

# 2016 SESSION

## HOUSE BILL NO. 29

Offered January 13, 2016

Prefiled December 17, 2015

A BILL to amend and reenact Chapter 665 of the 2015 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, 2015, and the thirtieth day of June, 2016.

Patron - Jones

Referred to the Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That Items 40, 41, 42, 44, 67, 70, 76, 81, 82, 87, 102, 135, 136, 226, 241, 261, 276, 279, 290, 298, 300, 301, 303, 304, 308, 312, 334, 335, 336, 337, 339, 341, 342, 343, 352, 369, 372, 379, 384, 385, 389, 398, 400, 401, 406, 425, 442, 443, 444, 445, 446, 447, 448, 449, 458, 461, 465, 467, 468, 476, 479, 482, 484, C-41, § 3-1.01, § 3-3.03, and § 3-5.03, of Chapter 665 of the 2015 Acts of Assembly, be hereby amended and reenacted.

2. §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, 2014	\$405,810,000 \$835,153,067	\$0	\$405,810,000 \$835,153,067
Additions to Balance	(\$219,394,360)	\$1,900,446 (\$428,442,862)	(\$217,493,914) (\$647,837,221)
Official Revenue Estimates	\$17,186,022,255	\$17,720,628,857 \$18,308,867,069	\$34,906,651,112 \$35,494,889,324
Revenue Stabilization Fund	\$470,000,000	\$235,000,000	\$705,000,000
Transfers	\$644,994,561	\$564,512,975 \$568,916,613	\$1,209,507,536 \$1,213,911,174
Total General Fund			
Resources Available for Appropriation	\$18,487,432,456 \$18,916,775,523	\$18,522,042,278 \$18,684,340,820	\$37,009,474,734 \$37,601,116,343

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

	First Year	Second Year	Total
Balance, June 30, 2014	\$4,945,503,350		\$4,945,503,350
Official Revenue Estimates	\$25,734,466,497	\$26,305,964,356 \$26,466,290,694	\$52,040,430,853 \$52,200,757,191
Lottery Proceeds Fund	\$557,555,450	\$531,667,925 \$538,955,547	\$1,089,223,375 \$1,096,510,997
Internal Service Fund	\$1,771,892,976	\$1,801,509,481 \$1,908,509,481	\$3,573,402,457 \$3,680,402,457

1	Bond Proceeds	\$792,874,586	\$248,608,000	\$1,041,482,586
2	Total Nongeneral Fund			
3	Revenues Available for	\$33,802,292,859	<del>\$28,887,749,762</del>	<del>\$62,690,042,621</del>
4	Appropriation		\$29,162,363,722	\$62,964,656,581
5	TOTAL PROJECTED	\$52,289,725,315	\$47,409,792,040	\$99,699,517,355
6	REVENUES	\$52,719,068,382	\$47,846,704,542	\$100,565,772,924

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

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

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

11 A. "Current biennium" means the period from the first day of July two thousand fourteen, through the thirtieth day of June two  
12 thousand sixteen, inclusive.

13 B. "Previous biennium" means the period from the first day of July two thousand twelve, through the thirtieth day of June two  
14 thousand fourteen, inclusive.

15 C. "Next biennium" means the period from the first day of July two thousand sixteen, through the thirtieth day of June two thousand  
16 eighteen, inclusive.

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

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

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

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

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

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

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

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

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

34	<b>BIENNIUM 2014-16</b>			
35		<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Total</b>
36	OPERATING EXPENSES	\$36,862,786,001	\$58,629,837,945	\$95,492,623,946
37		\$37,032,035,789	\$59,324,580,181	\$96,356,615,970
38	LEGISLATIVE			
39	DEPARTMENT	150,877,301	6,779,589	\$157,656,890
40	JUDICIAL DEPARTMENT	\$908,038,408	\$68,425,968	\$976,464,376
41		\$908,581,497	\$68,494,696	\$977,076,193
42	EXECUTIVE DEPARTMENT	\$35,801,469,713	\$57,558,996,772	\$93,360,466,485
43		\$35,971,051,707	\$58,248,189,980	\$94,219,241,687
44	INDEPENDENT AGENCIES	\$2,400,579	\$995,635,616	\$998,036,195
45		\$1,525,284	\$1,001,115,916	\$1,002,641,200
46	STATE GRANTS TO			
47	NONSTATE AGENCIES	\$0	\$0	\$0

1	CAPITAL OUTLAY	\$141,618,476	\$1,329,915,402	\$1,471,533,878
2	EXPENSES	\$143,118,476		\$1,473,033,878
3	TOTAL	\$37,004,404,477	\$59,959,753,347	\$96,964,157,824
4		\$37,175,154,265	\$60,654,495,583	\$97,829,649,848

5 § 8. This chapter shall be known and may be cited as the "2016 Amendments to the 2015 Appropriation Act."

ITEM 1.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>PART 1: OPERATING EXPENSES</b>			
<b>2</b>	<b>LEGISLATIVE DEPARTMENT</b>			
<b>3</b>	1.	Not set out.		
<b>4</b>	2.	Not set out.		
<b>5</b>	3.	Not set out.		
<b>6</b>	4.	Not set out.		
<b>7</b>	5.	Not set out.		
<b>8</b>	6.	Not set out.		
<b>9</b>	7.	Not set out.		
<b>10</b>	8.	Not set out.		
<b>11</b>	9.	Not set out.		
<b>12</b>	10.	Not set out.		
<b>13</b>	11.	Not set out.		
<b>14</b>	12.	Not set out.		
<b>15</b>	13.	Not set out.		
<b>16</b>	14.	Not set out.		
<b>17</b>	15.	Not set out.		
<b>18</b>	16.	Not set out.		
<b>19</b>	17.	Not set out.		
<b>20</b>	18.	Not set out.		
<b>21</b>	19.	Not set out.		
<b>22</b>	20.	Not set out.		
<b>23</b>	21.	Not set out.		
<b>24</b>	22.	Not set out.		
<b>25</b>	23.	Not set out.		
<b>26</b>	24.	Not set out.		
<b>27</b>	25.	Not set out.		
<b>28</b>	25.10	Not set out.		
<b>29</b>	25.20	Not set out.		
<b>30</b>	25.30	Not set out.		
<b>31</b>	25.40	Not set out.		
<b>32</b>	26.	Not set out.		
<b>33</b>	27.	Not set out.		
<b>34</b>	28.	Not set out.		
<b>35</b>	29.	Not set out.		
<b>36</b>	30.	Not set out.		

ITEM 30.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	31.	Not set out.				
2	32.	Not set out.				
3	33.	Not set out.				
4	TOTAL FOR LEGISLATIVE DEPARTMENT.....				\$79,811,848	\$77,845,042
5	General Fund Positions.....		579.50	584.50		
6	Nongeneral Fund Positions.....		29.50	29.50		
7	Position Level.....		609.00	614.00		
8	Fund Sources: General.....		\$76,040,249	\$74,837,052		
9	Special.....		\$3,518,378	\$2,754,737		
10	Trust and Agency.....		\$115,708	\$115,717		
11	Federal Trust.....		\$137,513	\$137,536		

ITEM 34.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>JUDICIAL DEPARTMENT</b>			
<b>2</b>	<b>§ 1-1. SUPREME COURT (111)</b>			
<b>3</b>	34.	Not set out.		
<b>4</b>	35.	Not set out.		
<b>5</b>	36.	Not set out.		
<b>6</b>	37.	Not set out.		
<b>7</b>	38.	Not set out.		
<b>8</b>	39.	Not set out.		
<b>9</b>	<b>General District Courts (114)</b>			
<b>10</b>	40.	Pre-Trial, Trial, and Appellate Processes (32100).....	\$102,790,634	<del>\$104,197,501</del>
<b>11</b>				<del>\$104,644,473</del>
<b>12</b>		Trial Processes (32103).....	\$83,418,729	\$84,355,483
<b>13</b>		Other Court Costs And Allowances (Criminal Fund)		
<b>14</b>		(32104).....	\$14,562,376	\$15,032,489
<b>15</b>		Involuntary Mental Commitments (32105).....	\$4,809,529	<del>\$4,809,529</del>
<b>16</b>				<del>\$5,256,501</del>
<b>17</b>		Fund Sources: General.....	\$102,790,634	<del>\$104,197,501</del>
<b>18</b>				<del>\$104,644,473</del>
<b>19</b>	Authority: Article VI, Section 8, Constitution of Virginia; §§ <a href="#">16.1-69.1</a> through <a href="#">16.1-137</a> ,			
<b>20</b>	<a href="#">19.2-163</a> and <a href="#">37.2-809</a> et seq., Code of Virginia.			
<b>21</b>	A. Out of the amounts in this Item for Trial Processes shall be paid:			
<b>22</b>	1. The annual salaries of all General District Court judges, \$146,599 from July 1, 2014, to			
<b>23</b>	November 24, 2014, \$146,599 from November 25, 2014, to November 24, 2015, and			
<b>24</b>	\$146,599 from November 25, 2015, to June 30, 2016. Such salary shall be 90 percent of the			
<b>25</b>	annual salary fixed by law for judges of the Circuit Courts and shall represent the total			
<b>26</b>	compensation for General District Court Judges and incorporate all supplements formerly			
<b>27</b>	paid by the various localities.			
<b>28</b>	2. The salaries of substitute judges and court personnel.			
<b>29</b>	B. There is hereby reappropriated the unexpended balances remaining at the close of business			
<b>30</b>	on June 30, 2014, in the appropriation made in Item 43, Chapter 806, Acts of Assembly of 3			
<b>31</b>	in the item details Other Court Costs and Allowances (Criminal Fund) and Involuntary Mental			
<b>32</b>	Commitments and the balances remaining in these item details on June 30, 2015.			
<b>33</b>	C. Any balance, or portion thereof, in the item detail Involuntary Mental Commitments, may			
<b>34</b>	be transferred between Items 39, 40, 41, and 298, as needed, to cover any deficits incurred for			
<b>35</b>	Involuntary Mental Commitments by the Supreme Court or the Department of Medical			
<b>36</b>	Assistance Services.			
<b>37</b>	D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund) shall			
<b>38</b>	be used to implement the provisions of § <a href="#">8.01-384.1:1</a> , Code of Virginia.			
<b>39</b>	E. Out of the amount appropriated from the general fund for Other Court Costs and			
<b>40</b>	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed			
<b>41</b>	\$40,000 the first year and not to exceed \$40,000 the second year to the Criminal Injuries			
<b>42</b>	Compensation Fund, administered by the Virginia Workers' Compensation Commission, for			
<b>43</b>	the administration of the physical evidence recovery kit (PERK) program.			
<b>44</b>	F. A district court judge shall only be reimbursed for mileage for commuting if the judge has			
<b>45</b>	to travel to a courthouse in a county or city other than the one in which the judge resides and			
<b>46</b>	the distance between the judge's residence and the courthouse is greater than 25 miles.			

ITEM 40.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	G. Upon the retirement or separation from employment of any chief general district court				
2	clerks from the 7th judicial district or the 13th judicial district, any vacant chief clerk				
3	positions in excess of one chief clerk for each general district court shall be reallocated by				
4	the Committee on District Courts to district courts with the highest documented unmet				
5	staffing requirements.				
6	Total for General District Courts.....			\$102,790,634	<del>\$104,197,501</del>
7					\$104,644,473
8	General Fund Positions.....	1,056.10	1,056.10		
9	Position Level.....	1,056.10	1,056.10		
10	Fund Sources: General.....	\$102,790,634	<del>\$104,197,501</del>		
11			\$104,644,473		
12	<b>Juvenile and Domestic Relations District Courts (115)</b>				
13	41. Pre-Trial, Trial, and Appellate Processes (32100)....			\$89,233,072	<del>\$91,092,639</del>
14					\$91,120,617
15	Trial Processes (32103).....	\$58,543,470	\$59,498,266		
16	Other Court Costs And Allowances (Criminal				
17	Fund) (32104).....	\$30,374,034	\$31,278,805		
18	Involuntary Mental Commitments (32105).....	\$315,568	<del>\$315,568</del>		
19			\$343,546		
20	Fund Sources: General.....	\$89,233,072	<del>\$91,092,639</del>		
21			\$91,120,617		
22	Authority: Article VI, Section 8, Constitution of Virginia; §§ 16.1-69.1 through 16.1-				
23	69.58, 16.1-226 through 16.1-334, 19.2-163 and 37.1-67.1 et seq., Code of Virginia.				
24	A. Out of the amounts in this Item for Trial Processes shall be paid:				
25	1. The annual salaries of all full-time Juvenile and Domestic Relations District Court				
26	Judges, \$146,599 from July 1, 2014, to November 24, 2014, \$146,599 from November 25,				
27	2014, to November 24, 2015, and \$146,599 from November 25, 2015, to June 30, 2016.				
28	Such salary shall be 90 percent of the annual salary fixed by law for judges of the Circuit				
29	Courts and shall represent the total compensation for Juvenile and Domestic Relations				
30	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				
33	business on June 30, 2014, in the appropriation made in Item 44, Chapter 806, Acts of				
34	Assembly of 2013, in the Item details Other Court Costs and Allowances (Criminal Fund)				
35	and Involuntary Mental Commitments and the balances remaining in these item details on				
36	June 30, 2015.				
37	C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments,				
38	may be transferred between Items 40, 41, 42, and 298, as needed, to cover any deficits				
39	incurred for Involuntary Mental Commitments by the Supreme Court or the Department of				
40	Medical Assistance Services.				
41	D. The appropriation in this Item for Other Court Costs and Allowances (Criminal Fund)				
42	shall be used to implement the provisions of § 8.01-384.1:1, Code of Virginia.				
43	E. Notwithstanding any other provision of law, when a Guardian ad Litem is appointed for				
44	a child by the Commonwealth, the juvenile and domestic relations district court or the				
45	circuit court, as the case may be, shall order the parent, parents, adoptive parent or				
46	adoptive parents of the child, or another party with a legitimate interest therein who has				
47	filed a petition with the court to reimburse the Commonwealth the costs of such services				
48	in an amount not to exceed the amount awarded the Guardian ad Litem by the court. If the				
49	court determines such party is unable to pay, the required reimbursement may be reduced				
50	or eliminated. In addition, it is the intent of the General Assembly that the Supreme Court				
51	actively administer the Guardian ad Litem program to ensure that payments made to				

