
42	Director, Virginia			
43	Department for the Deaf			
44	and Hard-of-Hearing	\$88,583	\$88,583	\$88,583
45				
46	Executive Director,			
47	Department of Fire			
48	Programs	\$87,360	\$87,360	\$87,360
49				
50				
51				
52	Executive Director,			
53	Virginia Commission for			
54	the Arts	\$86,283	\$86,283	\$86,283
55				
56	Chairman of Board			
57	Chairman, Compensation			
58	Board	\$20,288	\$20,288	\$20,288
59				

60 7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts
61 shown. All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.

62		July 1, 2012	June 25, 2013	November 25, 2013
63		to	to	to
64		June 24, 2013	November 24, 2013	June 30, 2014
65				

1	Independent Range	\$127,846 - \$170,352		
2			\$130,403 - 173,759	\$130,403 - \$173,759
3				
4	Midpoint	\$149,099		
5			\$152,081	\$152,081
6				
7	Director, State Lottery			
8	Department	\$142,719	\$142,719	\$142,719
9				
10	Executive Director,			
11	Virginia Office for			
12	Protection and Advocacy	\$127,846	\$127,846	\$127,846
13				
14	Director, Virginia			
15	Retirement System	\$170,352	\$170,352	\$170,352
16				
17	Chief Executive Officer,			
18	Virginia College Savings			
19	Plan	\$170,352	\$170,352	\$170,352
20				

21 8. Notwithstanding any provision of this Act, the Board of Trustees of the Virginia Retirement System may supplement the
22 salary of its Director. The Board should be guided by criteria, which provide a reasonable limit on the total additional income
23 of the Director. The criteria should include, without limitation, a consideration of the salaries paid to similar officials in
24 comparable public pension plans. The Board shall report such criteria and potential supplement level to the Chairmen of the
25 Senate Finance and House Appropriations Committees at least 60 days prior to the effectuation of the compensation action.
26 The Board shall report approved supplements to the Department of Human Resource Management for retention in its records.

27 d.1. Annual salaries of the presidents of the senior institutions of higher education, the President of Richard Bland College, the
28 Chancellor of the University of Virginia's College at Wise, the Superintendent of the Virginia Military Institute, the Director of
29 the State Council of Higher Education, the Director of the Southern Virginia Higher Education Center, the Director of the
30 Southwest Virginia Higher Education Center and the Chancellor of Community Colleges, as listed in this paragraph, shall be
31 paid in the amounts shown. The annual salaries of the presidents of the community colleges shall be fixed by the State Board
32 for Community Colleges within a salary structure submitted to the Governor prior to June 1 each year for approval.

33 2.a) The board of visitors of each institution of higher education or the boards of directors for Southern Virginia Higher
34 Education Center, Southwest Virginia Higher Education Center, and the New College Institute may annually supplement the
35 salary of a president or director from private gifts, endowment funds, foundation funds, or income from endowments and gifts.
36 Supplements paid from other than the cited sources prior to June 30, 1997, may continue to be paid. In approving a
37 supplement, the board of visitors or board of directors should be guided by criteria which provide a reasonable limit on the
38 total additional income of a president or director. The criteria should include a consideration of additional income from outside
39 sources including, but not being limited to, service on boards of directors or other such services. The board of visitors or board
40 of directors shall report approved supplements to the Department of Human Resource Management for retention in its records.

41 b) The State Board for Community Colleges may annually supplement the salary of the Chancellor from any available
42 appropriations of the Virginia Community College System. In approving a supplement, the State Board for Community
43 Colleges should be guided by criteria which provide a reasonable limit on the total additional income of the Chancellor. The
44 criteria should include consideration of additional income from outside sources including, but not being limited to, service on
45 boards of directors or other such services. The Board shall report approved supplements to the Department of Human Resource
46 Management for retention in its records.

47 c) Norfolk State University is authorized to supplement the salary of its president from educational and general funds up to
48 \$17,000.

49 d) Should a vacancy occur for the Director of the State Council of Higher Education on or after the date of enactment of this
50 act, the salary for the new director shall be established by the State Council of Higher Education based on the salary range for
51 Level I agency heads. Furthermore, the state council may provide a bonus of up to five percent of the annual salary for the
52 new director.

53		July 1, 2012	June 25, 2013	November 25, 2013
54		to	to	to
55		June 24, 2013	November 24, 2013	June 30, 2014
56				
57	NEW COLLEGE			
58	INSTITUTE			
59	Executive Director, New			
60	College Institute	\$123,524	\$123,524	\$123,524

1				
2				
3	STATE COUNCIL OF			
4	HIGHER EDUCATION			
5	FOR VIRGINIA			
6	Director, State Council of			
7	Higher Education for			
8	Virginia	\$182,490	\$182,490	\$182,490
9				
10	SOUTHERN VIRGINIA			
11	HIGHER EDUCATION			
12	CENTER			
13	Director, Southern			
14	Virginia Higher Education			
15	Center	\$124,925	\$124,925	\$124,925
16				
17	SOUTHWEST			
18	VIRGINIA HIGHER			
19	EDUCATION CENTER			
20	Director, Southwest			
21	Virginia Higher Education			
22	Center	\$128,300	\$128,300	\$128,300
23				
24	VIRGINIA			
25	COMMUNITY			
26	COLLEGE SYSTEM			
27	Chancellor of Community			
28	Colleges	\$167,243	\$167,243	\$167,243
29				
30	SENIOR COLLEGE			
31	PRESIDENTS'			
32	SALARIES			
33	Chancellor, University of			
34	Virginia's College at Wise	\$127,221	\$127,221	\$127,221
35				
36	President, Christopher			
37	Newport University	\$130,805	\$130,805	\$130,805
38				
39	President, The College of			
40	William and Mary in			
41	Virginia	\$157,249	\$157,249	\$157,249
42				
43	President, George Mason			
44	University	\$148,307	\$148,307	\$148,307
45				
46	President, James Madison			
47	University	\$153,183	\$153,183	\$153,183
48				
49	President, Longwood			
50	University	\$147,127	\$147,127	\$147,127
51				
52	President, Norfolk State			
53	University	\$143,627	\$143,627	\$143,627
54				
55	President, Old Dominion			
56	University	\$165,777	\$165,777	\$165,777
57				
58	President, Radford			
59	University	\$150,805	\$150,805	\$150,805
60				
61	President, Richard Bland			
62	College	\$129,200	\$129,200	\$129,200
63				
64	President, University of			
65	Mary Washington	\$140,447	\$140,447	\$140,447
66				

1	President, University of			
2	Virginia	\$176,104	\$176,104	\$176,104
3				
4	President, Virginia			
5	Commonwealth University	\$176,104	\$176,104	\$176,104
6				
7	President, Virginia			
8	Polytechnic Institute and			
9	State University	\$184,919	\$184,919	\$184,919
10				
11	President, Virginia State			
12	University	\$143,624	\$143,624	\$143,624
13				
14	Superintendent, Virginia			
15	Military Institute	\$142,297	\$142,297	\$142,297
16				

17 e. 1. Salaries for newly employed or promoted employees shall be established consistent with the compensation and
18 classification plans established by the Governor.

19 2. The State Comptroller is hereby authorized to require payment of wages or salaries to state employees by direct deposit or
20 by credit to a prepaid debit card or card account from which the employee is able to withdraw or transfer funds.

21 f. The provisions of this section, requiring prior written approval of the Governor relative to compensation, shall apply also to
22 any system of incentive award payments which may be adopted and implemented by the Governor. The cost of implementing
23 any such system shall be paid from any funds appropriated to the affected agencies.

24 g. No lump sum appropriation for personal service shall be regarded as advisory or suggestive of individual salary rates or of
25 salary schedules to be fixed under law by the Governor payable from the lump sum appropriation.

26 h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for
27 in § 2.2-1201.12, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the
28 affected agencies.

29 i. The General Assembly hereby affirms and ratifies the Governor's existing authority and the established practice of this body
30 to provide for pay differentials or to supplement base rates of pay for employees in specific job classifications in particular
31 geographic and/or functional areas where, in the Governor's discretion, they are needed for the purpose of maintaining salaries
32 which enable the Commonwealth to maintain a competitive position in the relevant labor market.

33 j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a
34 state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall
35 pay one-half of the salary listed in § 4-6.01 c 6 of this act. Further, such institution may provide compensation in addition to
36 that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

37 2. If the Administrator ceases to be a member of the faculty of a state-supported institution of higher education, the total salary
38 listed in § 4-6.01 c 6 shall be paid from the Council's appropriation.

39 k.1.a) Except as otherwise provided for in this subdivision, any increases in the salary band assignment of any job role
40 contained in the compensation and classification plans approved by the Governor shall be effective beginning with the first pay
41 period, defined as the pay period from June 25 through July 9, of the fiscal year if: (1) the agency certifies to the Secretary of
42 Finance that funds are available within the agency's appropriation to cover the cost of the increase for the remainder of the
43 current biennium and presents a plan for covering the costs next biennium and the Secretary concurs, or (2) such funds are
44 appropriated by the General Assembly. If at any time the Secretary of Administration shall certify that such change in the
45 salary band assignment for a job role is of an emergency nature and the Secretary of Finance shall certify that funds are
46 available to cover the cost of the increase for the remainder of the biennium within the agency's appropriation, such change in
47 compensation may be effective on a date agreed upon by these two Secretaries. The Secretary of Administration shall provide
48 a monthly report of all such emergency changes in accordance with § 4-8.00, Reporting Requirements.

49 b) Notwithstanding any other provision of law, state employees will be paid on July 2, 2012, for the work period June 10 to
50 June 24, 2012.

51 2. Salary adjustments for any employee through a promotion, role change, exceptional recruitment and retention incentive
52 options, or in-range adjustment shall occur only if: a) the agency has sufficient funds within its appropriation to cover the cost
53 of the salary adjustment for the remainder of the current biennium or b) such funds are appropriated by the General Assembly.

54 3. No changes in salary band assignments affecting classified employees of more than one agency shall become effective
55 unless the Secretary of Finance certifies that sufficient funds are available to provide such increase or plan to all affected

1 employees supported from the general fund.

2 1. Full-time employees of the Commonwealth, including faculty members of state institutions of higher education, who are
3 appointed to a state-level board, council, commission or similar collegial body shall not receive any such compensation for
4 their services as members or chairmen except for reimbursement of reasonable and necessary expenses. The foregoing
5 provision shall likewise apply to the Compensation Board, pursuant to § 15.2-1636.5, Code of Virginia.

6 m.1. Notwithstanding any other provision of law, the board of visitors or other governing body of any public institution of
7 higher education is authorized to establish age and service eligibility criteria for faculty participating in voluntary early
8 retirement incentive plans for their respective institutions pursuant to § 23-9.2:3.1 B and the cash payment offered under such
9 compensation plans pursuant to § 23-9.2:3.1 D, Code of Virginia. Notwithstanding the limitations in § 23-9.2:3.1 D, the total
10 cost in any fiscal year for any such compensation plan, shall be set forth by the governing body in the compensation plan for
11 approval by the Governor and review for legal sufficiency by the Office of the Attorney General.

12 2. Notwithstanding any other provision of law, employees holding full-time, academic-year classified positions at public
13 institutions of higher education shall be considered "state employees" as defined in § 51.1-124.3, Code of Virginia, and shall
14 be considered for medical/hospitalization, retirement service credit, and other benefits on the same basis as those individuals
15 appointed to full-time, 12-month classified positions.

16 n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five
17 or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five
18 percent of their sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed \$5,000 and
19 the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered
20 by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be
21 paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits
22 they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System
23 pursuant to § 51.1-1103 (F), Code of Virginia.

24 o. It is the intent of the General Assembly that calculation of the faculty salary benchmark goal for the Virginia Community
25 College System shall be done in a manner consistent with that used for four-year institutions, taking into consideration the
26 number of faculty at each of the community colleges. In addition, calculation of the salary target shall reflect an eight percent
27 salary differential in a manner consistent with other public four-year institutions and for faculty at Northern Virginia
28 Community College.

29 p. Any public institution of higher education that has met the eligibility criteria set out in Chapters 933 and 945 of the 2005
30 Acts of Assembly may supplement annual salaries for classified employees from private gifts, endowment funds, or income
31 from endowments and gifts, subject to policies approved by the board of visitors. The Commonwealth shall have no general
32 fund obligations for the continuation of such salary supplements.

33 q. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in
34 this item, and other items in the Act, to reflect the compensation adjustments authorized in Item 468 of this Act.

35 § 4-6.02 EMPLOYEE TRAINING AND STUDY

36 Subject to uniform rules and regulations established by the Governor, the head of any state agency may authorize, from any
37 funds appropriated to such department, institution or other agency in this act or subsequently made available for the purpose,
38 compensation or expenses or both compensation and expenses for employees pursuing approved training courses or academic
39 studies for the purpose of becoming better equipped for their employment in the state service. The rules and regulations shall
40 include reasonable provision for the return of any employee receiving such benefits for a reasonable period of duty, or for
41 reimbursement to the state for expenditures incurred on behalf of the employee should he not return to state service.

42 § 4-6.03 EMPLOYEE BENEFITS

43 a. Any medical/hospitalization benefit program provided for state employees shall include the following provision: any state
44 employee, as defined in § 2.2-2818, Code of Virginia, shall have the option to accept or reject coverage.

45 b. Except as provided for sworn personnel of the Department of State Police, no payment of, or reimbursement for, the
46 employer paid contribution to the State Police Officers' Retirement System, or any system offering like benefits, shall be made
47 by the Compensation Board of the Commonwealth at a rate greater than the employer rate established for the general classified
48 workforce of the Commonwealth covered under the Virginia Retirement System. Any cost for benefits exceeding such general
49 rate shall be borne by the employee or, in the case of a political subdivision, by the employer.

50 c. Each agency may, within the funds appropriated by this act, implement a transit and ridesharing incentive program for its
51 employees. With such programs, agencies may reimburse employees for all or a portion of the costs incurred from using public
52 transit, car pools, or van pools. The Secretary of Transportation shall develop guidelines for the implementation of such
53 programs and any agency program must be developed in accordance with such guidelines. The guidelines shall be in
54 accordance with the federal National Energy Policy Act of 1992 (P.L. 102-486), and no program shall provide an incentive

1 that exceeds the actual costs incurred by the employee.

2 d. Any hospital that serves as the primary medical facility for state employees may be allowed to participate in the State
 3 Employee Health Insurance Program pursuant to § 2.2-2818, Code of Virginia, provided that (1) such hospital is not a
 4 participating provider in the network, contracted by the Department of Human Resource Management, that serves state
 5 employees and (2) such hospital enters into a written agreement with the Department of Human Resource Management as to
 6 the rates of reimbursement. The department shall accept the lowest rates offered by the hospital from among the rates charged
 7 by the hospital to (1) its largest purchaser of care, (2) any state or federal public program, or (3) any special rate developed by
 8 the hospital for the state employee health benefits program which is lower than either of the rates above. If the department and
 9 the hospital cannot come to an agreement, the department shall reimburse the hospital at the rates contained in its final offer to
 10 the hospital until the dispute is resolved. Any dispute shall be resolved through arbitration or through the procedures
 11 established by the Administrative Process Act, as the hospital may decide, without impairment of any residual right to judicial
 12 review.

13 e. Any classified employee of the Commonwealth and any person similarly employed in the legislative, judicial and
 14 independent agencies who (i) is compensated on a salaried basis and (ii) works at least twenty hours per week shall be
 15 considered a full-time employee for the purposes of participation in the Virginia Retirement System's group life insurance and
 16 retirement programs. Any part-time magistrate hired prior to July 1, 1999, shall have the option of participating in the
 17 programs under this provision.