ITEM 41.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Guardians ad Litem do not exceed that which is required. The Executive Secretary of the				
2	Supreme Court shall report August 1 and January 1 of each year to the Chairmen of the House				
3	Appropriations and Senate Finance Committees on the amounts paid for Guardian ad Litem				
4	purposes, amounts reimbursed by parents and/or guardians, savings achieved, and				
5	management actions taken to further enhance savings under this program.				
6	F. Out of the amount appropriated from the general fund for Other Court Costs and				
7	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed				
8	\$870,000 the first year and not to exceed \$870,000 the second year to the Criminal Injuries				
9	Compensation Fund, administered by the Virginia Workers' Compensation Commission for				
10	the administration of the physical evidence recovery kit (PERK) program.				
11	Total for Juvenile and Domestic Relations District				
12	Courts.....			\$89,233,072	\$91,092,639
13					\$91,120,617
14	General Fund Positions.....	617.10	617.10		
15	Position Level.....	617.10	617.10		
16	Fund Sources: General.....	\$89,233,072	\$91,092,639		
17			\$91,120,617		
18	<b>Combined District Courts (116)</b>				
19	42. Pre-Trial, Trial, and Appellate Processes (32100).....			\$24,431,065	\$24,702,502
20					\$24,770,641
21	Trial Processes (32103).....	\$15,639,406	\$15,681,147		
22	Other Court Costs And Allowances (Criminal Fund)				
23	(32104).....	\$7,410,902	\$7,640,598		
24	Involuntary Mental Commitments (32105).....	\$1,380,757	\$1,380,757		
25			\$1,448,896		
26	Fund Sources: General.....	\$24,431,065	\$24,702,502		
27			\$24,770,641		
28	Authority: Article VI, Section 8, Constitution of Virginia, §§ 16.1-69.1 through 16.1-137,				
29	16.1-226 through 16.1-334, 19.2-163, and 37.1-67.1 et seq., Code of Virginia.				
30	A. Out of the amounts in this Item for Trial Processes shall be paid the salaries of substitute				
31	judges and court personnel.				
32	B. There is hereby reappropriated the unexpended balances remaining at the close of business				
33	on June 30, 2014, in the appropriation made in Item 45, Chapter 806, Acts of Assembly of				
34	2013, 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, 2015.				
36	C. Any balance, or portion thereof, in the Item detail Involuntary Mental Commitments, may				
37	be transferred between Items 40, 41, 42, and 298, 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 shall be used to				
41	implement the provisions of § 8.01-384.1:1, Code of Virginia.				
42	E. Out of the amount appropriated from the general fund for Other Court Costs and				
43	Allowances (Criminal Fund) in this Item, there shall be transferred an amount not to exceed				
44	\$95,000 the first year and not to exceed \$95,000 the second year to the Criminal Injuries				
45	Compensation Fund, administered by the Virginia Workers' Compensation Commission, for				
46	the administration of the physical evidence recovery kit (PERK) program.				
47	Total for Combined District Courts.....			\$24,431,065	\$24,702,502
48					\$24,770,641
49	General Fund Positions.....	204.55	204.55		
50	Position Level.....	204.55	204.55		



ITEM 42.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Fund Sources: General.....	\$24,431,065	\$24,702,502		
2			\$24,770,641		
3	43. Not set out.				
4	Grand Total for Supreme Court.....			\$412,113,664	\$413,315,199
5					\$413,858,288
6	General Fund Positions.....	2,708.71	2,708.71		
7	Nongeneral Fund Positions.....	6.00	6.00		
8	Position Level.....	2,714.71	2,714.71		
9	Fund Sources: General.....	\$401,379,085	\$402,576,141		
10			\$403,119,230		
11	Special.....	\$308,655	\$308,655		
12	Dedicated Special Revenue.....	\$9,000,000	\$9,000,000		
13	Federal Trust.....	\$1,425,924	\$1,430,403		
14	<b>§ 1-2. BOARD OF BAR EXAMINERS (233)</b>				
15	44. Regulation of Professions and Occupations				
16	(56000).....			\$1,500,077	\$1,500,328
17					\$1,569,056
18	Lawyer Regulation (56019).....	\$1,500,077	\$1,500,328		
19			\$1,569,056		
20	Fund Sources: Special.....	\$1,500,077	\$1,500,328		
21			\$1,569,056		
22	Authority: Title 54.1, Chapter 39, Articles 3 and 4 and § 54.1-3934, Code of Virginia.				
23	The State Comptroller shall continue the Board of Bar Examiners Fund on the				
24	Commonwealth Accounting and Reporting System. Revenues collected from fees paid by				
25	applicants for admission to the bar shall be deposited into the Board of Bar Examiners				
26	Fund. The source of nongeneral funds included in this item is the Board of Bar Examiners				
27	Fund. Interest generated by the fund shall be retained by the fund.				
28	Total for Board of Bar Examiners.....			\$1,500,077	\$1,500,328
29					\$1,569,056
30	Nongeneral Fund Positions.....	8.00	8.00		
31	Position Level.....	8.00	8.00		
32	Fund Sources: Special.....	\$1,500,077	\$1,500,328		
33			\$1,569,056		
34	45. Not set out.				
35	46. Not set out.				
36	47. Not set out.				
37	48. Not set out.				
38	49. Not set out.				
39	50. Not set out.				
40	TOTAL FOR JUDICIAL DEPARTMENT.....			\$486,780,643	\$489,683,733
41					\$490,295,550
42	General Fund Positions.....	3,261.71	3,261.71		
43	Nongeneral Fund Positions.....	103.00	103.00		
44	Position Level.....	3,364.71	3,364.71		
45	Fund Sources: General.....	\$452,612,774	\$455,425,634		
46			\$455,968,723		
47	Special.....	\$9,740,743	\$9,741,019		
48			\$9,809,747		

ITEM 50.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	Dedicated Special Revenue.....	\$23,001,202	\$23,086,677		
<b>2</b>	Federal Trust.....	\$1,425,924	\$1,430,403		

ITEM 51.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>EXECUTIVE DEPARTMENT</b>			
<b>2</b>	<b>EXECUTIVE OFFICES</b>			
<b>3</b>	51.	Not set out.		
<b>4</b>	52.	Not set out.		
<b>5</b>	53.	Not set out.		
<b>6</b>	54.	Not set out.		
<b>7</b>	55.	Not set out.		
<b>8</b>	56.	Not set out.		
<b>9</b>	57.	Not set out.		
<b>10</b>	58.	Not set out.		
<b>11</b>	59.	Not set out.		
<b>12</b>	60.	Not set out.		
<b>13</b>	61.	Not set out.		
<b>14</b>	62.	Not set out.		
<b>15</b>	63.	Not set out.		
<b>16</b>	64.	Not set out.		
<b>17</b>	TOTAL FOR EXECUTIVE OFFICES.....		<b>\$62,461,904</b>	<b>\$63,898,587</b>
<b>18</b>	General Fund Positions.....	289.67	287.67	
<b>19</b>	Nongeneral Fund Positions.....	221.33	221.33	
<b>20</b>	Position Level.....	511.00	509.00	
<b>21</b>	Fund Sources: General.....	\$32,988,200	\$32,902,813	
<b>22</b>	Special.....	\$17,947,230	\$18,476,770	
<b>23</b>	Commonwealth Transportation.....	\$1,920,670	\$1,921,708	
<b>24</b>	Federal Trust.....	\$9,605,804	\$10,597,296	

ITEM 65.

		Item Details(\$)	Appropriations(\$)		
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016

65. Not set out.

§ 1-3. COMPENSATION BOARD (157)

66.	Not set out.				
67.	Financial Assistance for Confinement of Inmates in Local and Regional Facilities (35600).....			\$63,923,778	<del>\$50,115,331</del> \$61,390,363
	Financial Assistance for Local Jail Per Diem (35601)	\$30,919,831	<del>\$23,735,820</del> \$29,147,836		
	Financial Assistance for Regional Jail Per Diem (35604).....	\$33,003,947	<del>\$26,379,511</del> \$32,242,527		
	Fund Sources: General.....	\$63,923,778	<del>\$50,115,331</del> \$61,390,363		

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

A. In the event the appropriation in this Item proves to be insufficient to fund all of its provisions, any amount remaining as of June 1, 2015, and June 1, 2016, may be reallocated among localities on a pro rata basis according to such deficiency.

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

1. Effective sentence--a convicted offender's sentence as rendered by the court less any portion of the sentence suspended by the court.

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

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

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

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

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

1. For local responsible inmates--\$4 per inmate day, or, if the inmate is housed and maintained in a jail farm not under the control of the sheriff, the rate shall be \$18 per inmate

ITEM 67.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	day.				
2	2. For state responsible inmates--\$12 per inmate day.				
3	F. For the payment specified in paragraph E 1 of this Item for prisoners in alternative				
4	punishment or alternative to incarceration programs:				
5	1. Such payment is intended to be made for prisoners that would otherwise be housed in a				
6	local correctional facility. It is not intended for prisoners that would otherwise be				
7	sentenced to community service or placed on probation.				
8	2. No such payment shall be made unless the program has been approved by the				
9	Department of Corrections or the Department of Criminal Justice Services. Alternative				
10	punishment or alternative to incarceration programs, however, may include supervised				
11	work experience, treatment, and electronic monitoring programs.				
12	G.1. Except as provided for in paragraph G 2, and notwithstanding any other provisions of				
13	this Item, the Compensation Board shall provide payment to any locality with an average				
14	daily jail population of under ten in FY 1995 an inmate per diem rate of \$22 per day for				
15	local responsible inmates and \$28 per day for state responsible inmates held in these jails				
16	in lieu of personal service costs for corrections' officers.				
17	2. Any locality covered by the provisions of this paragraph shall be exempt from the				
18	provisions thereof provided that the locally elected sheriff, with the assistance of the				
19	Compensation Board, enters into good faith negotiations to house his prisoners in an				
20	existing local or regional jail. In establishing the per diem rate and capital contribution, if				
21	any, to be charged to such locality by a local or regional jail, the Compensation Board and				
22	the local sheriff or regional jail authority shall consider the operating support and capital				
23	contribution made by the Commonwealth, as required by §§ <a href="#">15.2-1613</a> , <a href="#">15.2-1615.1</a> , <a href="#">53.1-</a>				
24	<a href="#">80</a> , and <a href="#">53.1-81</a> , Code of Virginia. The Compensation Board shall report periodically to				
25	the Chairmen of the House Appropriations and Senate Finance Committees on the				
26	progress of these negotiations and may withhold the exemption granted by this paragraph				
27	if, in the board's opinion, the local sheriff fails to negotiate in good faith.				
28	H.1. The Compensation Board shall recover the state-funded costs associated with housing				
29	federal inmates, District of Columbia inmates or contract inmates from other states. The				
30	Compensation Board shall determine, by individual jail, the amount to be recovered by the				
31	Commonwealth by multiplying the jail's current inmate days for this population by the				
32	proportion of the jail's per inmate day salary funds provided by the Commonwealth, as				
33	identified in the most recent Jail Cost Report prepared by the Compensation Board.				
34	Beginning July 1, 2009, the Compensation Board shall determine, by individual jail, the				
35	amount to be recovered by the Commonwealth by multiplying the jail's current inmate				
36	days for this population by the proportion of the jail's per inmate day operating costs				
37	provided by the Commonwealth, excluding payments otherwise provided for in this Item,				
38	as identified in the most recent Jail Cost Report prepared by the Compensation Board. If a				
39	jail is not included in the most recent Jail Cost Report, the Compensation Board shall use				
40	the statewide average of per inmate day salary funds provided by the Commonwealth.				
41	2. The Compensation Board shall deduct the amount to be recovered by the				
42	Commonwealth from the facility's next quarterly per diem payment for state-responsible				
43	and local-responsible inmates. Should the next quarterly per diem payment owed the				
44	locality not be sufficient against which to net the total quarterly recovery amount, the				
45	locality shall remit the remaining amount not recovered to the Compensation Board.				
46	3. Any local or regional jail which receives funding from the Compensation Board shall				
47	give priority to the housing of local-responsible, state-responsible, and state contract				
48	inmates, in that order, as provided in paragraph H 1.				
49	4. The Compensation Board shall not provide any inmate per diem payments to any local				
50	or regional jail which holds federal inmates in excess of the number of beds contracted for				
51	with the Department of Corrections, unless the Director, Department of Corrections,				
52	certifies to the Chairman of the Compensation Board that a) such contract beds are not				
53	required; b) the facility has operational capacity built under contract with the federal				
54	government; c) the facility has received a grant from the federal government for a portion				

ITEM 67.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	of the capital costs; or d) the facility has applied to the Department of Corrections for				
2	participation in the contract bed program with a sufficient number of beds to meet the				
3	Department of Corrections' need or ability to fund contract beds at that facility in any given				
4	fiscal year.				
5	5. The Compensation Board shall apply the cost recovery methodology set out in paragraph H				
6	1 of this Item to any jail which holds inmates from another state on a contractual basis.				
7	However, recovery in such circumstances shall not be made for inmates held pending				
8	extradition to other states or pending transfer to the Virginia Department of Corrections.				
9	6. The provisions of this paragraph shall not apply to any local or regional jail where the				
10	cumulative federal share of capital costs exceeds the Commonwealth's cumulative capital				
11	contribution.				
12	7. For a local or regional jail which operates bed space specifically built utilizing federal				
13	capital or grant funds for the housing of federal inmates and for which Compensation Board				
14	funding has never been authorized for staff for such bed space, the Compensation Board shall				
15	allow an exemption from the recovery provided in paragraph H.1. for a defined number of				
16	federal prisoners upon certification by the sheriff or superintendent that the federal				
17	government has paid for the construction of bed space in the facility or provided a grant for a				
18	portion of the capital cost. Such certification shall include specific funding amounts paid by				
19	the federal government, localities, and/or regional jail authorities, and the Commonwealth for				
20	the construction of bed space specifically built for the housing of federal inmates and for the				
21	construction of the jail facility in its entirety. The defined number of federal prisoners to be				
22	exempted from the recovery provided in paragraph H.1. shall be based upon the proportion of				
23	funding paid by the federal government and localities and/or regional jail authorities for the				
24	construction of bed space to house federal prisoners to the total funding paid by all sources,				
25	including the Commonwealth, for all construction costs for the jail facility in its entirety.				
26	8. Beginning March 1, 2013, federal inmates placed in the custody of a regional jail pursuant				
27	to a work release program operated by the federal Bureau of Prisons shall be exempt from the				
28	recovery of costs associated with housing federal inmates pursuant to paragraph H.1. of this				
29	item if such federal inmates have been assigned by the federal Bureau of Prisons to a home				
30	electronic monitoring program in place for such inmates by agreement with the jail on or				
31	before January 1, 2012 and are not housed in the jail facility. However, no such exemption				
32	shall apply to any federal inmate while they are housed in the regional jail facility.				
33	I. Any amounts in the program Financial Assistance for Confinement of Inmates in Local and				
34	Regional Facilities, may be transferred between Items 66 and 67, as needed, to cover any				
35	deficits incurred in the programs Financial Assistance for Sheriffs' Offices and Regional Jails				
36	and Financial Assistance for Confinement of Inmates in Local and Regional Facilities.				
37	J. Projected growth in per diem payments for the support of prisoners in local and regional				
38	jails shall be based on actual inmate population counts up through the first quarter of the				
39	affected fiscal year.				
40	K. The Compensation Board shall provide an annual report on the number and diagnoses of				
41	inmates with mental illnesses in local and regional jails, the treatment services provided, and				
42	expenditures on jail mental health programs. The report shall be prepared in cooperation with				
43	the Virginia Sheriffs Association, the Virginia Association of Regional Jails, the Virginia				
44	Association of Community Services Boards, and the Department of Behavioral Health and				
45	Developmental Services, and shall be coordinated with the data submissions required for the				
46	annual jail cost report. Copies of this report shall be provided by November 1 of each year to				
47	the Governor, Director, Department of Planning and Budget, and the Chairmen of the Senate				
48	Finance and House Appropriations Committees.				
49	68. Not set out.				
50	69. Not set out.				
51	70. Financial Assistance for Attorneys for the				
52	Commonwealth (77200).....			\$69,935,657	\$69,935,657
53	Financial Assistance to Attorneys for the				
54	Commonwealth (77201).....	\$15,852,086	\$15,852,086		