18 f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia
 19 who: 1) returns to work in a position that is covered by the provisions of § 51.1-155.1, Code of Virginia after a break of not
 20 less than four years, 2) receives no other compensation for service to a public employer than that provided for the position
 21 covered by § 51.1-155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such
 22 period of reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

23 a) Revert to the previous retirement benefit received under the provisions of § 51.1-155.1, Code of Virginia, including any
 24 annual cost of living adjustments granted thereon. This benefit may be adjusted upward to reflect the effect of such additional
 25 months of service and compensation received during the period of reemployment, or

26 b) Retire under the provisions of Title 51.1 in effect at the termination of his or her period of reemployment, including any
 27 purchase of service that may be eligible for purchase under the provisions of §51.1-142.2, Code of Virginia.

28 2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits
 29 provided for in this paragraph.

30 g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a
 31 member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The
 32 provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

33 h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be
 34 eligible for the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance
 35 payment to purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia.
 36 Such service purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final
 37 compensation, whichever is greater, and shall be completed within 90 days of separation of service.

38 i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers'
 39 Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement
 40 System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed
 41 forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

42 1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is
 43 higher, when calculating average compensation, and

44 2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces
 45 of the United States in the calculation of creditable service.

46 j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable
 47 compensation for each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i)
 48 "state employee," as defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial
 49 Retirement System under Chapter 3 of Title 51.1 (§ 51.1-300 et seq.), who is not a "person who becomes a member on or
 50 after July 1, 2010," as defined in § 51.1-124.3, Code of Virginia.

1 § 4-6.04 CHARGES

2 a. FOOD SERVICES: Except as exempted by the prior written approval of the Director, Department of Human Resource
 3 Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state
 4 facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and
 5 the cost of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the
 6 calculation of meal charges and revenues collected. Except where appropriations for operation of the food service are from
 7 nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund. The
 8 provisions of this paragraph shall not apply to on-duty employees assigned to correctional facilities operated by the
 9 Departments of Corrections, Juvenile Justice, and Correctional Education.

10 b. HOUSING SERVICES:

11 1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines
 12 provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for
 13 state-owned or leased housing and for documenting in writing why the rate established was selected. In exceptional
 14 circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an
 15 exception, the Director, Department of General Services may waive the requirement for collection of fees.

16 2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating
 17 expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund.
 18 For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be
 19 deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are
 20 financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state
 21 treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion
 22 of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid
 23 into the general fund.

24 c. PARKING SERVICES :

25 1. State-owned parking facilities

26 Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of
 27 General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such
 28 charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor,
 29 for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. –

30 2. Leased parking facilities in metropolitan Richmond area

31 Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of
 32 higher education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are
 33 otherwise available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private
 34 parking space. In such cases, the individual employee parking fee shall not be less than that paid by employees parking in
 35 Department of General Services parking facilities at the Seat of Government. The Director, Department of General Services
 36 may amend or waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in
 37 leased facilities will be retained by the leasing agency to be used to offset the cost of the lease to which it pertains. Any lease
 38 for private parking space must be approved by the Director, Department of General Services.

39 3. The assignment of Lot P1A of the Department of General Services, Capitol Area Site Plan, to include parking spaces 1
 40 through 37, but excluding spaces 34 and 36, which shall be reserved for the Department of General Services, and the
 41 surrounding surfaces around those spaces shall be under the control of the Committee on Joint Rules and administered by the
 42 Clerk of the House and the Clerk of the Senate. Any employee permanently assigned to any of these spaces shall be subject
 43 to the provisions of paragraph 1 of this item.

44 § 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

45 It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia
 46 (the Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are
 47 strictly observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

48 § 4-6.06 POSITIONS GOVERNED BY CHAPTERS 933 AND 943 OF THE 2006 ACTS OF ASSEMBLY

49 Except as provided in subsection A of § 23-38.114 of the Code of Virginia, § 4-6.00 shall not apply to public institutions of
 50 higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly with regard to their participating covered
 51 employees, as that term is defined in those two chapters, except to the extent a specific appropriation or language in this act
 52 addresses such an employee.

§ 4-7.00 STATEWIDE PLANS**§ 4-7.01 MANPOWER CONTROL PROGRAM**

a.1. The term Position Level is defined as the number of full-time equivalent (FTE) salaried employees assigned to an agency in this act. Except as provided in § 4-7.01 b, the Position Level number stipulated in an agency's appropriation is the upper limit for agency employment which cannot be exceeded during the fiscal year without approval from the Director, Department of Planning and Budget for Executive Department agencies, approval from the Joint Committee on Rules for Legislative Department agencies or approval from the appropriate governing authority for the independent agencies.

2. Any approval granted under this subsection shall be reported in writing to the Chairmen of the House Appropriations Committee and the Senate Finance Committee, the Governor and the Directors of the Department of Planning and Budget and Department of Human Resource Management within ten days of such approval. Approvals for executive department agencies shall be based on threats to life, safety, health, or property, or compliance with judicial orders or federal mandates, to support federal grants or private donations, to administer a program for another agency or to address an immediate increase in workload or responsibility or when to delay approval of increased positions would result in a curtailment of services prior to the next legislative session. Any such position level increases pursuant to this provision may not be approved for more than one year.

b. The Position Levels stipulated for the individual agencies within the Department of Behavioral Health and Developmental Services and the Department of Corrections are for reference only and are subject to changes by the applicable Department, provided that such changes do not result in exceeding the Position Level for that department.

c.1. The Governor shall implement such policies and procedures as are necessary to ensure that the number of employees in the Executive Department, excluding institutions of higher education and the State Council of Higher Education, may be further restricted to the number required for efficient operation of those programs approved by the General Assembly. Such policies and procedures shall include periodic review and analysis of the staffing requirements of all Executive Department agencies by the Department of Planning and Budget with the object of eliminating through attrition positions not necessary for the efficient operation of programs.

2. The institutions of higher education and the State Council of Higher Education are hereby authorized to fill all positions authorized in this act. This provision shall be waived only upon the Governor's official declaration that a fiscal emergency exists requiring a change in the official estimate of general fund revenues available for appropriation.

d.1. Position Levels are for reference only and are not binding on agencies in the legislative department, independent agencies, the Executive Offices other than the offices of the Governor's Secretaries, and the judicial department.

2. Positions assigned to programs supported by internal service funds are for reference only and may fluctuate depending upon workload and funding availability.

3. Positions assigned to sponsored programs, auxiliary enterprises, continuing education, and teaching hospitals in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 43012, State Health Services Technical Support and Administration, at Virginia Commonwealth University are for reference only and may fluctuate depending upon workload and funding availability. Positions assigned to Item Detail 46102, Social Security Disability Determination, at the Department of Rehabilitative Services are for reference only and may fluctuate depending upon workload and funding availability.

4. Positions assigned to educational and general programs in the institutions of higher education are for reference only and may fluctuate depending upon workload and funding availability. However, total general fund positions filled by an institution of higher education may not exceed 105 percent of the general fund positions appropriated without prior approval from the Director, Department of Planning and Budget.

5. Positions assigned to Item Details 47001, Job Placement Services; 47002, Unemployment Insurance Services; 47003, Workforce Development Services; and 53402, Economic Information Services, at the Virginia Employment Commission are for reference only and may fluctuate depending upon workload and funding availability. Unless otherwise required by the funding source, after enactment of this act, any new positions hired using this provision shall not be subject to transitional severance benefit provisions of the Workforce Transition Act of 1995, Title 2.2, Chapter 32, Code of Virginia.

e. Prior to implementing any Executive Department hiring freeze, the Governor shall consider the needs of the Commonwealth in regards to the safe and efficient operation of state facilities and performance of essential services to include the exemption of certain positions assigned to agencies and institutions that provide services pertaining to public safety and public health from such hiring freezes.

f.1. Full-time, part-time, wage or contractual state employees assigned to the Governor's Cabinet Secretaries from agencies and institutions under their control for the purpose of carrying out temporary assignments or projects may not be so assigned for a period exceeding 180 days in any calendar year. The permanent transfer of positions from an agency or institution to the Offices of the Secretaries, or the temporary assignment of agency or institutional employees to the Offices of the Secretaries

1 for periods exceeding 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited
2 without the prior approval of the General Assembly.

3 2. Not more than three positions in total, as described in subsection 1 hereof, may be assigned at any time to the Office of any
4 Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the
5 House Appropriations and Senate Finance Committees in the case of any such approvals.

6 g. State employees in the legislative, judicial, and executive branches of government, the independent agencies of the
7 Commonwealth, or an agency administering their own health plan, who are not eligible for benefits under the health care plan
8 established and administered by the Department of Human Resource Management ("DHRM") pursuant to Va. Code § 2.2-2818,
9 may not work more than 29 hours per week on average over a twelve month period. Adjunct faculty at institutions of higher
10 education may not (a) work more than 29 hours per week on average over a twelve month period, including classroom or
11 other instructional time plus additional hours determined by the institution as necessary to perform the adjunct faculty's duties;
12 or (b) meet or exceed, on average over a twelve month period, 75% of the course load for a full-time non-tenure-track teaching
13 faculty member at that institution. Federal regulations under the Affordable Care Act ("the Act") are currently under
14 development, and DHRM shall provide relevant program requirements to agencies and employees, including, but not limited
15 to, information on wage, variable and seasonal employees, prior to the effective date of the Act and any associated regulations.
16 All state agencies/employers in all branches of government shall provide information requested by DHRM concerning hours
17 worked by employees as needed to comply with the Act and this provision. State agencies/employers are accountable for
18 compliance with this provision, and are responsible for any costs associated with maintaining compliance with it and for any
19 costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the
20 agency from existing appropriations. The provisions of this paragraph shall not apply to employees of state teaching hospitals
21 that have their own health insurance plan; however, the state teaching hospitals are accountable for compliance with, and are
22 responsible for any costs associated with maintaining compliance with the Act and for any costs or penalties associated with
23 any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing
24 appropriations.

25 § 4-8.00 REPORTING REQUIREMENTS

26 § 4-8.01 GOVERNOR

27 a. General:

28 1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate
29 Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in
30 this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in
31 such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved
32 for public inspection in the Department of Planning and Budget.

33 2. The Governor shall make available annually to the Chairmen of the Senate Finance, House Finance, and House
34 Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically
35 appropriated, their sources, and the amounts for each agency affected.

36 3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be
37 reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and
38 Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific
39 reporting requirements that the Governor may consider suspending.

40 b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect,
41 use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to
42 collect the information; or (3) the information collected is central to an essential state process mandated by the Code of
43 Virginia.

44 c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended
45 or modified as specified below:

46	Agency	Report Title of Descriptor	Authority	Action
47				
48	Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23-1.1.	Suspend reporting.
49				
50	Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.
51				
52	Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive — Executive Order 89 (2005)	Suspend reporting.
53				

1				
2	Department of General		Agency Directive—Executive	
3	Services	Gas Report/Repair Charge	Order 89 (2005)	Suspend reporting.
4				
5	Department of Human	Report of Personnel		
6	Resource Management	Development Service	Agency Directive	Suspend reporting.
7				
		Human Capital Report		
		(Full-Time, Part-Time,		
		Temporary, Contractual		
8	Department of Human	employees funded by the	Code of Virginia § 2.2-1201. A.	Change reporting from
9	Resource Management	Commonwealth)	14.	annually to monthly.
10				
11	Department of Human			
12	Resource Management State	Work-related injuries and		
13	Employee Workers’	illnesses report — goals,	Agency Directive — Executive	
14	Compensation Program	strategies, and results	Order 94 (2005)	Suspend reporting.
15				
		Small, Women-and		
		Minority-owned Businesses		
16	Governor’s Office	(SWaM)	Executive Directive	Change reporting from
17				weekly to monthly.
18	Secretary of Commerce and	Recruitment of National and	Agency Directive — Executive	
19	Trade	Regional Conferences Report	Order 14 (2006)	Suspend reporting.
20				

21 d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall
 22 work jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral
 23 fund revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for
 24 use in collecting nongeneral fund data for DPB’s six-year nongeneral fund revenue estimate submission and SCHEV’s annual
 25 survey of nongeneral fund revenue from institutions of higher education.

26 b. Operating Appropriations Reports:

27 1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or
 28 allotments, transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to
 29 § 4-1.03 of this act shall be made to the Chairmen of the House Appropriations and Senate Finance Committees by the tenth
 30 day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.

31 2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just
 32 completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an
 33 explanation of differences between the amount of the actual appropriation and actual and/or projected appropriations for each
 34 year of the current biennium.

35 3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for
 36 economic contingency.

37 4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.

38 5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.

39 6. Status of approvals of deficits.

40 c. Employment Reports:

41 1. Status of changes in positions and employment of state agencies affected. The information must include the number of
 42 positions and the agencies affected.

43 2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to
 44 Chapter 1 of Title 33.1, Code of Virginia, on behalf of the Commonwealth Transportation Commissioner, as authorized by
 45 § 2.2-510, Code of Virginia. This report shall include fees for special counsel for the respective county or city for which the
 46 expenditure is made and shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).

47 3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include
 48 a list of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the
 49 emergency.

1 4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration, in cooperation with the Secretary
 2 of Technology, shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and
 3 localities have adopted telecommuting policies, the number of state employees who telecommute, the frequency with which
 4 state employees telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state
 5 services and completing state functions. This report shall be provided to the Chairmen of the House Committee on
 6 Appropriations, the House Committee on Science and Technology, the Senate Committee on Finance, and the Senate
 7 Committee on General Laws and Technology each year by October 1.

8 d. Capital Appropriations Reports:

9 1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).

10 2. Notice of all capital projects authorized under § 4-4.01 m (see § 4-4.01 m. 1. b) 4)).

11 e. Utilization of State Owned and Leased Real Property:

12 1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of
 13 § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by
 14 § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General
 15 Assembly and include (i) information on the implementation and effectiveness of the program established pursuant to
 16 subsection A of § 2.2-1131.1, (ii) a listing of real property leases that are in effect for the current year, the agency executing
 17 the lease, the amount of space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report
 18 on DGS's findings and recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be
 19 required by the Governor and the General Assembly to identify and dispose of property not being efficiently and effectively
 20 utilized.

21 2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS
 22 lease administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form
 23 prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the
 24 number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

25 f. Services Reports:

26 Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the
 27 operation of any academic program by any state institution of higher education, unless approved by the Council and included
 28 in the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

29 g. Standard State Agency Abbreviations:

30 The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of
 31 state agencies. The Department shall submit to the Chairmen of the House Appropriations and Senate Finance Committees, the
 32 State Comptroller, the Director, Department of Human Resource Management and the Chief Information Officer, Virginia
 33 Information Technologies Agency, on or before June 1 annually, a report on such standard abbreviations and any changes
 34 thereto.

35 h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning
 36 and Budget:

37 The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget,
 38 shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance Committees
 39 on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each
 40 public college and university contained in this budget. The report shall include actual or projected adjustments which increase
 41 nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The
 42 report shall provide the justification for the increase or transfer and the relative impact on student groups.

43 § 4-8.02 STATE AGENCIES

44 a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or
 45 activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies
 46 of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and
 47 to the State Comptroller.

48 b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for
 49 amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit,
 50 electronically if available, copies to the Chairmen of the Senate Finance and House Appropriations Committees.

1 c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent
 2 forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year
 3 and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance Committees.

4 § 4-9.00 HIGHER EDUCATION RESTRUCTURING

5 § 4-9.01 APPROVAL OF MANAGEMENT AGREEMENT FOR VIRGINIA COMMONWEALTH UNIVERSITY

6 The exceptions and authority granted in this act pursuant to Chapters 933 and 943 of the 2006 Acts of Assembly shall also be
 7 granted pursuant to Chapters 594 and 616 of the 2008 Acts of Assembly. It is the intent of the General Assembly that this act
 8 be enrolled to include references to Chapters 594 and 616 of the 2008 Acts of Assembly, in sections where Chapters 933 and
 9 943, Acts of Assembly of 2006 are referenced.