ITEM 70.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Financial Assistance for Operations of Local				
2	Attorneys for the Commonwealth (77202).....	\$54,083,571	\$54,083,571		
3	Fund Sources: General.....	\$69,935,657	\$69,935,657		
4	Authority: Title 15.2, Chapter 16, Articles 4 and 6.1, Code of Virginia.				
5	A.1. The annual salaries of attorneys for the Commonwealth shall be as hereinafter				
6	prescribed according to the population of the city or county served except as otherwise				
7	provided in § 15.2-1636.12, Code of Virginia.				
8		July 1, 2014	July 1, 2015	December 1, 2015	
		to	to	to	
9		June 30, 2015	November 30, 2015	June 30, 2016	
10	Less than 10,000	\$53,257	\$53,257	\$53,257	
11	10,000-19,999	\$59,182	\$59,182	\$59,182	
12	20,000-34,999	\$65,098	\$65,098	\$65,098	
13	35,000-44,999	\$117,173	\$117,173	\$117,173	
14	45,000-99,999	\$130,189	\$130,189	\$130,189	
15	100,000-249,999	\$135,073	\$135,073	\$135,073	
16	250,000 and above	\$139,958	\$139,958	\$139,958	
17	2. The attorneys for the Commonwealth and their successors who serve on a full-time				
18	basis pursuant to §§ 15.2-1627.1, 15.2-1628, 15.2-1629, 15.2-1630 or § 15.2-1631, Code				
19	of Virginia, shall receive salaries as if they served localities with populations between				
20	35,000 and 44,999.				
21	3. Whenever an attorney for the Commonwealth is such for a county and city together, or				
22	for two or more cities, the aggregate population of such political subdivisions shall be the				
23	population for the purpose of arriving at the salary of such attorney for the				
24	Commonwealth under the provisions of this paragraph and such attorney for the				
25	Commonwealth shall receive as additional compensation the sum of one thousand dollars.				
26	B. No expenditure shall be made out of this Item for the employment of investigators,				
27	clerk-investigators or other investigative personnel in the office of an attorney for the				
28	Commonwealth.				
29	C. Consistent with the provisions of § 19.2-349, Code of Virginia, attorneys for the				
30	Commonwealth may, in addition to the options otherwise provided by law, employ				
31	individuals to assist in collection of outstanding fines, costs, forfeitures, penalties, and				
32	restitution. Notwithstanding any other provision of law, beginning on the date upon which				
33	the order or judgment is entered, the costs associated with employing such individuals				
34	may be paid from the proceeds of the amounts collected provided that the cost is				
35	apportioned on a pro rata basis according to the amount collected which is due the state				
36	and that which is due the locality. The attorneys for the Commonwealth shall account for				
37	the amounts collected and apportion costs associated with the collections consistent with				
38	procedures issued by the Auditor of Public Accounts.				
39	D. The provisions of this act notwithstanding, no Commonwealth's attorney, public				
40	defender or employee of a public defender, shall be paid or receive reimbursement for the				
41	state portion of a salary in excess of the salary paid to judges of the circuit court. Nothing				
42	in this paragraph shall be construed to limit the ability of localities to supplement the				
43	salaries of locally elected constitutional officers or their employees.				
44	E. The Statewide Juvenile Justice project positions, as established under the provisions of				
45	Item 74 E, of Chapter 912, 1996 Acts of Assembly, and Chapter 924, 1997 Acts of				
46	Assembly, are continued under the provisions of this act. The Commonwealth's attorneys				
47	receiving such positions shall annually certify to the Compensation Board that the				
48	positions are used primarily, if not exclusively, for the prosecution of delinquency and				
49	domestic relations felony cases, as defined by Chapters 912 and 924. In the event the				
50	positions are not primarily or exclusively used for the prosecution of delinquency and				
51	domestic relations felony cases, the Compensation Board shall reallocate such positions				

ITEM 70.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	by using the allocation provisions as provided for the board in Item 74 E of Chapters 912 and				
2	924.				
3	F. The Compensation Board shall monitor the Department of Taxation program regarding the				
4	collection of unpaid fines and court costs by private debt collection firms contracted by				
5	Commonwealth's attorneys and shall include, in its annual report to the General Assembly on				
6	the collection of court-ordered fines and fees for clerks of the courts and Commonwealth's				
7	attorneys, the amount of unpaid fines and costs collected by this program.				
8	G. Out of this appropriation, \$389,165 the first year and \$389,165 the second year from the				
9	general fund is designated for the Compensation Board to fund five additional positions in				
10	Commonwealth's attorney's offices that shall be dedicated to prosecuting gang-related				
11	criminal activities. The board shall ensure that these positions work across jurisdictional lines,				
12	serving the Northern Virginia area (counties of Fairfax, Loudoun, Prince William, and				
13	Arlington and the cities of Falls Church, Alexandria, Manassas, Manassas Park and Fairfax).				
14	H. Included within this appropriation is \$2,120,757 the first year and \$2,120,757 the second				
15	year from the general fund to increase the salary of each assistant Commonwealth's attorney				
16	by \$3,308.				
17	I. In accordance with the provisions of § 19.2-349, Code of Virginia, attorneys for the				
18	Commonwealth may employ individuals, or contract with private attorneys, private collection				
19	agencies, or other state or local agencies, to assist in collection of delinquent fines, costs,				
20	forfeitures, penalties, and restitution. If the attorney for the Commonwealth employs				
21	individuals, the costs associated with employing such individuals may be paid from the				
22	proceeds of the amounts collected provided that the cost is apportioned on a pro rata basis				
23	according to the amount collected which is due the state and that which is due the locality. If				
24	the attorney for the Commonwealth does not undertake collection, the attorney for the				
25	Commonwealth shall, as soon as practicable, take steps to ensure that any agreement or				
26	contract with an individual, attorney or agency complies with the terms of the current Master				
27	Guidelines Governing Collection of Unpaid Delinquent Court-Ordered Fines and Costs				
28	Pursuant to Virginia Code § 19.2-34 9 promulgated by the Office of the Attorney General, the				
29	Executive Secretary of the Supreme Court, the Department of Taxation, and the				
30	Compensation Board ("the Master Guidelines"). Notwithstanding any other provision of law,				
31	the delinquent amounts owed shall be increased by seventeen (17) percent to help offset the				
32	costs associated with employing such individuals or contracting with such agencies or				
33	individuals. If such increase would exceed the contracted collection agent's fee, then the				
34	delinquent amount owed shall be increased by the percentage or amount of the collection				
35	agent's fee. Effective July 1, 2015; as provided in § 19.2-349, Code of Virginia; treasurers not				
36	being compensated on a contingency basis as of January 1, 2015 shall be prohibited from				
37	being compensated on a contingency basis but shall be instead compensated administrative				
38	cost pursuant to § 58.1-3958, Code of Virginia. Treasurers currently collecting a contingency				
39	fee shall be eligible to contract on a contingency fee basis until June 30, 2018. Effective July				
40	1, 2015; any treasurer collecting a contingency fee shall retain only the expenses of collection,				
41	and the excess collection shall be divided between the state and the locality in the same				
42	manner as if the collection had been done by the attorney for the Commonwealth. The				
43	attorneys for the Commonwealth shall account for the amounts collected and the fees and				
44	costs associated with the collections consistent with procedures issued by the Auditor of				
45	Public Accounts.				
46	71. Not set out.				
47	72. Not set out.				
48	73. Not set out.				
49	Total for Compensation Board.....			\$665,928,659	\$656,978,220
50					\$668,253,252
51	General Fund Positions.....	20.00	20.00		
52	Nongeneral Fund Positions.....	1.00	1.00		
53	Position Level.....	21.00	21.00		
54	Fund Sources: General.....	\$649,927,947	\$640,977,508		
55			\$652,252,540		



ITEM 73.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Trust and Agency.....	\$8,000,712	\$8,000,712	
2	Dedicated Special Revenue.....	\$8,000,000	\$8,000,000	
3	<b>§ 1-4. DEPARTMENT OF GENERAL SERVICES (194)</b>			
4	74. Not set out.			
5	75. Not set out.			
6	76. Procurement Services (73000).....		\$61,313,173	\$61,898,935
7				\$61,300,836
8	Statewide Procurement Services (73002).....	\$26,511,273	<del>\$27,097,035</del>	
9			\$26,498,936	
10	Surplus Property Programs (73007).....	\$2,801,900	\$2,801,900	
11	Statewide Cooperative Procurement and			
12	Distribution Services (73008).....	\$32,000,000	\$32,000,000	
13	Fund Sources: General.....	\$2,331,693	\$2,331,693	
14	Special.....	\$1,709,454	<del>\$2,054,471</del>	
15			\$1,456,372	
16	Enterprise.....	\$22,470,126	\$22,710,871	
17	Internal Service.....	\$34,801,900	\$34,801,900	
18	Authority: Title 2.2, Chapter 11, Articles 3 and 6, Code of Virginia.			
19	A. 1. Out of this appropriation, \$936,900 the first year and \$936,900 the second year for			
20	federal surplus property is sum sufficient and amounts shown are estimates from an			
21	internal service fund which shall be paid from revenues derived from charges for services.			
22	2. Out of this appropriation, \$1,865,000 the first year and \$1,865,000 the second year for			
23	state surplus property is sum sufficient and amounts shown are estimates from an internal			
24	service fund which shall be paid from revenues derived from charges for services.			
25	B. Out of this appropriation, \$32,000,000 the first year and \$32,000,000 the second year			
26	for Statewide Cooperative Procurement and Distribution Services is sum sufficient and			
27	amounts shown are estimates from an internal service fund which shall be paid from			
28	revenues derived from charges for services.			
29	C.1. The Commonwealth's statewide electronic procurement system and program known			
30	as eVA will be financed by fees assessed to state agencies and institutions of higher			
31	education and vendors.			
32	2. The Department of General Services, in consultation with the Department of Accounts,			
33	shall develop an implementation timetable, scope, and cost for real time integration			
34	between eVA and the statewide financial management system known as Cardinal, with the			
35	objective that the integration be completed within one year of the Cardinal Wave 2 rollout,			
36	no later than February 15, 2017. The Secretaries of Administration and Finance shall			
37	submit a final timetable, no later than July 1, 2015, to the Governor and the Chairmen of			
38	the House Appropriations and Senate Finance Committees. The Department of General			
39	Services and the Department of Accounts are authorized to fund all approved costs of the			
40	integration, including associated integration costs incurred by the Department of Accounts'			
41	Cardinal project team. All approved integration costs are to be paid from the existing			
42	eVA special fund balances. No integration costs shall be paid from eVA fees collected			
43	after July 1, 2014. The Department of General Services is authorized, where necessary, to			
44	procure all integration services required for this integration project by the Department of			
45	General Services and the Department of Accounts to fulfill the requirements of this			
46	subsection. Department of Accounts costs for integration services it procures must be			
47	approved by the Department of General Services prior to issuing a purchase order or			
48	incurring such costs, as the Department of General Services is expected to pay those costs.			
49	The Department of General Services and the Department of Accounts shall work			
50	collaboratively to implement and complete the integration in accordance with the			
51	Secretaries of Administration and Finance approved timetable. The Department of General			
52	Services and the Department of Accounts shall jointly submit quarterly implementation			
53	progress reports to the Secretaries of Administration and Finance for submission to the			

ITEM 76.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Governor and Chairmen of the House Appropriations and Senate Finance Committees.				
2	D. The Department of General Services shall allow nonprofit food banks operating in Virginia				
3	and granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase				
4	directly from the Virginia Distribution Center.				
5	77.	Not set out.			
6	78.	Not set out.			
7	79.	Not set out.			
8	80.	Not set out.			
9	Total for Department of General Services.....			<b>\$229,996,608</b>	<b>\$233,249,425</b>
10					<b>\$232,651,326</b>
11	General Fund Positions.....	252.00	253.00		
12	Nongeneral Fund Positions.....	408.50	408.50		
13	Position Level.....	660.50	661.50		
14	Fund Sources: General.....	\$21,455,642	\$21,199,643		
15	Special.....	\$5,696,526	<del>\$7,041,543</del>		
16			<del>\$6,443,444</del>		
17	Enterprise.....	\$31,043,119	\$31,419,864		
18	Internal Service.....	\$163,981,914	\$165,768,968		
19	Federal Trust.....	\$7,819,407	\$7,819,407		
20	<b>§ 1-5. DEPARTMENT OF HUMAN RESOURCE MANAGEMENT (129)</b>				
21	81. Personnel Management Services (70400).....			\$16,267,149	\$16,421,397
22	Agency Human Resource Services (70401).....	\$6,939,487	\$6,030,175		
23	Human Resource Service Center (70402).....	\$0	\$1,254,584		
24	Equal Employment Services (70403).....	\$982,537	\$982,537		
25	Health Benefits Services (70406).....	\$3,496,179	\$3,496,285		
26	Employee Dispute Resolution Services (70416).....	\$914,118	\$914,118		
27	State Employee Program Services (70417).....	\$1,789,314	\$1,789,314		
28	State Employee Workers' Compensation Services				
29	(70418).....	\$1,358,969	\$1,358,969		
30	Administrative and Support Services (70419).....	\$786,545	\$595,415		
31	Fund Sources: General.....	\$8,308,714	\$8,320,849		
32	Special.....	\$6,599,466	\$6,741,579		
33	Trust and Agency.....	\$1,358,969	\$1,358,969		
34	Authority: Title 2.2, Chapters 12, 28, and 29, Code of Virginia.				
35	A. The Department of Human Resource Management shall report any proposed changes in				
36	premiums, benefits, carriers, or provider networks to the Governor and the Chairmen of the				
37	House Appropriations and Senate Finance Committees at least sixty days prior to				
38	implementation.				
39	B.1. The Department of Human Resource Management shall operate a human resource				
40	service center to support the human resource needs of those agencies identified by the				
41	Secretary of Administration in consultation with the Department of Planning and Budget. The				
42	agencies so identified shall cooperate with the Department of Human Resource Management				
43	by transferring such records and functions as may be required.				
44	2. Out of this appropriation, \$590,353 the first year and \$590,353 the second year from the				
45	general fund shall be used to support the human resource service center.				
46	3. Nothing in this paragraph shall prohibit additional agencies from using the services of the				
47	center; however, these additional agencies' use of the human resource service center shall be				
48	subject to approval by the affected cabinet secretary and the Secretary of Administration.				