10 § 4-9.02 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

11 Consistent with § 23-9.6:1.01, Code of Virginia, the following education-related and financial and administrative management
 12 measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional
 13 performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no
 14 later than October 1 of each even-numbered year. Institutional performance on measures set forth in paragraph D of this
 15 section shall be evaluated year-to-date by the Secretaries of Finance, Administration, and Technology as appropriate, and
 16 communicated to the State Council of Higher Education before October 1 of each even-numbered year. Financial benefits
 17 provided to each institution in accordance with § 2.2-5005 will be evaluated in light of that institution's performance.

18 In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is
 19 understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance
 20 measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting
 21 all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions
 22 that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the
 23 following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of
 24 financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of
 25 financial benefits.

26 Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related
 27 measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related
 28 measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of
 29 performance.

30 The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the
 31 certification process.

32 a. BIENNIAL ASSESSMENTS

33 1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount
 34 enrollment.

35 2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate
 36 and bachelor degree awards.

37 3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H
 38 (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.

39 4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level
 40 - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time
 41 equivalent students.

42 5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented
 43 populations.

44 6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

45 b. Elementary and Secondary Education

46 1. The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council
 47 of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production
 48 and retention of teachers, and the exiting of teachers from the teaching profession.

49 2. a) The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally

1 identifiable information from education records in order to evaluate and study student preparation for and enrollment and
 2 performance at state institutions of higher education in order to improve educational policy and instruction in the
 3 Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of
 4 students by persons other than representatives of the Department of Education or the State Council for Higher Education for
 5 Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

6 b) Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher
 7 Education for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use,
 8 share, and maintain de-identified student data to improve student and program performance including those for career
 9 readiness.

10 3. Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public
 11 Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards
 12 of Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic
 13 record to the Superintendent of Public Instruction or his designee for the same purpose. All information provided to the
 14 Superintendent or his designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning
 15 and shall not be redisclosed, except as provided under federal law. All information shall be destroyed when no longer needed
 16 for the purposes of studying the content and rigor of the Standards of Learning.

17 c. SIX-YEAR PLAN

18 Institution prepares six-year financial plan consistent with § 23-9.2:3.02.

19 d. FINANCIAL AND ADMINISTRATIVE STANDARDS

20 The financial and administrative standards apply to all institutions except those governed under Chapters 933 and 943 of the
 21 2006 Acts of Assembly and the institution governed under Chapters 594 and 616 of the 2008 Acts of Assembly.

22 1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and
 23 administrative standards:

24 a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

25 b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

26 c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

27 d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any
 28 standards for outstanding receivables and bad debts; and

29 e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any
 30 standards for accounts payable past due.

31 2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of
 32 institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be
 33 prudently issued within a specified period.

34 3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15
 35 percent from the established goal will be acceptable.

36 4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted
 37 to the Department of Minority Business Enterprise; however, a variance of 15 percent from its SWAM purchase goal, as stated
 38 in the plan, will be acceptable.

39 The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet
 40 procurement system (eVA) from vendor locations registered in eVA.

41 5. The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally
 42 approved by the institution's governing board for projects initiated under delegated authority, or the budget set out in the
 43 Appropriation Act or other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of
 44 Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution
 45 responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun.

46 6. The institution will complete major information technology projects (with an individual cost of over \$1,000,000) within the
 47 budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or
 48 time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or
 49 delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project

1 Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite
2 the cost overrun and/or delay.

3 e. FINANCIAL AND ADMINISTRATIVE STANDARDS

4 The financial and administrative standards apply to institutions governed under Chapters 933 and 943 of the 2006 Acts of
5 Assembly and the institution governed under Chapters 594 and 616 of the 2008 Acts of Assembly. They shall be measured by
6 the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act. However, the Governor may
7 supplement or replace those administrative performance measures with the administrative performance measures listed in this
8 paragraph. Effective July 1, 2009, the following administrative and financial measures shall be used for the assessment of
9 institutional performance for institutions governed under Chapters 933 and 943 of the 2006 Acts of Assembly and those
10 governed under Chapters 594 and 616 of the 2008 Acts of Assembly.

11 1. Financial

- 12 a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;
13 b) No significant audit deficiencies attested to by the Auditor of Public Accounts;
14 c) Substantial compliance with all financial reporting standards approved by the State Comptroller;
15 d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any
16 standards for outstanding receivables and bad debts; and
17 e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any
18 standards for accounts payable past due.

19 2. Debt Management

- 20 a) The institution shall maintain a bond rating of AA- or better;
21 b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and
22 c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt
23 management policy.

24 3. Human Resources

- 25 a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover
26 rate for state classified employees within a variance of 15 percent; and
27 b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for
28 the fiscal year.

29 4. Procurement

- 30 a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan
31 as submitted to the Department of Minority Business Enterprise; however, a variance of 15 percent from its SWAM purchase
32 goal, as stated in the plan, will be acceptable; and
33 b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide
34 internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

35 5. Capital Outlay

- 36 a) The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally
37 approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or
38 the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at
39 the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and
40 Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and
41 determine whether the institution shall be considered in compliance with the measure despite the cost overrun;
42 b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2
43 percent of the guaranteed maximum price (GMP) or construction price; and
44 c) The institution shall pay competitive rates for leased office space - the average cost per square foot for office space leased
45 by the institution is within 5 percent of the average commercial business district lease rate for similar quality space within

1 reasonable proximity to the institution's campus.

2 6. Information Technology

3 a) The institution will complete major information technology projects (with an individual cost of over \$1,000,000) on time
4 and on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such
5 project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in
6 which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's
7 best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or
8 delay; and

9 b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits.
10 The institution will have no significant audit deficiencies unresolved beyond one year.

11 f. REPORTING

12 The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education
13 governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and
14 expenditure data.

15 g. EXEMPTION

16 The requirements of this section shall not be in effect if they conflict with § 23-9.6:1.01.D. of Chapters 828 and 869 of the
17 Acts of Assembly of 2011.

18 § 4-9.03 LEVEL II AUTHORITY

19 a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher
20 education that have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824
21 and 829 of the 2008 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority
22 for a third and separate functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

23 1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted
24 by an original memorandum of understanding;

25 2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

26 The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding
27 with the Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital
28 Outlay) of Chapter 824 and 829 of the 2008 Acts of Assembly.

29 b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related
30 measure for the new area of operational authority. Each education-related measure and its respective target shall be developed
31 in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council
32 of Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State
33 Council of Higher Education for Virginia and shall become part of the certification required by § 23-9.6:1.01.

34 § 4-10.00 IMPLEMENTING VIRGINIA HIGHER EDUCATION OPPORTUNITY ACT OF 2011

35 Pursuant to Chapter 869 and 828, 2011 Acts of Assembly, and its provisions promoting partnership between public and private
36 institutions in the achievement of stated policy goals, the Commonwealth's higher education investment strategy and funding
37 policy may include the provision of financial incentives to private non-profit institutions of higher education where such
38 incentives will support the goals of economic growth, reform-based investment and affordable access. The Secretary of
39 Education shall consult with the Attorney General, the Secretary of Finance and Chairmen of the House Appropriations and
40 Senate Finance Committees, to identify appropriate methods for the provision of such incentives and may make
41 recommendations to the State Council of Higher Education for Virginia on or before October 1, 2012.

42 § 4-11.00 STATEMENT OF FINANCIAL CONDITION

43 Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts,
44 make a detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of
45 Public Accounts, and upon such forms as shall be prescribed by the Auditor of Public Accounts.

§ 4-12.00 SEVERABILITY

If any part, section, subsection, paragraph, sentence, clause, phrase, or item of this act or the application thereof to any person or circumstance is for any reason declared unconstitutional, such decisions shall not affect the validity of the remaining portions of this act which shall remain in force as if such act had been passed with the unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, item or such application thereof eliminated; and the General Assembly hereby declares that it would have passed this act if such unconstitutional part, section, subsection, paragraph, sentence, clause, phrase, or item had not been included herein, or if such application had not been made.

§ 4-13.00 CONFLICT WITH OTHER LAWS

Notwithstanding any other provision of law, and until June 30, 2014, the provisions of this act shall prevail over any conflicting provision of any other law, without regard to whether such other law is enacted before or after this act; however, a conflicting provision of another law enacted after this act shall prevail over a conflicting provision of this act if the General Assembly has clearly evidenced its intent that the conflicting provision of such other law shall prevail, which intent shall be evident only if such other law (i) identifies the specific provision(s) of this act over which the conflicting provision of such other law is intended to prevail and (ii) specifically states that the terms of this section are not applicable with respect to the conflict between the provision(s) of this act and the provision of such other law.

§ 4-14.00 EFFECTIVE DATE

This act is effective on its passage as provided in § 1-214, Code of Virginia.

ADDITIONAL ENACTMENTS

2. That no provision of this act shall be construed or interpreted to cause the expiration of any provision of Chapter 896 of the Acts of Assembly of 2007 pursuant to the 22nd enactment of such Chapter.

3. That the Code of Virginia is amended by adding section 62.1-132.3:2, relating to the Virginia Port Authority and promotion of the ports of Virginia, as follows:

A. From such funds as may be appropriated by the General Assembly and any gifts, grants, or donations from public or private sources, and any funds transferred at the request of the Executive Director from the Port Opportunity Fund created pursuant to § 62.1-132.3:1, there is hereby created in the state treasury a special nonreverting, permanent fund to be known as the Port of Virginia Economic and Infrastructure Development Zone Grant Fund (the Fund), to be administered by the Virginia Port Authority. The Fund shall be established on the books of the Comptroller. Any moneys remaining in the Fund at the end of each fiscal year, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Expenditures and disbursements from the Fund, which shall be in the form of grants, shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director. Moneys in the Fund shall be used solely for the purpose of grants to qualified applicants to the Port of Virginia Economic and Infrastructure Development Zone Grant Program.

B. The Virginia General Assembly does hereby designate the following localities to be part of the Port of Virginia Economic and Infrastructure Development Zone: the Counties of Brunswick, Chesterfield, Charles City, Clarke, Dinwiddie, Frederick, Gloucester, Greensville, Henrico, Hanover, Isle of Wight, James City, Mecklenburg, Montgomery, New Kent, Page, Prince George, Shenandoah, Southampton, Surry, Sussex, Warren, and York; and the Cities of Chesapeake, Colonial Heights, Emporia, Franklin, Hampton, Hopewell, Newport News, Norfolk, Petersburg, Poquoson, Portsmouth, Richmond, Suffolk, Virginia Beach, Williamsburg, and Winchester.

C. As used in this section, unless the context requires a different meaning:

"New, permanent full-time position" means a job of an indefinite duration, created by a qualified company as a result of operations within the Zone, requiring a minimum of 35 hours of an employee's time per week for the entire normal year of the company's operations, which normal year shall consist of at least 48 weeks, or a position of indefinite duration that requires a minimum of 35 hours of an employee's time per week for the portion of the taxable year in which the employee was initially hired for the qualified company's location within the Zone. Seasonal or temporary positions, or jobs created when a position is shifted from an existing location in the Commonwealth to the qualified company's location within the Zone, and positions in building and grounds maintenance, security, and other positions that are ancillary to the principal activities performed by the employees at the qualified company's location within the Zone shall not qualify as new, permanent full-time positions.

"Qualified company" means a corporation, limited liability company, partnership, joint, venture, or other business entity that (i) locates or expands a facility within the Zone; (ii) creates at least 25 new, permanent full-time positions for qualified full-time employees at a facility within the Zone during its first year of operation within the Zone or during the year when the expansion occurs; (iii) is involved in maritime commerce or exports or imports manufactured goods through the Port of Virginia; and (iv) is engaged in one or more of the following: the distribution, freight forwarding, freight handling, goods

1 processing, manufacturing, warehousing, crossdocking, transloading, or wholesaling of goods exported and imported through
2 the Port of Virginia; ship building and ship repair; dredging; marine construction; or offshore energy exploration or extraction.

3 "Qualified full-time employee" means an employee filling a new, permanent full-time position in the qualified company's
4 location within the Zone. A "qualified full-time employee" does not include an employee (i) for whom a tax credit was
5 previously earned pursuant to §§ 58.1-439 or 58.1-439.12:06 by a related party as defined in § 267(b) of the Internal Revenue
6 Code or by a trade or business under common control as defined in § 52(b) of the Internal Revenue Code; (ii) who was
7 previously employed in the same job function at an existing location in Virginia by a related party as defined in § 267(b) of
8 the Internal Revenue Code; or (iii) whose job function was previously performed at a different location in Virginia by an
9 employee of a related party as defined in § 267(b) of the Internal Revenue Code or a trade or business under common control
10 as defined in § 52(b) of the Internal Revenue Code.

11 "Zone" means the Port of Virginia Economic and Infrastructure Development Zone.

12 D. Beginning January 1, 2013, but not later than June 30, 2020, and subject to appropriation, any qualified company that
13 locates or expands a facility within the Port of Virginia Economic and Infrastructure Development Zone shall be eligible to
14 apply for a one-time grant from the Fund, in an amount determined as follows:

15 1. One thousand dollars per new, permanent full-time position if the qualified company creates at least 25 new, permanent
16 full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in
17 which the expansion occurs;

18 2. Fifteen hundred dollars per new, permanent full-time position if the qualified company creates at least 50 new, permanent
19 full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in
20 which the expansion occurs;

21 3. Two thousand dollars per new, permanent full-time position if the qualified company creates at least 75 new, permanent
22 full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in
23 which the expansion occurs; and

24 4. Three thousand dollars per new, permanent full-time position if the qualified company creates at least 100 new, permanent
25 full-time positions for qualified full-time employees during its first year of operation within the Zone or during the year in
26 which the expansion occurs.

27 E. The maximum amount of grant allowable per qualified company in any given fiscal year is \$500,000. The maximum
28 amount of grants allowable among all qualified companies in any given fiscal year is \$5,000,000.

29 F. To qualify for a grant pursuant to this section, a qualified company must apply for the grant not later than March 31 in the
30 year immediately following the location or expansion of a facility within the Zone pursuant to an application process
31 developed by the Virginia Port Authority. Within 90 days after the filing deadline, the Executive Director shall certify to the
32 Comptroller and the qualified company the amount of grant to which the qualified company is entitled under this section.
33 Payment of each grant shall be made by check issued by the Treasurer of Virginia on warrant of the Comptroller within 60
34 days of such certification and in the order that each completed eligible application is received. In the event that the amount of
35 eligible grants requested in a fiscal year exceeds the funds available in the Fund or \$5,000,000, such grants paid in the next
36 fiscal year in which funds are available.

37 G. Prior to receipt of a grant, the qualified company shall enter into a memorandum of understanding with the Virginia Port
38 Authority establishing the requirements for maintaining the number of new, permanent full-time positions for qualified
39 employees at the qualified company's location within the Zone. If the number of new, permanent full-time positions for any of
40 the three years immediately following receipt of a grant falls below the number of new, permanent full-time positions created
41 during the year for which the grant is claimed, the amount of the grant must be recalculated using the decreased number of
42 new, permanent full-time positions and the qualified company shall repay the difference.