ITEM 81.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	4. a. Agencies that are partially or fully funded with nongeneral funds that receive				
2	approval by the affected cabinet secretary and the Secretary of Administration to join the				
3	human resource service center, on or after July 1, 2014, shall pay the Department of				
4	Human Resource Management the costs to support the human resource service center.				
5	The agency's share of the costs to support the human resource service center shall be based				
6	on the agency's applicable nongeneral fund expenditures as set out in § 4-5.03 of this act.				
7	b. The rates required to recover the costs of the human resource service center shall be				
8	provided by the Department of Human Resource Management to the Department of				
9	Planning and Budget by September 1 each year for review and approval of the subsequent				
10	fiscal year's rate.				
11	C. The institutions of higher education shall be exempt from the centralized advertising				
12	requirements identified in Executive Order 73 (01).				
13	D.1. To ensure fair and equitable performance reviews, the Department of Human				
14	Resource Management, within available resources, is directed to provide performance				
15	management training to agencies and institutions of higher education with classified				
16	employees.				
17	2. Agency heads in the Executive Department are directed to require appropriate				
18	performance management training for all agency supervisors and managers.				
19	E.1. The Department of Human Resource Management shall take into account the claims				
20	experience of each agency and institution when setting premiums for the workers'				
21	compensation program.				
22	2. All financial obligations of the Commonwealth to the Virginia Workers' Compensation				
23	Commission for payroll taxes on behalf of the state employees' workers' compensation				
24	program are satisfied in full through calendar year 2009.				
25	F.1. The Department of Human Resource Management shall report to the Governor and				
26	Chairmen of the House Appropriations and Senate Finance Committees by October 1 of				
27	each year, on its recommended workers' compensation premiums for state agencies for the				
28	following biennium. This report shall also include the basis for the department's				
29	recommendations, the number and amount of workers' compensation settlements				
30	concluded in the previous fiscal year, and the impact of those settlements on the workers'				
31	compensation program's reserves.				
32	2. The Department of Human Resource Management shall conduct a study, with the				
33	cooperation of all executive, legislative, judicial, and independent agencies, to include, but				
34	not be limited to, the impact of settling appropriate claims, the potential need for a risk				
35	management position in the Department of Human Resource Management to further assist				
36	state agencies not staffed with a risk management position, and the need for a risk				
37	management position for state agencies with a high incidence of claims who are not				
38	staffed with a risk management position. The department shall report its findings and cost				
39	savings recommendations for the state employee's workers' compensation program to the				
40	Governor and Chairmen of the House Appropriations and Senate Finance Committees no				
41	later than October 1, 2014.				
42	3. Notwithstanding § 2.2-2821, Code of Virginia, the Department of Human Resource				
43	Management may use up to \$30,000 the first year from the Workers' Compensation Trust				
44	Fund for the administrative costs associated with paragraph F.2.				
45	4. Beginning July 1, 2015, the Department of Human Resource Management shall conduct				
46	an annual review of each state agency's loss control history, to include the severity of				
47	workers' compensation claims, experience modification factor, and frequency normalized				
48	by payroll. Based on the annual review, state agencies deemed by the Department of				
49	Human Resource Management as having higher than normal loss history shall be required				
50	to participate in a loss control program. All executive, judicial, legislative, and				
51	independent agencies required to participate in the loss control program shall fully				
52	cooperate with the Department of Human Resource Management's review. The				
53	Department of Human Resource Management shall provide a report to the Governor,				
54	Director, Department of Planning and Budget, and Chairmen of the House Appropriations				

ITEM 81.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	and Senate Finance Committees on the status and recommendations of the loss control				
2	program no later than October 30 of each year.				
3	5. a. A working capital advance of up to \$20,000,000 shall be provided to the Department of				
4	Human Resource Management to identify and potentially settle certain workers' compensation				
5	claims open for more than one year but less than 10 years. The Department of Human				
6	Resource Management shall pay back the working capital advance from annual premiums				
7	over a seven year period. The Department of Human Resource Management shall provide a				
8	report to the Governor, Director, Department of Planning and Budget, and Chairmen of the				
9	House Appropriations and Senate Finance Committees on the status of the settlement				
10	program, the number of claims settled, and the estimated state costs avoided from the				
11	settlements no later than October 30 of each year.				
12	b. The Secretary of Finance and Secretary of Administration shall approve the drawdowns				
13	from this working capital advance prior to the expenditure of funds. The State Comptroller				
14	shall notify the Governor and the Chairmen of the House Appropriations and Senate Finance				
15	Committees of any approved drawdowns.				
16	G. The Department of Human Resource Management shall report to the Governor and				
17	Chairmen of the House Appropriations and Senate Finance Committees, by October 15 of				
18	each year, on the renewal cost of the state employee health insurance program premiums that				
19	will go into effect on July 1 of the following year. This report shall include the impact of the				
20	renewal cost on employee and employer premiums and a valuation of liabilities as required by				
21	Other Post Employment Benefits reporting standards.				
22	H. Out of this appropriation, \$606,439 the first year and \$606,439 the second year from the				
23	general fund is provided for the time, attendance and leave system.				
24	I. The Department of Human Resource Management shall develop and distribute instructions				
25	and guidelines to all executive department agencies for the provision of an annual statement				
26	of total compensation for each classified employee. The statement should account for the full				
27	cost to the Commonwealth and the employee of cash compensation as well as Social Security,				
28	Medicare, retirement, deferred compensation, health insurance, life insurance, and any other				
29	benefits. The Director, Department of Human Resources Management, shall ensure that all				
30	executive department agencies provide this notice to each employee. The Department of				
31	Accounts and the Virginia Retirement System shall provide assistance upon request. Further,				
32	the Director of the Department of Human Resources Management shall provide instructions				
33	and guidelines for the development notices of total compensation to all independent,				
34	legislative, and judicial agencies, and institutions of higher education for preparation of				
35	annual statements to their employees.				
36	J.1. Out of this appropriation, \$2,747,200 the first year and \$2,747,200 the second year from				
37	the general fund is provided for the migration of the Personnel Management Information				
38	System (PMIS) and its subsystems from the Unisys mainframe to the Windows SQL servers				
39	platform. The Department of Human Resource Management shall submit a report on the				
40	status of the migration of PMIS and its subsystems to the Chairmen of the House				
41	Appropriations and Senate Finance Committees, no later than October 1, 2015.				
42	2. Any unexpended balances from paragraph J.1. of this item at the close of business on June				
43	30, 2015, shall not revert to the surplus of the general fund but shall be carried forward on the				
44	books of the State Comptroller and appropriated in the succeeding year for the same purpose.				
45	Total for Department of Human Resource				
46	Management.....			\$16,267,149	\$16,421,397
47	General Fund Positions.....	58.40	<del>58.40</del>		
48			58.46		
49	Nongeneral Fund Positions.....	47.60	<del>48.60</del>		
50			49.54		
51	Position Level.....	106.00	<del>107.00</del>		
52			108.00		
53	Fund Sources: General.....	\$8,308,714	\$8,320,849		
54	Special.....	\$6,599,466	\$6,741,579		
55	Trust and Agency.....	\$1,358,969	\$1,358,969		

ITEM 81.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	<b>Administration of Health Insurance (149)</b>				
2	82. Personnel Management Services (70400).....			\$1,573,501,777	\$1,619,464,330
3					\$1,760,464,330
4	Health Benefits Services (70406).....	\$1,236,466,493	\$1,261,195,823		
5			\$1,368,195,823		
6	Local Health Benefit Services (70407).....	\$337,035,284	\$358,268,507		
7			\$392,268,507		
8	Fund Sources: Enterprise.....	\$337,035,284	\$358,268,507		
9			\$392,268,507		
10	Internal Service.....	\$1,236,466,493	\$1,261,195,823		
11			\$1,368,195,823		
12	Authority: § 2.2-2818, Code of Virginia.				
13	A. The appropriation for Health Benefits Services is sum sufficient and amounts shown				
14	are estimates from an internal service fund which shall be paid from revenues paid by state				
15	agencies to the Department of Human Resource Management.				
16	B. The amounts for Local Health Benefits Services include estimated revenues received				
17	from localities for the local choice health benefits program.				
18	C.1. In the event that the total of all eligible claims exceeds the balance in the state				
19	employee medical reimbursement account, there is hereby appropriated a sum sufficient				
20	from the general fund of the state treasury to enable the payment of such eligible claims.				
21	2. The term "employee medical reimbursement account" means the account administered				
22	by the Department of Human Resource Management pursuant to § 125 of the Internal				
23	Revenue Code in connection with the health insurance program for state employees (§				
24	2.2-2818, Code of Virginia).				
25	D. Any balances remaining in the reserved component of the Employee Health Insurance				
26	Fund shall be considered part of the overall Health Insurance Fund. It is the intent of the				
27	General Assembly that future premiums for the state employee health insurance program				
28	shall be set in a manner so that the balance in the Health Insurance Fund will be sufficient				
29	to meet the estimated Incurred But Not Paid liability for the Fund and maintain a				
30	contingency reserve at a level recommended by the Department of Human Resource				
31	Management for a self-insured plan subject to the approval of the General Assembly.				
32	E. The Department of Human Resource Management shall implement a Medication				
33	Therapy Management pilot program for state employees with certain disease states				
34	including Type II diabetes. The department shall continue to consult with all provider				
35	stakeholders in order to establish program parameters.				
36	F. Concurrent with the date the Governor introduces the budget bill, the Directors of the				
37	Departments of Planning and Budget and Human Resource Management shall provide to				
38	the Chairmen of the House Appropriations and Senate Finance Committees a report				
39	detailing the assumptions included in the Governor's introduced budget for the state				
40	employee health insurance plan. The report shall include the proposed premium schedule				
41	that would be effective for the upcoming fiscal year and any proposed changes to the				
42	benefit structure.				
43	G. Of money appropriated for the state employee health insurance fund, \$250,000 the first				
44	year and \$500,000 the second year shall be held separate and apart from the fund to pay				
45	for any required fees due to the Patient-Centered Outcomes Research Institute.				
46	H.1 The Department of Human Resource Management shall conduct a comprehensive				
47	review of the public employee health programs in the Commonwealth. The Department				
48	shall provide a report detailing the findings and recommendations to the chairmen of the				
49	House Appropriations Committee and Senate Finance Committee by October 31, 2015.				
50	2. As part of the review, the Department shall conduct an actuarial review of the impact on				
51	the state, the school boards, and other political subdivisions, from including the				
52	employees, and their dependents, of local governments including local school divisions in				

ITEM 82.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	the state employee health program or in one statewide pooled plan for employees of political				
2	subdivisions.				
3	3. Local school boards and localities shall provide information to the Department as requested				
4	for the actuarial analysis.				
5	4. The review shall also include an examination of The Local Choice program's policies,				
6	including its pooling and rating methodology, to determine whether overall improvements				
7	may be made to the program, with a specific goal of trying to increase The Local Choice				
8	program's appeal among rural school divisions and local governments. During this effort, the				
9	Department shall hold a series of meetings with stakeholders to educate them about The Local				
10	Choice program and solicit their feedback.				
11	5. The Director of the Department of Planning and Budget is authorized to transfer up to				
12	\$250,000 general fund from program 757 (agency 995, Central Appropriations) from				
13	unobligated balances from prior year appropriation to the Department of Human Resource				
14	Management as needed to fund the review and outreach efforts.				
15	Total for Administration of Health Insurance.....			<b>\$1,573,501,777</b>	<b>\$1,619,464,330</b>
16					<b>\$1,760,464,330</b>
17	Fund Sources: Enterprise.....	\$337,035,284	<del>\$358,268,507</del>		
18			\$392,268,507		
19	Internal Service.....	\$1,236,466,493	<del>\$1,261,195,823</del>		
20			\$1,368,195,823		
21	Grand Total for Department of Human Resource				
22	Management.....			<b>\$1,589,768,926</b>	<b>\$1,635,885,727</b>
23					<b>\$1,776,885,727</b>
24	General Fund Positions.....	58.40	<del>58.40</del>		
25			58.46		
26	Nongeneral Fund Positions.....	47.60	<del>48.60</del>		
27			49.54		
28	Position Level.....	106.00	<del>107.00</del>		
29			108.00		
30	Fund Sources: General.....	\$8,308,714	\$8,320,849		
31	Special.....	\$6,599,466	\$6,741,579		
32	Enterprise.....	\$337,035,284	<del>\$358,268,507</del>		
33			\$392,268,507		
34	Internal Service.....	\$1,236,466,493	<del>\$1,261,195,823</del>		
35			\$1,368,195,823		
36	Trust and Agency.....	\$1,358,969	\$1,358,969		
37	83. Not set out.				
38	84. Not set out.				
39	TOTAL FOR OFFICE OF ADMINISTRATION.....			<b>\$2,501,072,513</b>	<b>\$2,543,390,653</b>
40					<b>\$2,695,067,586</b>
41	General Fund Positions.....	371.40	<del>372.40</del>		
42			372.46		
43	Nongeneral Fund Positions.....	464.10	<del>465.10</del>		
44			466.04		
45	Position Level.....	835.50	<del>837.50</del>		
46			838.50		
47	Fund Sources: General.....	\$689,551,224	<del>\$680,458,721</del>		
48			\$691,733,753		
49	Special.....	\$12,413,498	<del>\$13,899,372</del>		
50			\$13,301,273		
51	Enterprise.....	\$368,078,403	<del>\$389,688,371</del>		
52			\$423,688,371		
53	Internal Service.....	\$1,400,448,407	<del>\$1,426,964,791</del>		
54			\$1,533,964,791		
55	Trust and Agency.....	\$14,672,994	\$16,471,411		

ITEM 84.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Dedicated Special Revenue.....	\$8,000,000	\$8,000,000		
2	Federal Trust.....	\$7,907,987	\$7,907,987		

ITEM 85.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	OFFICE OF AGRICULTURE AND FORESTRY			
2	85.	Not set out.		
3	§ 1-6. DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES (301)			
4	86.	Not set out.		
5	87.	Animal and Poultry Disease Control (53100).....	\$6,694,791	\$6,898,565
6				\$7,148,320
7		Animal Disease Prevention and Control (53101).....	\$2,853,855	\$2,853,855
8			\$3,103,610	
9		Diagnostic Services (53102).....	\$3,646,483	\$3,850,257
10		Animal Welfare (53104).....	\$194,453	\$194,453
11		Fund Sources: General.....	\$4,132,492	\$4,336,266
12			\$4,586,021	
13		Special.....	\$1,613,223	\$1,613,223
14		Federal Trust.....	\$949,076	\$949,076
15	Authority: Title 3.2, Chapters 60 and 65, Code of Virginia.			
16	88.	Not set out.		
17	89.	Not set out.		
18	90.	Not set out.		
19	91.	Not set out.		
20	92.	Not set out.		
21	93.	Not set out.		
22	94.	Not set out.		
23	95.	Not set out.		
24	96.	Not set out.		
25	97.	Not set out.		
26	Total for Department of Agriculture and Consumer			
27	Services.....		\$62,757,274	\$63,822,327
28				\$64,072,082
29	General Fund Positions.....		321.00	321.00
30	Nongeneral Fund Positions.....		205.00	205.00
31	Position Level.....		526.00	526.00
32	Fund Sources: General.....		\$33,176,063	\$34,241,116
33			\$34,490,871	
34		Special.....	\$5,532,424	\$5,532,424
35		Trust and Agency.....	\$6,606,146	\$6,606,146
36		Dedicated Special Revenue.....	\$8,523,086	\$8,523,086
37		Federal Trust.....	\$8,919,555	\$8,919,555
38	98.	Not set out.		
39	99.	Not set out.		
40	99.10	Not set out.		
41	99.20	Not set out.		
42	TOTAL FOR OFFICE OF AGRICULTURE AND			
43	FORESTRY .....		\$95,471,198	\$97,064,085
44				\$97,313,840



ITEM 99.20.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	General Fund Positions.....	497.59	498.59		
2	Nongeneral Fund Positions.....	328.41	328.41		
3	Position Level.....	826.00	827.00		
4	Fund Sources: General.....	\$49,430,868	<del>\$51,027,632</del>		
5			\$51,277,387		
6	Special.....	\$16,363,076	\$16,359,199		
7	Trust and Agency.....	\$6,708,976	\$6,708,976		
8	Dedicated Special Revenue.....	\$9,087,955	\$9,087,955		
9	Federal Trust.....	\$13,880,323	\$13,880,323		

ITEM 100.	Item Details(\$)		Appropriations(\$)	
	First Year	Second Year	First Year	Second Year
	FY2015	FY2016	FY2015	FY2016
<b>1</b>	<b>OFFICE OF COMMERCE AND TRADE</b>			
<b>2</b>	100.	Not set out.		
<b>3</b>	101.	Not set out.		
<b>4</b>	<b>§ 1-7. BOARD OF ACCOUNTANCY (226)</b>			
<b>5</b>	102.	Regulation of Professions and Occupations (56000)...	\$1,648,449	\$1,648,465
<b>6</b>				\$1,748,465
<b>7</b>		Accountant Regulation (56001).....	\$1,648,449	\$1,648,465
<b>8</b>				\$1,748,465
<b>9</b>		Fund Sources: Dedicated Special Revenue.....	\$1,648,449	\$1,648,465
<b>10</b>				\$1,748,465
<b>11</b>		Authority: Title 54.1, Chapter 44, Code of Virginia.		
<b>12</b>		Total for Board of Accountancy.....	\$1,648,449	\$1,648,465
<b>13</b>				\$1,748,465
<b>14</b>		Nongeneral Fund Positions.....	12.00	12.00
<b>15</b>		Position Level.....	12.00	12.00
<b>16</b>		Fund Sources: Dedicated Special Revenue.....	\$1,648,449	\$1,648,465
<b>17</b>				\$1,748,465
<b>18</b>	103.	Not set out.		
<b>19</b>	104.	Not set out.		
<b>20</b>	105.	Not set out.		
<b>21</b>	106.	Not set out.		
<b>22</b>	107.	Not set out.		
<b>23</b>	108.	Not set out.		
<b>24</b>	109.	Not set out.		
<b>25</b>	110.	Not set out.		
<b>26</b>	111.	Not set out.		
<b>27</b>	112.	Not set out.		
<b>28</b>	113.	Not set out.		
<b>29</b>	114.	Not set out.		
<b>30</b>	115.	Not set out.		
<b>31</b>	116.	Not set out.		
<b>32</b>	117.	Not set out.		
<b>33</b>	118.	Not set out.		
<b>34</b>	119.	Not set out.		
<b>35</b>	120.	Not set out.		
<b>36</b>	121.	Not set out.		
<b>37</b>	122.	Not set out.		
<b>38</b>	123.	Not set out.		
<b>39</b>	124.	Omitted.		