43 H. No qualified company shall apply for a grant nor shall one be awarded under this section to an otherwise qualified
44 company if (i) a credit pursuant to §§ 58.1-439 or 58.1-439.12:06 is claimed for the same employees or for capital
45 expenditures at the same facility by the qualified company, by a related party as defined in § 267(b) of the Internal Revenue
46 Code, or by a trade or business under common control as defined in § 52(b) of the Internal Revenue Code or (ii) the qualified
47 company was a party to a reorganization as defined in § 368(b) of the Internal Revenue Code, and any corporation involved in
48 the reorganization as defined in §368(a) of the Internal Revenue Code previously received a grant under this section for the
49 same facility or operations.

50 I. The Virginia Port Authority, with the assistance of the Virginia Economic Development Partnership, shall develop guidelines
51 establishing procedures and requirements for qualifying for the grant, including the affirmative determination that each
52 applicant is a qualified company, as defined above, engaged in a port-related business. The guidelines shall be exempt from the
53 Administrative Process Act (§ 2.2-4000 et seq.).

I VETO ENACTMENT #4 WHICH IS SEPARATE LEGISLATION. /s/ Robert F. McDonnell (5/3/13) (Vetoed item is enclosed in brackets.)

54 **4. That §§ 2.2-1508 and 2.2-1509 of the Code of Virginia are amended and reenacted as follows:**

1 § 2.2-1508. Submission of executive budget to General Assembly.

2 A. On or before December 20 in the year immediately prior to the beginning of each regular session of the General Assembly
3 held in an even-numbered year, the Governor shall submit to the presiding officer of each house of the General Assembly
4 printed copies of a budget document for the biennium beginning July 1 of the even-numbered year, which shall be known as
5 "The Executive Budget," based on his own conclusions and judgment, containing the following:

6 1. For each agency, the amount and number of positions appropriated for the current appropriation year and the amount and
7 number of positions recommended for each year of the ensuing biennial period beginning with the first day of July thereafter,
8 accompanied by an explanation of the recommended amount and number of positions. Such information shall also include the
9 total estimated amount appropriated for personnel costs for each agency.

10 2. A statement of historical and projected trends that influence the general economic conditions in the Commonwealth and a
11 statement of the economic assumptions upon which revenue projections are based.

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

13 a. Administration of justice;

14 b. Education, including intellectual and cultural development;

15 c. Individual and family services;

16 d. Resources and economic development, including specific references to economic development and management of natural
17 resources;

18 e. Transportation; and

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

21 4. A statement organized by function, primary agency, and proposed appropriation item that sets forth:

22 a. Identification of common programs and services;

23 b. Service attainments or lack of attainments and service terminations or reductions for the biennium;

24 c. Major goals, objectives, and specific outcomes related to expenditures for programs;

25 d. Program measures and performance standards to be used in monitoring and evaluating services; and the development of
26 appropriate evaluation cycles, within available resources;

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

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

30 6. A listing of all activity, program-related, agency or departmental evaluations performed in the previous two years with
31 guidance indicating the manner in which the public can gain access to the full text of such studies.

32 7. A schedule and description of all data processing or other projects in which the Commonwealth has entered into or plans to
33 enter into a contract, agreement or other financing agreement or such other arrangement that requires that the Commonwealth
34 either pay for the contract by foregoing revenue collections, or allows or assigns to another party the collection on behalf of or
35 for the Commonwealth any fees, charges, or other assessment or revenues to pay for the project. Such schedule shall include
36 by agency and project (i) a summary of the terms, (ii) the anticipated duration, and (iii) cost or charges to any user, whether a
37 state agency or institutions or other party not directly a party to the project arrangements. The description shall also include
38 any terms or conditions that bind the Commonwealth or restrict the Commonwealth operations and the methods of procurement
39 employed to reach such terms.

40 B. Each year on or before December 20 of the year immediately prior to the beginning of the regular session of the General
41 Assembly held in odd-numbered years, the Governor shall submit to the presiding officer of each house of the General
42 Assembly printed copies of all gubernatorial amendments proposed to the general appropriation act in effect at that time. A
43 specific, separate, and severable amendment shall be submitted for each item of the general appropriation act that the Governor
44 proposes to amend or add, in the same format the Governor uses when recommending amendments to a general appropriation
45 act at a reconvened session of the General Assembly. For purposes of this subsection, "item" means the designation of such in
46 the general appropriation act.

1 C. The Department of Planning and Budget shall prepare "The Executive Budget" and amendments proposed pursuant to
 2 subsection B in a manner and with language that can be easily understood by the citizens of the Commonwealth. The
 3 "Executive Budget" shall provide , to the extent practical, a cross-reference to the Governor's recommended budget bill . Such
 4 documents shall also be placed on the Internet to provide easy access by the public.

5 § 2.2-1509. Budget bill.

6 A. (Effective until July 1, 2013) On or before December 20 of the year immediately prior to the beginning of each regular
 7 session of the General Assembly held in an even-numbered year, the Governor also shall submit to the presiding officer of
 8 each house of the General Assembly, at the same time he submits "The Executive Budget," copies of a tentative bill for all
 9 proposed appropriations of the budget, for each year in the ensuing biennial appropriation period, which shall be known as
 10 "The Budget Bill." "The Budget Bill" shall be organized by function, primary agency, and proposed appropriation item and
 11 shall include (i) an identification of, and authorization for, common programs and (ii) the appropriation of funds according to
 12 programs. Strategic plan information and performance measurement results developed by each agency shall be made available
 13 to the General Assembly as it considers "The Budget Bill." Except as expressly provided in an appropriation act, whenever the
 14 amounts in a schedule for a single appropriation item are shown in two or more lines, the portions of the total amount shown
 15 on separate lines are for information purposes only and are not limiting. No such bill shall contain any appropriation the
 16 expenditure of which is contingent upon the receipt of revenues in excess of funds unconditionally appropriated.

17 A. (Effective July 1, 2013) On or before December 20 of the year immediately prior to the beginning of each regular session
 18 of the General Assembly held in an even-numbered year, the Governor also shall submit to the presiding officer of each house
 19 of the General Assembly, at the same time he submits "The Executive Budget," copies of a tentative bill for all proposed
 20 appropriations of the budget, for each year in the ensuing biennial appropriation period, which shall be known as "The Budget
 21 Bill." "The Budget Bill" shall be organized by function, primary agency, and proposed appropriation item and shall include an
 22 identification of, and authorization for, common programs and the appropriation of funds according to programs. Except as
 23 expressly provided in an appropriation act, whenever the amounts in a schedule for a single appropriation item are shown in
 24 two or more lines, the portions of the total amount shown on separate lines are for information purposes only and are not
 25 limiting. No such bill shall contain any appropriation the expenditure of which is contingent upon the receipt of revenues in
 26 excess of funds unconditionally appropriated.

27 B. The salary proposed for payment for the position of each cabinet secretary and administrative head of each agency and
 28 institution of the executive branch of state government shall be specified in "The Budget Bill," showing the salary ranges and
 29 levels proposed for such positions.

30 C. "The Budget Bill" shall include all proposed capital appropriations, including each capital project to be financed through
 31 revenue bonds or other debt issuance, the amount of each project, and the identity of the entity that will issue the debt.

32 D. Concurrently with the submission of "The Budget Bill," the Governor shall submit a tentative bill involving a request for
 33 authorization of additional bonded indebtedness if its issuance is authorized by, or its repayment is proposed to be made in
 34 whole or in part, from revenues or appropriations contained in "The Budget Bill."

35 E. Each year, on or before December 20 , the Governor shall submit to the presiding officer of each house printed copies of
 36 all gubernatorial amendments proposed to the general appropriation act in effect at the time. A specific, separate, and severable
 37 amendment shall be submitted for each item of the general appropriation act that the Governor proposes to amend or add, in
 38 the same format the Governor uses when recommending amendments to a general appropriation act at a reconvened session of
 39 the General Assembly. For purposes of this subsection, "item" means the designation of such in the general appropriation act.
 40 In preparing the amendments, the Governor may obtain estimates in the manner prescribed in §§ 2.2-1504, 2.2-1505, and
 41 2.2-1506. On the same date he shall also submit a request for authorization of additional bonded indebtedness if its issuance is
 42 authorized by, or its repayment is proposed to be made in whole or in part, from revenues or appropriations contained in the
 43 proposed gubernatorial amendments.

44 F. The proposed capital appropriations or capital projects described in, or for which proposed appropriations are made pursuant
 45 to, this section shall include the capital outlay projects required to be included in "The Budget Bill" pursuant to § 2.2-1509.1.
 46 The Governor shall propose appropriations for such capital outlay projects in "The Budget Bill" in accordance with the
 47 minimum amount of funding and the designated sources of funding for such projects as required under § 2.2-1509.1.

48 **5. That § 30-310 of the Code of Virginia is amended and reenacted as follows:**

49 § 30-310. Review of incentive packages.

50 A. 1.The Commission shall review individual incentive packages, including but not limited to packages offering tax incentives,
 51 for economic development projects (including but not limited to MEI projects) for which (i) one or more of the incentives in
 52 the incentive package is not authorized under current law or (ii) an amendment by the General Assembly is being sought to
 53 one or more currently existing incentives included as part of the incentive package. The Commission shall recommend
 54 approval or denial of such packages to the General Assembly. Factors that shall be considered by the Commission in its review
 55 shall include, but not be limited to (i) return on investment, (ii) the time frame for repayment of incentives to the

1 Commonwealth, (iii) average wages of the jobs created by the prospective MEI project or other economic development project,
 2 (iv) the amount of capital investment that is required, and (v) the need for enhanced employment opportunities in the
 3 prospective location of the prospective MEI project or other economic development project.

4 2. a. Any time a proposed individual incentive package is to be considered by the Commission, materials outlining (i) the
 5 value of the proposed incentives, (ii) assumed return on investment, (iii) the time frame for repayment of incentives to the
 6 Commonwealth, (iv) average wages of the jobs created by the prospective MEI project or other economic development project,
 7 (v) the amount of capital investment that is required, and (vi) the need for enhanced employment opportunities in the
 8 prospective location of the prospective MEI project or other economic development project, shall be provided to the
 9 Commission members not less than forty-eight hours prior to the scheduled Commission meeting.

10 b. The timing of any request for an endorsement of a proposed individual incentive package should be scheduled so that the
 11 MEI Commission could, at its discretion, have up to seven days subsequent to the presentation of the incentive package prior
 12 to endorsing or rejecting such proposal.

13 B. An affirmative vote by three of the five members of the Commission from the House of Delegates and two of the three
 14 members of the Commission from the Senate shall be required to endorse any incentive package, including but not limited to
 15 packages offering tax incentives, for economic development projects (including but not limited to MEI projects) for which (i)
 16 one or more of the incentives in the incentive package is not authorized under current law or (ii) an amendment by the General
 17 Assembly is being sought to one or more currently existing incentives included as part of the incentive package.

18 **6. That the Code of Virginia is amended by adding a section numbered 30-339 and reenacted as follows:**

19 § 30-339. Medicaid Innovation and Reform Commission; membership; terms; compensation and expenses; definition.

20 A. The Medicaid Innovation and Reform Commission (the Commission) is established as a commission in the legislative
 21 branch of state government. The purpose of the Commission shall be to review, recommend and approve innovation and
 22 reform proposals affecting the implementation of Title XIX and Title XXI of the Social Security Act, including eligibility and
 23 financing for proposals set out in Item 307 of this act. Specifically, the Commission shall review (i) the development of reform
 24 proposals; (ii) progress in obtaining federal approval for reforms such as benefit design, service delivery, payment reform, and
 25 quality and cost containment outcomes; and (iii) implementation of reform measures.

26 B. The Commission shall consist of 12 members as follows: the chair of the House Committee on Appropriations, or his
 27 designee, and four members of the House Committee on Appropriations appointed by the chair and the chair of the Senate
 28 Finance Committee, or his designee, and four members of the Senate Finance Committee appointed by the chair. In addition,
 29 the Secretaries of Finance and Health and Human Resources shall serve as ex officio, nonvoting members of the Commission.

30 C. Members shall serve terms coincident with their terms of office. Vacancies for unexpired terms shall be filled in the same
 31 manner as the original appointments. Members may be reappointed for successive terms.

32 D.1. The members of the Commission shall elect a chairman and vice chairman annually. A majority of the voting members of
 33 the Commission shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or
 34 whenever the majority of the members so request. The Commission shall meet bimonthly beginning in June 2013, or as soon
 35 as possible thereafter.

36 2. An affirmative vote by three of the five members of the Commission from the House of Delegates and three of the five
 37 members of the Commission from the Senate shall be required to endorse any reform proposal to amend the State Plan for
 38 Medical Assistance under Title XIX of the Social Security Act, and any waivers thereof, to implement coverage for newly
 39 eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act.

40 E. Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative
 41 members shall receive such compensation as provided in § 2.2-2813.

42 **7. That § 17.1-507 of the Code of Virginia is amended and reenacted as follows:**

43 § 17.1-507. Number of judges; residence requirement; compensation; powers; etc.

44 A. For the several judicial circuits there shall be judges, the number as hereinafter set forth, who shall during their service
 45 reside within their respective circuits and whose compensation and powers shall be the same as now and hereafter prescribed
 46 for circuit judges.

47 The number of judges of the circuits shall be as follows:

48 First - 5

49 Second - 10

1	Third - 5
2	Fourth - 9
3	Fifth - 3
4	Sixth - 2
5	Seventh - 5
6	Eighth - 4
7	Ninth - 4
8	Tenth - 3
9	Eleventh - 3
10	Twelfth - 5
11	Thirteenth - 8
12	Fourteenth - 5
13	Fifteenth - <u>9</u>
14	Sixteenth - 5
15	Seventeenth - 4
16	Eighteenth - 3
17	Nineteenth - 15
18	Twentieth - 4
19	Twenty-first - 3
20	Twenty-second - 4
21	Twenty-third - 6
22	Twenty-fourth - 5
23	Twenty-fifth - 4
24	Twenty-sixth - 5
25	Twenty-seventh - 5
26	Twenty-eighth - 3
27	Twenty-ninth - 4
28	Thirtieth - 3
29	Thirty-first - 5

30 B. No additional circuit court judge shall be authorized or provided for any judicial circuit until the Judicial Council has made
 31 a study of the need for such additional circuit court judge and has reported its findings and recommendations to the Courts of
 32 Justice Committees of the House of Delegates and Senate. The boundary of any judicial circuit shall not be changed until a
 33 study has been made by the Judicial Council and a report of its findings and recommendations made to said Committees.

34 C. If the Judicial Council finds the need for an additional circuit court judge after a study is made pursuant to subsection B,
 35 the study shall be made available to the Compensation Board and the Courts of Justice Committees of the House of Delegates
 36 and Senate and Council shall publish notice of such finding in a publication of general circulation among attorneys licensed to
 37 practice in the Commonwealth. The Compensation Board shall make a study of the need to provide additional courtroom

1 security and deputy court clerk staffing. This study shall be reported to the Courts of Justice Committees of the House of
2 Delegates and the Senate, and to the Department of Planning and Budget.

3 8. That the provisions of the first enactment of this act shall expire at midnight on June 30, 2014. The provisions of the
4 second, third, fourth, fifth, sixth and seventh enactments of this act shall have no expiration date. The amendments to
5 §§ 2.2-1508 and 2.2-1509 pursuant to the fourth enactment of this act shall become effective for calendar year 2014 and
6 calendar years thereafter. For the purposes of implementing the amendments to §§ 2.2-1508 and 2.2-1509, a working group
7 composed of the staff of the House Appropriations and Senate Finance Committees, the Department of Planning and
8 Budget, and the Division of Legislative Automated Systems shall determine the format, transmission method, required
9 submission date for printing, and other factors necessary to implement the required submission of specific, separate, and
10 severable gubernatorial amendments.

THE PROVISIONS BRACKETED ABOVE ARE PART OF THE VETO OF ENACTMENT #4. /s/ Robert F. McDonnell (5/3/13) (Vetoed
item is enclosed in brackets.)

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