ITEM 125.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	125.	Omitted.				
2	126.	Not set out.				
3		TOTAL FOR OFFICE OF COMMERCE AND				
4		TRADE.....			\$892,970,953	<del>\$1,091,922,245</del>
5						\$1,092,022,245
6		General Fund Positions.....	363.34	363.34		
7		Nongeneral Fund Positions.....	1,318.66	1,320.16		
8		Position Level.....	1,682.00	1,683.50		
9		Fund Sources: General.....	\$181,916,915	\$197,028,483		
10		Special.....	\$21,246,792	\$19,790,060		
11		Commonwealth Transportation.....	\$1,453,283	\$1,453,283		
12		Trust and Agency.....	\$590,777,360	\$603,796,694		
13		Dedicated Special Revenue.....	\$23,416,629	<del>\$23,416,645</del>		
14				\$23,516,645		
15		Federal Trust.....	\$74,159,974	\$246,437,080		

ITEM 127.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
OFFICE OF EDUCATION				
127.	Not set out.			
§ 1-8. DEPARTMENT OF EDUCATION, CENTRAL OFFICE OPERATIONS (201)				
128.	Not set out.			
129.	Not set out.			
130.	Not set out.			
131.	Not set out.			
132.	Not set out.			
133.	Not set out.			
134.	Not set out.			
Direct Aid to Public Education (197)				
135.	Financial Assistance for Educational, Cultural, Community, and Artistic Affairs (14300).....		\$14,263,849	\$22,513,649 \$22,066,149
	Financial Assistance for Supplemental Education (14304).....	\$14,263,849	\$22,513,649 \$22,066,149	
	Fund Sources: General.....	\$14,263,849	\$22,513,649 \$22,066,149	
Authority: Discretionary Inclusion.				
A. Out of this appropriation, the Department of Education shall provide \$373,776 the first year and \$573,776 the second year from the general fund for the Jobs for Virginia Graduates initiative.				
B. Out of this appropriation, the Department of Education shall provide \$124,011 the first year and \$124,011 the second year from the general fund for the Southwest Virginia Public Education Consortium at the University of Virginia's College at Wise. An additional \$71,849 the first year and \$71,849 the second year from the general fund is provided to the Consortium to continue the Van Gogh Outreach program with Lee and Wise County Public Schools and expand the program to the twelve school divisions in Southwest Virginia.				
C. This appropriation includes \$58,905 the first year and \$108,905 the second year from the general fund for the Southside Virginia Regional Technology Consortium to expand the research and development phase of a technology linkage.				
D. An additional state payment of \$145,896 the first year and \$145,896 the second year from the general fund is provided as a Small School Division Assistance grant for the City of Norton. To receive these funds, the local school board shall certify to the Superintendent of Public Instruction that its division has entered into one or more educational, administrative or support service cost-sharing arrangements with another local school division. In addition, this Item includes \$123,000 the first year from the general fund to address the need for a review and reconciliation of school-aged population reported and student membership in Norton City Public School Division.				
E. Out of this appropriation, \$298,021 the first year and \$298,021 the second year from the general fund shall be allocated for the Career and Technical Education Resource Center to provide vocational curriculum and resource instructional materials free of charge to all school divisions.				
F. It is the intent of the General Assembly that the Department of Education provide bonuses from state funds to classroom teachers in Virginia's public schools who hold certification				

ITEM 135.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	from the National Board of Professional Teaching Standards. Such bonuses shall be				
2	\$5,000 the first year of the certificate and \$2,500 annually thereafter for the life of the				
3	certificate. This appropriation includes an amount estimated at \$5,735,000 the first year				
4	and <del>\$5,885,000</del> \$5,437,500 the second year from the general fund for the purpose of				
5	paying these bonuses. By October 15 of each year, school divisions shall notify the				
6	Department of Education of the number of classroom teachers under contract for that				
7	school year that hold such certification.				
8	G. This appropriation includes \$708,000 the first year and \$708,000 the second year from				
9	the general fund for the Virginia Teaching Scholarship Loan Program. These scholarships				
10	shall be for undergraduate students at or beyond the sophomore year in college with a				
11	cumulative grade point average of at least 2.7, who were in the top 10 percent of their high				
12	school class or alternative measure of achievement as selected by the institution, who are				
13	nominated by their college and students at the graduate level, and who meet the criteria				
14	and qualifications, pursuant to § 22.1-290.01, Code of Virginia. Awards shall be made to				
15	students who are enrolled full-time or part-time in approved undergraduate or graduate				
16	teacher education programs for (i) critical teacher shortage disciplines, such as special				
17	education, chemistry, physics, earth and space science, foreign languages, or technology				
18	education or (ii) as students meeting the qualifications in § 22.1-290.01, Code of Virginia,				
19	who have been identified by a local school board to teach in any discipline or at any grade				
20	level in which the school board has determined that a shortage of teachers exists; however,				
21	such persons shall meet the qualifications for awards granted pursuant to this Item; or (iii)				
22	those students seeking degrees in Career and Technical education. Minority students may				
23	be enrolled in any content area for teacher preparation and male students may be enrolled				
24	in any approved elementary or middle school teacher preparation program; therefore, this				
25	provision shall satisfy the requirements for the Diversity in Teaching Initiative and Fund,				
26	pursuant to Chapters 570, 597, 623, 645, and 719 of the Acts of Assembly of 2000.				
27	Scholarship recipients may fulfill the teaching obligation by accepting a teaching position				
28	(i) in one of the critical teacher shortage disciplines; or (ii) regardless of teaching				
29	discipline, in a school with a high concentration of students eligible for free or reduced				
30	price lunch; or (iii) in any discipline or at grade levels with a shortage of teachers; or (iv)				
31	in a rural or urban region of the state with a teacher shortage. For the purposes of this				
32	Item, "critical teacher shortage area and discipline" means subject areas and grade levels				
33	identified by the Board of Education in which the demand for classroom teachers exceeds				
34	the supply of teachers, as defined in the Board of Education's Regulations Governing the				
35	Determination of Critical Teacher Shortage Areas. Scholarship amounts are based on				
36	\$10,000 per year for full-time students, and shall be prorated for part-time students based				
37	on the number of credit hours. The Department of Education shall report annually on the				
38	critical shortage teaching areas in Virginia.				
39	2. The Department of Education shall make payments on behalf of the scholarship				
40	recipients directly to the Virginia institution of higher education where the scholarship				
41	recipient is enrolled full-time or part-time in an approved undergraduate or graduate				
42	teacher education program.				
43	3. The Department of Education is authorized to recover total funds awarded as				
44	scholarships, or the appropriate portion thereof, in the event that scholarship recipients fail				
45	to honor the stipulated teaching obligation. Any funds collected by the Department on				
46	behalf of this program shall revert to the general fund on June 30 each year. Such				
47	reversion shall be the net of any administrative or legal fees associated with the collection				
48	of these funds.				
49	H. Out of the amounts for this Item, shall be provided \$31,003 the first year and \$31,003				
50	the second year from the general fund for the Virginia Career Education Foundation.				
51	I. Out of this appropriation, \$212,500 the first year and \$400,000 the second year from the				
52	general fund shall be distributed to the Great Aspirations Scholarship Program (GRASP)				
53	to provide students and families in need access to financial aid, scholarships, and				
54	counseling to maximize educational opportunities for students.				
55	J. Out of this appropriation, the Department of Education shall provide \$794,400 the first				
56	year and \$794,400 the second year from the general fund to Communities in Schools.				
57	K. This appropriation includes \$100,000 the first year and \$100,000 the second year from				

ITEM 135.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	the general fund for the Superintendent of Public Education to award supplemental grants to				
2	charter schools.				
3	L. This appropriation includes \$543,176 the first year and \$543,176 the second year from the				
4	general fund to support the Youth Development Academy for rising 9th and 10th grade				
5	students.				
6	M. Out of this appropriation, \$808,000 the first year and \$808,000 the second year from the				
7	general fund is provided to attract, recruit, and retain high-quality diverse individuals to teach				
8	science, technology, engineering, or mathematics (STEM) subjects in Virginia's middle and				
9	high schools. A teacher with up to three years of teaching experience employed full-time in a				
10	Virginia school division who has been issued a five-year Virginia teaching license with an				
11	endorsement in Middle Education 6-8: Mathematic, Mathematics-Algebra-I, mathematics,				
12	Middle Education 6-8: Science, Biology, Chemistry, Earth and Space Science, physics, or				
13	technology education and assigned to a teaching position in a corresponding STEM subject				
14	area is eligible to receive a \$5,000 initial incentive award after the completion of the first,				
15	second, or third year of teaching with a satisfactory performance evaluation and a signed				
16	contract in the same school division for the following school year. A teacher, holding one or				
17	more of the aforementioned endorsements and assigned to a teaching position in a				
18	corresponding STEM subject area and regardless of teaching experience, who is reassigned				
19	from a fully accredited school in a Virginia school division to a hard-to-staff school or a				
20	school that is not fully accredited and receives a satisfactory performance evaluation and a				
21	signed contract in the same school division for the following year is also eligible to receive an				
22	initial incentive award of \$5,000. An additional \$1,000 incentive award may be granted for				
23	each year the eligible teacher receives a satisfactory evaluation and teaches a qualifying				
24	STEM subject in which the teacher has an endorsement for up to three years in a Virginia				
25	school division following the year in which the teacher receives the initial incentive award.				
26	The maximum incentive award for each eligible teacher is \$8,000. Funding will be awarded				
27	on a first-come, first-served basis with preference to teachers assigned to teach in hard-to-staff				
28	schools or low-performing schools not fully accredited.				
29	N. Out of this appropriation, the Department of Education shall provide \$700,000 the first				
30	year and \$425,000 the second year from the general fund for Project Discovery. These funds				
31	are towards the cost of the program in Abingdon, Accomack/Norhampton, Alexandria,				
32	Amherst, Appomattox, Arlington, Bedford, Bland, Campbell, Charlottesville, Cumberland,				
33	Danville/Pittsylvania, Fairfax, Franklin/Patrick, Goochland/Powhatan, Lynchburg, Newport				
34	News, Norfolk, Richmond City, Roanoke City, Smyth, Surry/Sussex, Tazewell,				
35	Williamsburg/James City, and Wythe and the salary of a fiscal officer for Project Discovery.				
36	The Department of Education shall administer the Project Discovery funding distributions to				
37	each community action agency. Distributions to each community action agency shall be based				
38	on performance measures established by the Board of Directors of Project Discovery. The				
39	contract with Project Discovery should specify the allocations to each local program and				
40	require the submission of a financial and budget report and program evaluation performance				
41	measures.				
42	O. Out of this appropriation, the Department of Education shall provide \$225,000 the first				
43	year and \$250,000 the second year from the general fund for the Virginia Student Training				
44	and Refurbishment Program.				
45	P. Out of this appropriation, \$400,000 the first year and \$400,000 the second year from the				
46	general fund is provided to establish a comprehensive pilot initiative to recruit students to				
47	major in the fields of mathematics and science to help alleviate the shortage of qualified				
48	teachers in these fields.				
49	Q. Out of this appropriation, \$598,000 the first year and \$598,000 the second year from the				
50	general fund is provided to expand the number of schools implementing a system of positive				
51	behavioral interventions and supports with the goal of improving school climate and reducing				
52	disruptive behavior in the classroom. Such a system may be implemented as part of a tiered				
53	system of supports that utilizes evidence-based, system-wide practices to provide a response				
54	to academic and behavioral needs. Any school division which desires to apply for this				
55	competitive grant must submit a proposal to the Department of Education by June 1 preceding				
56	the school-year in which the program is to be implemented. The proposal must define student				
57	outcome objectives including, but not limited to, reductions in disciplinary referrals and out-				

ITEM 135.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	of-school suspension rates. In making the competitive grant awards, the Department of				
2	Education shall give priority to school divisions proposing to serve schools identified by				
3	the Department as having high suspension rates. No funds awarded to a school division				
4	under this grant may be used to supplant funding for schools already implementing the				
5	program.				
6	R. Targeted Extended School Year Payments				
7	1. Out of this appropriation, \$1,000,000 the first year from the general fund is provided for				
8	start-up grants of up to \$300,000 per school per year, depending on the extended school				
9	year model adopted. First priority shall be given to the school divisions awarded planning				
10	grants in fiscal year 2014 and the College Readiness Center pilot. Next priority shall be				
11	given to schools based on need, relative to the most current state accreditation ratings or				
12	similar federal designations.				
13	2. Out of this appropriation, \$7,150,000 the second year from the general fund is provided				
14	for a targeted extended school year incentive in order to improve student achievement.				
15	Annual start-up grants of up to \$300,000 per school may be awarded for a period of up to				
16	two years after the initial implementation year. The per school amount may be up to				
17	\$400,000 in the case of schools that have a Denied Accreditation status. After the third				
18	consecutive year of successful participation, an eligible school's grant amount shall be				
19	based on a shared split of the grant between the state and participating school division's				
20	local composite index. Such continuing schools shall remain eligible to receive a grant				
21	based on the 2012 JLARC Review of Year Round Schools' researched base findings.				
22	3. Except for school divisions with schools that are in Denied Accreditation status, any				
23	other school division applying for such a grant shall be required to provide a twenty				
24	percent local match to the grant amount received from either an extended year start-up or				
25	planning grant in the second year.				
26	4. In the case of any school division with schools that are in Denied Accreditation status				
27	that apply for funds, the school division shall also consult with the Superintendent of				
28	Public Instruction or designee on all recommendations regarding instructional programs or				
29	instructional personnel prior to submission to the local board for approval.				
30	5. Out of this appropriation, \$613,312 each year from the general fund is provided for				
31	planning grants of no more than \$50,000 each for local school divisions pursuing the				
32	creation of new year-round school programs for divisions or individual schools in support				
33	of the findings from the 2012 JLARC Review of Year Round Schools. School divisions				
34	must submit applications to the Department of Education by August 1 of each year.				
35	Priority shall be given to schools based on need, relative to the state accreditation ratings				
36	or similar federal designations. Applications shall include evidence of commitment to				
37	pursue implementation in the upcoming school year. If balances exist, existing extended				
38	school year programs may be eligible to apply for remaining funds.				
39	6. A school division that has been awarded an extended school year start-up grant, a year-				
40	round program start-up grant, or an extended year planning grant for the development of				
41	an extended year or a new year-round program may spend the awarded grant over two				
42	consecutive fiscal years.				
43	7. a) Any such school division receiving funding from a Targeted Extended School Year				
44	grant shall provide an annual progress report to the Department of Education that				
45	evaluates end of year success of the extended year or year-round model implemented as				
46	compared to the prior school year performance as measured by an appropriate evaluation				
47	matrix no later than August 1 each year.				
48	b) The Department of Education shall develop such evaluation matrix that would be				
49	appropriate for a comprehensive evaluation for such models implemented. Further, the				
50	Department of Education is directed to submit the annual progress reports from the				
51	participating school divisions and an executive summary of the program's overall status				
52	and levels of measured success to the Chairmen of House Appropriations and Senate				
53	Finance Committees no later than October 1 each year.				
54	8. Any funds remaining in this paragraph following grant awards may be disbursed by the				

ITEM 135.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Department of Education as grants to school divisions to support innovative approaches to				
2	instructional delivery or school governance models.				
3	S. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the				
4	general fund is provided through grants to school divisions for the cost of fees associated with				
5	hiring teachers through Teach for America. School divisions may apply for these funds				
6	through application submission to the Department of Education. Any remaining unspent				
7	available balance each fiscal year in Teach For America will be carried over to the next fiscal				
8	year for the same purposes in supporting this program.				
9	T. This appropriation includes \$100,000 the first year from the general fund to support the				
10	next phase of work toward the goal of establishing the Virginia Science, Technology,				
11	Engineering, and Applied Mathematics (STEAM) Academy. In addition, \$100,000 the second				
12	year from the general fund is provided to expand the summer enrichment academies and				
13	continue preparation toward establishment of the Virginia STEAM Academy boarding high				
14	school.				
15	U. Out of this appropriation, \$325,000 the second year from the general fund is provided for				
16	the Accomack, Fairfax, Loudoun, Petersburg, and Wythe Public Schools to support				
17	implementation of a STEM model program for kindergarten and preschool students. Each				
18	developed model will focus on enhancing children's learning experiences through the arts.				
19	V. Out of this appropriation, \$500,000 the second year from the general fund is provided for				
20	the Achievable Dream partnership with Newport News School Division. This funding is in				
21	lieu of a like amount from the Neighborhood Assistance Program Tax Credits for An				
22	Achievable Dream Middle and High School, Inc.				
23	W. Out of this appropriation, \$500,000 the second year from the general fund is provided for				
24	grants for two teacher residency partnerships between one or two university teacher				
25	preparation programs and the Petersburg and Norfolk school divisions to help improve new				
26	teacher training and retention for hard-to-staff schools. The grants will support a site-specific				
27	residency model program for preparation, planning, development and implementation,				
28	including possible stipends in the program to attract qualified candidates and mentors.				
29	Applications must be submitted to the Department of Education by August 1, 2015.				
30	X. Out of this appropriation, \$60,300 the second year from the general fund is provided to the				
31	Northern Neck Regional Technical Center to expand the workforce readiness education and				
32	industry based skills and certification development efforts supporting that region in the state.				
33	These funds support the Center's programs that serve high school students from the				
34	surrounding counties of Essex, Lancaster, Northumberland, Rappahannock, Westmoreland				
35	and Colonial Beach.				
36	Y. Out of this appropriation, \$250,000 the second year from the general fund is provided to				
37	the Virginia Early Childhood Foundation.				
38	Z. This appropriation includes \$250,000 the second year from the general fund to support five				
39	competitive grants, not to exceed \$50,000 each, for planning the implementation of systemic				
40	High School Program Innovation by either individual school division or consortium of school				
41	divisions. The local applicant(s) selected to conduct this systemic approach to high school				
42	reform, in consultation with the Department of Education, will develop and plan innovative				
43	approaches to engage and to motivate students through personalized learning and instruction				
44	leading to demonstrated mastery of content, as well as skills development of career readiness.				
45	Essential elements of high school innovation include: (1) student centered learning, with				
46	progress based on student demonstrated proficiency; (2) 'real-world' connections that promote				
47	alignment with community work-force needs and emphasize transition to college and/or				
48	career; and (3) varying models for educator supports and staffing. Individual school divisions				
49	or consortia will be invited to apply on a competitive basis by submitting a grant application				
50	that includes descriptions of key elements of innovations, a detailed budget, expectations for				
51	outcomes and student achievement benefits, evaluation methods, and plans for sustainability.				
52	The Department of Education will make the final determination of which school divisions or				
53	consortia of divisions will receive the year-long planning grant for High School Innovation.				
54	Any school division or consortium of divisions which desires to apply for this competitive				
55	grant must submit a proposal to the Department of Education by June 1 preceding the school				
56	year in which the planning for systemic high school innovation is to take place.				



ITEM 135.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	136.	State Education Assistance Programs (17800).....			\$6,136,741,780	\$6,429,624,890
2						\$6,404,066,640
3		Standards of Quality for Public Education (SOQ)				
4		(17801).....	\$5,499,784,879	\$5,766,297,841		
5				\$5,734,699,322		
6		Financial Incentive Programs for Public Education				
7		(17802).....	\$21,014,215	\$74,753,683		
8				\$73,838,478		
9		Financial Assistance for Categorical Programs				
10		(17803).....	\$55,388,936	\$56,905,441		
11				\$56,573,293		
12		Distribution of Lottery Funds (17805).....	\$560,553,750	\$531,667,925		
13				\$538,955,547		
14		Fund Sources: General.....	\$5,391,182,625	\$5,537,750,362		
15				\$5,504,904,490		
16		Special.....	\$895,000	\$895,000		
17		Commonwealth Transportation.....	\$855,027	\$803,778		
18		Trust and Agency.....	\$743,809,128	\$890,175,750		
19				\$897,463,372		
20		Authority: Standards of Quality for Public Education (SOQ) (17801): Article VIII, Section				
21		2, Constitution of Virginia; Chapter 667, Acts of Assembly, 1980; §§ <a href="#">22.1-176</a> through				
22		<a href="#">22.1-198</a> , <a href="#">22.1-199.1</a> , <a href="#">22.1-199.2</a> , <a href="#">22.1-213</a> through <a href="#">22.1-221</a> , <a href="#">22.1-227</a> through <a href="#">22.1-237</a> ,				
23		<a href="#">22.1-253.13:1</a> through <a href="#">22.1-253.13:8</a> , <a href="#">22.1-254.01</a> , Code of Virginia; Title 51.1, Chapters				
24		1, 5, 6.2, 7, and 14, Code of Virginia; P.L. 91-230, as amended; P.L. 93-380, as amended;				
25		P.L. 94-142, as amended; P.L. 98-524, as amended, Federal Code.				
26		Financial Incentive Programs for Public Education (17802): §§ <a href="#">22.1-24</a> , <a href="#">22.1-289.1</a>				
27		through <a href="#">22.1-318</a> , Code of Virginia; P.L. 79-396, as amended; P.L. 89-10, as amended;				
28		P.L. 89-642, as amended; P.L. 108-265, as amended; Title II P.L. 99-159, as amended,				
29		Federal Code.				
30		Financial Assistance for Categorical Programs (17803): Discretionary Inclusion; Treaty of				
31		1677 between Virginia and the Indians; §§ <a href="#">22.1-3.4</a> , <a href="#">22.1-101</a> , <a href="#">22.1-108</a> , <a href="#">22.1-199</a> through				
32		<a href="#">22.1-212.2:3</a> , <a href="#">22.1-213</a> through <a href="#">22.1-221</a> , <a href="#">22.1-223</a> through <a href="#">22.1-237</a> , <a href="#">22.1-254</a> , Code of				
33		Virginia; P.L. 89-10, as amended; P.L. 91-230, as amended; P.L. 93-380, as amended;				
34		P.L. 94-142, as amended; P.L. 94-588; P.L. 95-561, as amended; P.L. 98-211, as				
35		amended; P.L. 98-524, as amended; P.L. 99-570; P.L. 100-297, as amended; P.L. 102-73,				
36		as amended; P.L. 105-220, as amended, Federal Code.				
37		Distribution of Lottery Funds (17805): §§ <a href="#">58.1-4022</a> and <a href="#">58.1-4022.1</a> , Code of Virginia				
38		<b>Appropriation Detail of Education</b>				
39		<b>Assistance Programs (17800)</b>				
40		<b>Standards of Quality (17801)</b>	<b>FY 2015</b>		<b>FY 2016</b>	
41		Basic Aid	\$3,089,811,888		\$3,077,198,033	
42					\$3,061,853,753	
43		Sales Tax	\$1,274,500,000		\$1,322,300,000	
44					\$1,327,900,000	
45		Textbooks (split funded)		\$0	\$21,908,342	
46					\$5,739,977	
47		Vocational Education	\$50,921,566		\$50,846,321	
48					\$50,747,750	
49		Gifted Education	\$33,203,673		\$33,345,916	
50					\$33,238,640	
51		Special Education	\$368,248,470		\$369,516,783	
52					\$368,136,558	
53		Prevention, Intervention, and	\$100,686,259		\$100,910,614	
54		Remediation			\$100,487,258	
55		VRS Retirement (includes RHCC)	\$380,366,918		\$370,821,518	

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1					\$369,597,518
2	Social Security	\$186,980,415			\$187,635,124
3					\$187,015,723
4	Group Life	\$11,769,458			\$11,812,797
5					\$11,773,666
6	Remedial Summer School (split funded)	\$3,296,232			\$27,118,392
7					\$25,324,478
8	<b>Total</b>	<b>\$5,499,784,879</b>			<b>\$5,573,413,841</b>
9					<b>\$5,541,815,321</b>
10	<b>Incentive Programs (17802)</b>				
11	Compensation Supplement		\$0		\$52,431,889
12					\$51,771,608
13	Governor's School	\$15,602,255			\$16,065,691
14					\$15,792,430
15	Governor's School Planning and Startup/ Expansion Grants		\$0		\$100,000
16					
17	Governor's School Planning Grant – Career and Technical Education	\$100,000			\$0
18					
19	Clinical Faculty	\$318,750			\$318,750
20	Career Switcher Mentoring Grants	\$279,983			\$279,983
21	Special Education Endorsement Program	\$600,000			\$600,000
22	Special Education – Vocational Education	\$200,089			\$200,089
23	Virginia Workplace Readiness Skills Assessment	\$308,655			\$308,655
24					
25	Math/Reading Instructional Specialists Initiative	\$1,697,841			\$1,834,538
26					
27	Early Reading Specialists Initiative	\$1,237,723			\$1,476,790
28	Shared Services Agreement – Chesterfield/Petersburg	\$0			\$600,000
29					
30	FY 2014 School Division Payment Revisions	\$668,918			\$0
31					
32	Breakfast After the Bell Incentive	\$0			\$537,297
33					\$555,634
34	<b>Total</b>	<b>\$21,014,215</b>			<b>\$74,753,683</b>
35					<b>\$73,838,477</b>
36	<b>Categorical Programs (17803)</b>				
37	Adult Education	\$1,051,800			\$1,051,800
38	Adult Literacy	\$2,480,000			\$2,480,000
39	Virtual Virginia	\$4,347,808			\$4,597,808
40	American Indian Treaty Commitment	\$50,258			\$59,063
41					\$49,112
42	School Lunch Program	\$5,801,932			\$5,801,932
43	Special Education - Homebound	\$5,380,383			\$5,488,057
44	Special Education - Jails	\$3,521,484			\$3,688,850
45					\$3,366,653
46	Special Education - State Operated Programs	\$32,755,271			\$33,737,931
47					
48	<b>Total</b>	<b>\$55,388,936</b>			<b>\$56,905,441</b>
49					<b>\$56,573,293</b>
50	<b>Lottery (17805)</b>				
51	Foster Care	\$8,689,453			\$8,824,359

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	At-Risk Add-On	\$89,587,381		\$89,641,183	
2				\$89,193,147	
3	Virginia Preschool Initiative	\$68,300,254		\$71,996,399	
4				\$70,651,478	
5	Early Reading Intervention	\$17,714,461		\$17,778,143	
6				\$17,501,316	
7	Mentor Teacher	\$1,000,000		\$1,000,000	
8	K-3 Primary Class Size Reduction	\$113,675,099		\$117,634,756	
9				\$112,230,445	
10	School Breakfast Program	\$3,484,111		\$3,948,823	
11				\$3,796,205	
12	SOL Algebra Readiness	\$12,107,540		\$12,159,318	
13				\$11,989,787	
14	Regional Alternative Education	\$8,075,871		\$8,219,783	
15				\$8,141,554	
16	ISAEP	\$2,247,581		\$2,247,581	
17	Special Education – Regional Tuition	\$79,503,166		\$84,204,352	
18				\$84,943,308	
19	Career and Technical Education –	\$10,400,829		\$10,400,829	
20	Categorical				
21	Project Graduation	\$2,774,478		\$2,774,478	
22	Virginia Teacher Corps (NCLB/EFAL)	\$415,000		\$415,000	
23	Race to GED (NCLB/EFAL)	\$2,410,988		\$2,410,988	
24	Path to Industry Certification	\$1,331,464		\$1,331,464	
25	(NCLB/EFAL)				
26	Supplemental Basic Aid	\$921,278		\$932,161	
27				\$987,797	
28	English as a Second Language	\$49,367,794		\$50,817,295	
29				\$49,233,201	
30	Textbooks (split funded)	\$66,576,395		\$44,931,013	
31				\$60,882,610	
32	Remedial Summer School (split funded)	\$21,970,607		\$0	
33	<b>Total</b>	<b>\$560,553,750</b>		<b>\$531,667,925</b>	
34				<b>\$538,955,547</b>	
35	Technology – VPSA				
36		\$66,556,300		\$71,163,200	
37	Security Equipment - VPSA	\$6,000,000		\$6,000,000	
38	Special one-time payment to teacher		\$0	\$192,884,000	
39	retirement fund				
40	Payments out of the above amounts shall be subject to the following conditions:				
41	<b>A. Definitions</b>				
42	1. "March 31 Average Daily Membership," or "March 31 ADM" - The responsible school				
43	division's average daily membership for grades K-12 including (1) handicapped students				
44	ages 5-21 and (2) students for whom English is a second language who entered school for				
45	the first time after reaching their twelfth birthday, and who have not reached twenty-two				
46	years of age on or before August 1 of the school year, for the first seven (7) months (or				
47	equivalent period) of the school year through March 31 in which state funds are				
48	distributed from this appropriation. Preschool and postgraduate students shall not be				
49	included in March 31 ADM.				
50	a. School divisions shall take a count of September 30 fall membership and report this				
51	information to the Department of Education no later than October 15 of each year.				
52	b. Except as otherwise provided herein, by statute, or by precedent, all appropriations to				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	the Department of Education shall be calculated using March 31 ADM unadjusted for half-				
2	day kindergarten programs, estimated at 1,236,529.34 the first year and <del>1,244,214.54</del>				
3	<del>1,239,594.01</del> the second year. March 31 ADM for half-day kindergarten shall be adjusted at				
4	85 percent.				
5	c. 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				
10	the funded fall membership and March 31 ADM of the responsible school division. Each				
11	course shall be counted as 0.25, up to a cap of 0.5 of a student.				
12	d. 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.				
30	School divisions may spend these funds for licensed school nurse positions employed by the				
31	school division or for licensed nurses contracted by the local school division to provide school				
32	health 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 2011-2012 school year and 1/3 of the				
36	index of wealth per capita (population estimates for 2011 as determined by the Weldon				
37	Cooper Center for Public Service of the University of Virginia) multiplied by the local				
38	nominal share of the costs of the Standards of Quality of 0.45 in each year. The indices of				
39	wealth are determined by combining the following constituent index elements with the				
40	indicated weighting: (1) true values of real estate and public service corporations as reported				
41	by the State Department of Taxation for the calendar year 2011 - 50 percent; (2) adjusted				
42	gross income for the calendar year 2011 as reported by the State Department of Taxation - 40				
43	percent; (3) the sales for the calendar year 2011 which are subject to the state general sales				
44	and use tax, as reported by the State Department of Taxation - 10 percent. Each constituent				
45	index element for a locality is its sum per March 31 ADM, or per capita, expressed as a				
46	percentage of the state average per March 31 ADM, or per capita, for the same element. A				
47	locality whose composite index exceeds 0.8000 shall be considered as having an index of				
48	0.8000 for purposes of distributing all payments based on the composite index of local ability-				
49	to-pay. Each constituent index element for a locality used to determine the composite index of				
50	local ability-to-pay for the current biennium shall be the latest available data for the specified				
51	official base year provided to the Department of Education by the responsible source agencies				
52	no later than November 15, 2013.				
53	b. For any locality whose total calendar year 2011 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				
57	income data which exclude nonresident income, but shall not adjust the composite index of				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	any other localities. The Department of Taxation shall furnish to the Department of				
2	Education such data as are necessary to implement this provision.				
3	c.1) Notwithstanding the funding provisions in § 22.1-25 D, Code of Virginia, additional				
4	state funding for future consolidations shall be as set forth in future Appropriation Acts.				
5	2) In the case of the consolidation of Clifton Forge and Alleghany County school				
6	divisions, the fifteen year period for the application of a new composite index shall apply				
7	beginning with the fiscal year that starts on July 1, 2004. The composite index established				
8	by the Board of Education shall equal the lowest composite index that was in effect prior				
9	to July 1, 2004, of any individual localities involved in such consolidation, and this index				
10	shall remain in effect for a period of fifteen years, unless a lower composite index is				
11	calculated for the combined division through the process for computing an index as set				
12	forth above.				
13	3) If the composite index of a consolidated school division is reduced during the course of				
14	the fifteen year period to a level that would entitle the school division to a lower interest				
15	rate for a Literary Fund loan than it received when the loan was originally released, the				
16	Board of Education shall reduce the interest rate of such loan for the remainder of the				
17	period of the loan. Such reduction shall be based on the interest rate that would apply at				
18	the time of such adjustment. This rate shall remain in effect for the duration of the loan				
19	and shall apply only to those years remaining to be paid.				
20	4) In the case of the consolidation of Bedford County and Bedford City school divisions,				
21	the fifteen year period for the application of a new composite shall apply beginning with				
22	the fiscal year that starts on July 1, 2013. The composite index established by the Board of				
23	Education shall equal the lowest composite index that was in effect prior to July 1, 2013,				
24	of any individual localities involved in such consolidation, and this index shall remain in				
25	effect for a period of fifteen years, unless a lower composite index is calculated for the				
26	combined division through the process for computing an index as set forth above.				
27	5) JLARC is hereby directed, with assistance from the Commission on Local Government,				
28	to analyze and make recommendations going forward regarding the most effective balance				
29	between the costs of incentives for government and school consolidations with the				
30	expected resulting savings and operational benefits, and how best to structure such state				
31	incentives to achieve both clarity for localities as well as justification that incentives are				
32	adequate, but not more than necessary. JLARC shall complete its study and submit a final				
33	report no later than October 1, 2014.				
34	d. When it is determined that a substantial error exists in a constituent index element, the				
35	Department of Education will make adjustments in funding for the current school year				
36	only in the division where the error occurred. The composite index of any other locality				
37	shall not be changed as a result of the adjustment. No adjustment during the biennium will				
38	be made as a result of updating of data used in a constituent index element.				
39	e. In the event that any school division consolidates two or more small schools, the				
40	division shall continue to receive Standards of Quality funding and provide for the				
41	required local expenditure for a period of five years as if the schools had not been				
42	consolidated. Small schools are defined as any elementary, middle, or high school with				
43	enrollment below 200, 300 and 400 students, respectively.				
44	5. "Required Local Expenditure for the Standards of Quality" - The locality's share based				
45	on the composite index of local ability-to-pay of the cost required by all the Standards of				
46	Quality minus its estimated revenues from the state sales and use tax dedicated to public				
47	education and those sales tax revenues transferred to the general fund from the Public				
48	Education Standards of Quality/Local Real Estate Property Tax Relief Fund and				
49	appropriated in this Item, both of which are returned on the basis of the latest yearly				
50	estimate of school age population provided by the Weldon Cooper Center for Public				
51	Service, as specified in this Item, collected by the Department of Education and				
52	distributed to school divisions in the fiscal year in which the school year begins.				
53	6. "Required Local Match" - The locality's required share of program cost based on the				
54	composite index of local ability-to-pay for all Lottery and Incentive programs, where				
55	required, in which the school division has elected to participate in a fiscal year.				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	7. "Planning District Eight" - The nine localities which comprise Planning District Eight are				
2	Arlington County, Fairfax County, Loudoun County, Prince William County, Alexandria				
3	City, Fairfax City, Falls Church City, Manassas City, and Manassas Park City.				
4	8. "State Share of the Standards of Quality" - The state share of the Standards of Quality				
5	(SOQ) shall be equal to the total funded SOQ cost for a school division less the school				
6	division's estimated revenues from the state sales and use tax dedicated to public education				
7	based on the latest yearly estimate of school age population provided by the Weldon Cooper				
8	Center for Public Service, adjusted for the state's share of the composite index of local ability				
9	to pay.				
10	9. In the event that the general fund appropriations in this Item are not sufficient to meet the				
11	entitlements payable to school divisions pursuant to the provisions of this Item, the				
12	Department of Education is authorized to transfer any available general fund funds between				
13	these Items to address such insufficiencies. If the total general fund appropriations after such				
14	transfers remain insufficient to meet the entitlements of any program funded with general				
15	fund dollars, the Department of Education is authorized to prorate such shortfall				
16	proportionately across all of the school divisions participating in any program where such				
17	shortfall occurred. In addition, the Department of Education is authorized each year to				
18	temporarily suspend textbook payments made to school divisions from Lottery funds to				
19	ensure that any shortfall in Lottery revenue can be accounted for in the remaining textbook				
20	payments to be made for the year.				
21	10. The Department of Education is directed to apply a cap on inflation rates in the same				
22	manner prescribed in § 51.1-166.B, Code of Virginia, when updating funding to school				
23	divisions during the biennial rebenchmarking process.				
24	11. Notwithstanding any other provision in statute or in this Item, the Department of				
25	Education is directed to combine the end-of-year Average Daily Membership (ADM) for				
26	those school divisions who have partnered together as a fiscal agent division and a contractual				
27	division for the purposes of calculating prevailing costs included in the Standards of Quality				
28	(SOQ).				
29	12. Notwithstanding any other provision in statute or in this Item, the Department of				
30	Education is directed to include zeroes in the linear weighted average calculation of support				
31	non-personal costs for the purpose of calculating prevailing costs included in the Standards of				
32	Quality (SOQ).				
33	13. Notwithstanding any other provision in statute or in this Item, the Department of				
34	Education is directed to eliminate the corresponding and appropriate object code(s) related to				
35	reported travel expenditures included the linear weighted average non-personal cost				
36	calculations for the purpose of calculating prevailing costs included in the Standards of				
37	Quality (SOQ).				
38	14. Notwithstanding any other provision in statute or in this Item, the Department of				
39	Education is directed to eliminate the corresponding and appropriate object code(s) related to				
40	reported leases and rental and facility expenditures included the linear weighted average non-				
41	personal cost calculations for the purpose of calculating prevailing costs included in the				
42	Standards of Quality (SOQ).				
43	15. Notwithstanding any other provision in statute or in this Item, the Department of				
44	Education is directed to fund transportation costs using a 15 year replacement schedule, which				
45	is the national standard guideline, for school bus replacement schedule for the purpose of				
46	calculating funded transportation costs included in the Standards of Quality (SOQ).				
47	16. To provide temporary flexibility, notwithstanding any other provision in statute or in this				
48	Item, school divisions may elect to increase the teacher to pupil staffing ratios in kindergarten				
49	through grade 7 and English classes for grades 6 through twelve by one additional student; the				
50	teacher to pupil staffing ratio requirements for Elementary Resource teachers, Prevention,				
51	Intervention and Remediation, English as a Second Language, Gifted and Talented, Career				
52	and Technical funded programs (other than on Career and Technical courses where school				
53	divisions will have to maintain a maximum class size based on federal Occupational Safety &				
54	Health Administration safety requirements) are waived; and the instructional and support				
55	technology positions, librarians and guidance counselors staffing ratios for new hires are				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	waived.				
2	17. To provide additional flexibility, notwithstanding the provisions of § 22.1-79.1, Code				
3	of Virginia, any school division that was granted a waiver regarding the opening date of				
4	the school year for the 2011-12 school year under the good cause requirements shall				
5	continue to be granted a waiver for the 2014-15 school year and the 2015-2016 school				
6	year.				
7	<b>VETO THIS ITEM. /s/ Terence R. McAuliffe (6/21/14) (Vetoed item is enclosed in brackets.)</b>				
8	19. Out of this appropriation, up to \$600,000 the second year from the general fund may				
9	be used to support transitional incentive costs of a mutually beneficial School Services				
10	Agreement and Tuition Contract between Petersburg and Chesterfield. Upon signed				
11	agreement by the relevant local governments and school divisions, the parties may jointly				
12	submit application to the State Superintendent of Public Instruction for transitional				
13	incentive costs which may be based on part of the difference in per pupil spending				
14	between the two school divisions.				
15	<b>B. General Conditions</b>				
16	1. The Standards of Quality cost in this Item related to fringe benefits shall be limited for				
17	instructional staff members to the employer's cost for a number not exceeding the number				
18	of instructional positions required by the Standards of Quality for each school division and				
19	for their salaries at the statewide prevailing salary levels as printed below.				
20	<b>Instructional Position</b>	<b>First Year Salary</b>	<b>Second Year Salary</b>		
21	Elementary Teachers	\$45,822	\$45,822		
22	Elementary Assistant Principals	\$65,037	\$65,037		
23	Elementary Principals	\$79,796	\$79,796		
24	Secondary Teachers	\$48,125	\$48,125		
25	Secondary Assistant Principals	\$68,863	\$68,863		
26	Secondary Principals	\$87,954	\$87,954		
27	Instructional Aides	\$16,613	\$16,613		
28	a.1) Payment by the state to a local school division shall be based on the state share of				
29	fringe benefit costs of 55 percent of the employer's cost distributed on the basis of the				
30	composite index.				
31	2) A locality whose composite index exceeds 0.8000 shall be considered as having an				
32	index of 0.8000 for purposes of distributing fringe benefit funds under this provision.				
33	3) The state payment to each school division for retirement, social security, and group life				
34	insurance costs for non-instructional personnel is included in and distributed through				
35	Basic Aid.				
36	b. Payments to school divisions from this Item shall be calculated using March 31				
37	Average Daily Membership adjusted for half-day kindergarten programs.				
38	c. Payments for health insurance fringe benefits are included in and distributed through				
39	Basic Aid.				
40	2. Each locality shall offer a school program for all its eligible pupils which is acceptable				
41	to the Department of Education as conforming to the Standards of Quality program				
42	requirements.				
43	3. In the event the statewide number of pupils in March 31 ADM results in a state share of				
44	cost exceeding the general fund appropriation in this Item, the locality's state share of				
45	Basic Aid shall be reduced proportionately so that this general fund appropriation will not				
46	be exceeded. In addition, the required local share of Basic Aid shall also be reduced				
47	proportionately to the reduction in the state's share.				
48	4. The Department of Education shall make equitable adjustments in the computation of				
49	indices of wealth and in other state-funded accounts for localities affected by annexation,				
50	unless a court of competent jurisdiction makes such adjustments. However, only the				
	indices of wealth and other state-funded accounts of localities party to the annexation will				



ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	be adjusted.				
2	5. In the event that the actual revenues from the state sales and use tax dedicated to public				
3	education and those sales tax revenues transferred to the general fund from the Public				
4	Education Standards of Quality/Local Real Estate Property Tax Relief Fund and appropriated				
5	in this Item (both of which are returned on the basis of the latest yearly estimate of school age				
6	population provided by the Weldon Cooper Center for Public Service) for sales in the fiscal				
7	year in which the school year begins are different from the number estimated as the basis for				
8	this appropriation, the estimated state sales and use tax revenues shall not be adjusted.				
9	6. This appropriation shall be apportioned to the public schools with guidelines established by				
10	the Department of Education consistent with legislative intent as expressed in this act.				
11	7.a. Appropriations of state funds in this Item include the number of positions required by the				
12	Standards of Quality. This Item includes a minimum of 51 professional instructional positions				
13	and aide positions (C 2); Education of the Gifted, 1.0 professional instructional position (C 3);				
14	Occupational-Vocational Education Payments and Special Education Payments; a minimum				
15	of 6.0 professional instructional positions and aide positions (C 4 and C 5) for each 1,000				
16	pupils in March 31 ADM each year in support of the current Standards of Quality. Funding in				
17	support of one hour of additional instruction per day based on the percent of students eligible				
18	for the federal free lunch program with a pupil-teacher ratio range of 18:1 to 10:1, depending				
19	upon a school division's combined failure rate on the English and Math Standards of				
20	Learning, is included in Remedial Education Payments (C 8).				
21	b. No actions provided in this section signify any intent of the General Assembly to mandate				
22	an increase in the number of instructional personnel per 1,000 students above the numbers				
23	explicitly stated in the preceding paragraph.				
24	c. Appropriations in this Item include programs supported in part by transfers to the general				
25	fund from the Public Education Standards of Quality/Local Real Estate Property Tax Relief				
26	Fund pursuant to Part 3 of this Act. These transfers combined together with other				
27	appropriations from the general fund in this Item funds the state's share of the following				
28	revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of Assembly				
29	of 2004: five elementary resource teachers per 1,000 students; one support technology				
30	position per 1,000 students; one instructional technology position per 1,000 students; and a				
31	full daily planning period for teachers at the middle and high school levels in order to relieve				
32	the financial pressure these education programs place on local real estate taxes.				
33	d. To provide flexibility, school divisions may use the state and local funds for instructional				
34	technology resource teachers required by the Standards of Quality to employ a data				
35	coordinator position, an instructional technology resource teacher position, or a data				
36	coordinator/instructional resource teacher blended position. The data coordinator position is				
37	intended to serve as a resource to principals and classroom teachers in the area of data				
38	analysis and interpretation for instructional and school improvement purposes, as well as for				
39	overall data management and administration of state assessments. School divisions using				
40	these SOQ funds in this manner shall only employ instructional personnel licensed by the				
41	Board of Education.				
42	e. To provide flexibility in the provision of reading intervention services, school divisions				
43	may use the state Early Reading Intervention initiative funding provided from the Lottery				
44	Proceeds Fund and the required local matching funds to employ reading specialists to provide				
45	the required reading intervention services. School divisions using the Early Reading				
46	Intervention Initiative funds in this manner shall only employ instructional personnel licensed				
47	by the Board of Education.				
48	f. To provide flexibility in the provision of mathematics intervention services, school				
49	divisions may use the state Standards of Learning Algebra Readiness initiative funding				
50	provided from the Lottery Proceeds Fund and the required local matching funds to employ				
51	mathematics teacher specialists to provide the required mathematics intervention services.				
52	School divisions using the Standards of Learning Algebra Readiness initiative funding in this				
53	manner shall only employ instructional personnel licensed by the Board of Education.				
54	8.a.1) Pursuant to § 22.1-97, Code of Virginia, the Department of Education is required to				
55	make calculations at the start of the school year to ensure that school divisions have				



ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	appropriated adequate funds to support their estimated required local expenditure for the				
2	corresponding state fiscal year. In an effort to reduce the administrative burden on school				
3	divisions resulting from state data collections, such as the one needed to make the				
4	mentioned calculations, the requirements of § 22.1-97, Code of Virginia, pertaining				
5	to the adequacy of estimated required local expenditures, shall be satisfied by signed				
6	certification by each division superintendent at the beginning of each school year that				
7	sufficient local funds have been budgeted to meet all state required local effort and				
8	required local match amounts. This provision shall only apply to calculations required of				
9	the Department of Education related to estimated required local expenditures and shall not				
10	pertain to the calculations associated with actual required local expenditures after the close				
11	of the school year.				
12	2) The Department of Education shall also make calculations after the close of the school				
13	year to verify that the required local effort level, based on actual March 31 Average Daily				
14	Membership, was met. Pursuant to § 22.1-97, Code of Virginia, the Department of				
15	Education shall report annually, no later than the first day of the General Assembly				
16	session, to the House Committees on Education and Appropriations and the Senate				
17	Committees on Finance and Education and Health, the results of such calculations made				
18	after the close of the school year and the degree to which each school division has met,				
19	failed to meet, or surpassed its required local expenditure. The Department of Education				
20	shall specify the calculations to determine if a school division has expended its required				
21	local expenditure for the Standards of Quality. This calculation may include but is not				
22	limited to the following calculations:				
23	b. The total expenditures for operation, defined as total expenditures less all capital				
24	outlays, expenditures for debt service, facilities, non-regular day school programs (such as				
25	adult education, preschool, and non-local education programs), and any transfers to				
26	regional programs will be calculated.				
27	c. The following state funds will be deducted from the amount calculated in paragraph a.				
28	above: revenues from the state sales and use tax (returned on the basis of the latest yearly				
29	estimate of school age population provided by the Weldon Cooper Center for Public				
30	Service, as specified in this Item) for sales in the fiscal year in which the school year				
31	begins; total receipts from state funds (except state funds for non-regular day school				
32	programs and state funds used for capital or debt service purposes); and the state share of				
33	any balances carried forward from the previous fiscal year. Any qualifying state funds that				
34	remain unspent at the end of the fiscal year will be added to the amount calculated in				
35	paragraph a. above.				
36	d. Federal funds, and any federal funds carried forward from the previous fiscal year, will				
37	also be deducted from the amount calculated in paragraph a. above. Any federal funds that				
38	remain unspent at the end of the fiscal year and any capital expenditures paid from federal				
39	funds will be added to the amount calculated in paragraph a. above.				
40	e. Tuition receipts, receipts from payments from other cities or counties, and fund				
41	transfers will 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				
43	required local expenditure defined in paragraph A. 5.				
44	g. The Department of Education shall collect the data necessary to perform the				
45	calculations of required local expenditure as required by this section.				
46	h. A locality whose expenditure in fact exceeds the required amount from local funds may				
47	not 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				
49	not expended, pursuant to this Item, for the Standards of Quality shall be paid by the				
50	locality into the general fund of the state treasury. Such payments shall be made not later				
51	than the end of 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				
54	that action, seventy-five percent (75%) of those funds upon his determination that:				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	1) The local school board agrees to include the funds in its June 30 ending balance for the				
2	year following that in which the under expenditure occurs;				
3	2) The local governing body agrees to reappropriate the funds as a supplemental appropriation				
4	to the approved budget for the second year following that in which the under expenditure				
5	occurs, in an appropriate category as requested by the local school board, for the direct benefit				
6	of the students;				
7	3) The local school board agrees to expend these funds, over and above the funds required to				
8	meet the required local expenditure for the second year following that in which the under				
9	expenditure occurs, for a special project, the details of which must be furnished to the				
10	Department of Education for review and approval;				
11	4) The local school board agrees to submit quarterly reports to the Department of Education				
12	on the use of funds provided through this project award; and				
13	5) The local governing body and the local school board agree that the project award will be				
14	cancelled and the funds withdrawn if the above conditions have not been met as of June 30 of				
15	the second year following that in which the under expenditure occurs.				
16	c. There is hereby appropriated, for the purposes of the foregoing repayment, a sum sufficient,				
17	not to exceed 75 percent of the funds deposited in the general fund pursuant to the preceding				
18	paragraph a.				
19	10. The Department of Education shall specify the manner for collecting the required				
20	information and the method for determining if a school division has expended the local funds				
21	required to support the actual local match based on all Lottery and Incentive programs in				
22	which the school division has elected to participate. Unless specifically stated otherwise in				
23	this Item, school divisions electing to participate in any Lottery or Incentive program that				
24	requires a local funding match in order to receive state funding, shall certify to the				
25	Department of Education its intent to participate in each program by July 1 each fiscal year in				
26	a manner prescribed by the Department of Education. As part of this certification process,				
27	each division superintendent must also certify that adequate local funds have been				
28	appropriated, above the required local effort for the Standards of Quality, to support the				
29	projected required local match based on the Lottery and Incentive programs in which the				
30	school division has elected to participate. State funding for such program(s) shall not be made				
31	until such time that the school division can certify that sufficient local funding has been				
32	appropriated to meet required local match. The Department of Education shall make				
33	calculations after the close of the fiscal year to verify that the required local match was met				
34	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				
50	with the Department of Education, shall prepare and submit a preliminary forecast of				
51	Standards of Quality expenditures, based upon the most current data available, to the				
52	Chairmen of the House Appropriations and Senate Finance Committees. In odd-numbered				
53	years, the forecast for the current and subsequent two fiscal years shall be provided. In even-				
54	numbered years, the forecast for the current and subsequent fiscal year shall be provided. The				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	forecast shall detail the projected March 31 Average Daily Membership and the resulting				
2	impact on the education budget.				
3	15. School divisions may choose to use state payments provided for Standards of Quality				
4	Prevention, Intervention, and Remediation in both years as a block grant for remediation				
5	purposes, without restrictions or reporting requirements, other than reporting necessary as				
6	a basis for determining funding for the program.				
7	16. Except as otherwise provided in this act, the Superintendent of Public Instruction shall				
8	provide guidelines for the distribution and expenditure of general fund appropriations and				
9	such additional federal, private and other funds as may be made available to aid in the				
10	establishment and maintenance of the public schools.				
11	17. At the Department of Education's option, fees for audio-visual services may be				
12	deducted from state Basic Aid payments for individual local school divisions.				
13	18. For distributions not otherwise specified, the Department of Education, at its option,				
14	may use prior year data to calculate actual disbursements to individual localities.				
15	19. Payments for accounts related to the Standards of Quality made to localities for public				
16	education from the general fund, as provided herein, shall be payable in twenty-four semi-				
17	monthly installments at the middle and end of each month.				
18	20. Notwithstanding §22.1-638 D., Code of Virginia, and other language in this Item, the				
19	Department of Education shall, for purposes of calculating the state and local shares of the				
20	Standards of Quality, apportion state sales and use tax dedicated to public education and				
21	those sales tax revenues transferred to the general fund from the Public Education				
22	Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first year based				
23	on the July 1, 2012, estimate of school age population provided by the Weldon Cooper				
24	Center for Public Service and, in the second year, based on the July 1, 2013, estimate of				
25	school age population provided by the Weldon Cooper Center for Public Service.				
26	Notwithstanding §22.1-638 D., Code of Virginia, and other language in this Item, the				
27	State Comptroller shall distribute the state sales and use tax revenues dedicated to public				
28	education and those sales tax revenues transferred to the general fund from the Public				
29	Education Standards of Quality/ Local Real Estate Property Tax Relief Fund in the first				
30	year based on the July 1, 2012, estimate of school age population provided by the Weldon				
31	Cooper Center for Public Service and, in the second year, based on the July 1, 2013,				
32	estimate of school age population provided by the Weldon Cooper Center for Public				
33	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 \$560,553,750 the first year and				
38	<del>\$531,667,925</del> \$538,955,547 the second year from the revenues deposited to the Lottery				
39	Proceeds Fund. These amounts are appropriated for distribution to counties, cities, and				
40	towns to support public education programs pursuant to Article X, Section 7-A				
41	Constitution of Virginia. Any county, city, or town which accepts a distribution from this				
42	fund shall provide its portion of the cost of maintaining an educational program meeting				
43	the Standards of Quality pursuant to Section 2 of Article VIII of the Constitution without				
44	the use of distributions from the fund.				
45	23. For reporting purposes, the Department of Education shall include Lottery Proceeds				
46	Funds as state funds.				
47	24.a. Any locality that has met its required local effort for the Standards of Quality				
48	accounts for FY 2015 and that has met its required local match for incentive or Lottery-				
49	funded programs in which the locality elected to participate in FY 2015 may carry over				
50	into FY 2016 any remaining state Direct Aid to Public Education fund balances available				
51	to help minimize any FY 2016 revenue adjustments that may occur in state funding to that				
52	locality. Localities electing to carry forward such unspent state funds must appropriate the				
53	funds to the school division for expenditure in FY 2016.				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	b. Any locality that has met its required local effort for the Standards of Quality accounts for				
2	FY 2016 and that has met its required local match for incentive or Lottery-funded programs in				
3	which the locality elected to participate in FY 2016 may carry over into FY 2017 any				
4	remaining state Direct Aid to Public Education fund balances available to help minimize any				
5	FY 2017 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 2017.				
8	25. Localities are encouraged to allow school boards to carry over any unspent local				
9	allocations into the next fiscal year. Localities are also encouraged to provide increased				
10	flexibility to school boards by appropriating state and local funds for public education in a				
11	lump sum.				
12	26. The Department of Education shall include in the annual School Performance Report Card				
13	for school divisions the percentage of each division's annual operating budget allocated to				
14	instructional costs. For this report, the Department of Education shall establish a methodology				
15	for allocating each school division's expenditures to instructional and non-instructional costs				
16	in a manner that is consistent with the funding of the Standards of Quality as approved by the				
17	General Assembly.				
18	27. It is the intent of the General Assembly that all school divisions annually provide their				
19	employees, upon request, with a user-friendly statement of total compensation, including				
20	contract duration if less than 12 months.				
21	28. Notwithstanding Title 22.1, Chapter 4.1, Code of Virginia, no schools shall be transferred				
22	to the supervision of the Opportunity Educational Institution nor shall any funds be				
23	transferred to the Institution.				
24	29. It is the intent of the General Assembly that the Department of Planning and Budgeting				
25	will develop a matrix of best practices and common recommendations previously reported in				
26	School Efficiency Reviews such that school divisions may use the model as a guideline for				
27	self-directed improvements toward better financial management and use of school division				
28	resources.				
29	<b>C. Apportionment</b>				
30	1. Subject to the conditions stated in this paragraph and in paragraph B of this Item, each				
31	locality shall receive sums as listed above within this program for the basic operation cost and				
32	payments in addition to that cost. The apportionment herein directed shall be inclusive of, and				
33	without further payment by reason of, state funds for library and other teaching materials.				
34	2. School Employee Retirement Contributions				
35	a. This Item provides funds to each local school board for the state share of the employer's				
36	retirement cost incurred by it, on behalf of instructional personnel, for subsequent transfer to				
37	the retirement allowance account as provided by Title 51.1, Chapter 1, Code of Virginia.				
38	b. Notwithstanding § 51.1-1401, Code of Virginia, the Commonwealth shall provide				
39	payments for only the state share of the Standards of Quality fringe benefit cost of the retiree				
40	health care credit. This Item includes payments in both years based on the state share of fringe				
41	benefit costs of 55 percent of the employer's cost on funded Standards of Quality instructional				
42	positions, distributed based on the composite index of the local ability-to-pay.				
43	c. This appropriation includes \$192,884,000 the second year from the Literary Fund to be paid				
44	to the Virginia Retirement System teacher retirement fund as a one-time payment toward the				
45	ten year deferred contribution balance. The Department of Education is authorized to transfer				
46	the amount to the Virginia Retirement System on July 1, 2015. The Director of the				
47	Department of Planning and Budget is authorized to move this appropriation to the first year				
48	in the event that Literary Fund proceeds from unclaimed property are sufficient to make the				
49	full payment before June 30, 2015.				
50	3. School Employee Social Security Contributions				
51	a. This Item provides funds to each local school board for the state share of the employer's				
52	Social Security cost incurred by it, on behalf of the instructional personnel for subsequent				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	transfer to the Contribution Fund pursuant to Title 51.1, Chapter 7, Code of Virginia.				
2	b. Appropriations for contributions in paragraphs 2 and 3 above include payments from				
3	funds derived from the principal of the Literary Fund in accordance with Article III,				
4	Section 8, of the Constitution of Virginia. The amounts set aside from the Literary Fund				
5	for these purposes shall not exceed \$182,855,378 the first year and \$165,223,825 the				
6	second year.				
7	4. School Employee Insurance Contributions				
8	This Item provides funds to each local school board for the state share of the employer's				
9	Group Life Insurance cost incurred by it on behalf of instructional personnel who				
10	participate in group insurance under the provisions of Title 51.1, Chapter 5, Code of				
11	Virginia.				
12	5. Basic Aid Payments				
13	a.1) A state share of the Basic Operation Cost, which cost per pupil in March 31 ADM is				
14	established individually for each local school division based on the number of				
15	instructional personnel required by the Standards of Quality and the statewide prevailing				
16	salary levels (adjusted in Planning District Eight for the cost of competing) as well as				
17	recognized support costs calculated on a prevailing basis for an estimated March 31 ADM.				
18	2) This appropriation includes funding to recognize the common labor market in the				
19	Washington-Baltimore-Northern Virginia, DC-MD-VA-WV Combined Statistical Area.				
20	Standards of Quality salary payments for instructional positions in school divisions of the				
21	localities set out below have been adjusted for the equivalent portion of the Cost of				
22	Competing Adjustment (COCA) rates that are paid to local school divisions in Planning				
23	District 8. For the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick,				
24	and Culpeper and the Cities of Fredericksburg and Winchester, the SOQ payments have				
25	been increased by 25 percent each year of the COCA rates paid to school divisions in				
26	Planning District 8.				
27	b. The state share for a locality shall be equal to the Basic Operation Cost for that locality				
28	less the locality's estimated revenues from the state sales and use tax (returned on the basis				
29	of the latest yearly estimate of school age population provided by the Weldon Cooper				
30	Center for Public Service, as specified in this Item), in the fiscal year in which the school				
31	year begins and less the required local expenditure.				
32	c. For the purpose of this paragraph, the Department of Taxation's fiscal year sales and use				
33	tax estimates are as cited in this Item.				
34	d. 1) In accordance with the provisions of § <a href="#">37.2-713</a> , Code of Virginia, the Department of				
35	Education shall deduct the locality's share for the education of handicapped pupils residing				
36	in institutions within the Department of Behavioral Health and Developmental Services				
37	from the locality's Basic Aid payments.				
38	2) The amounts deducted from Basic Aid for the education of intellectually disabled				
39	persons shall be transferred to the Department of Behavioral Health and Developmental				
40	Services in support of the cost of educating such persons; the amount deducted from Basic				
41	Aid for the education of emotionally disturbed persons shall be used to cover				
42	extraordinary expenses incurred in the education of such persons. The Department of				
43	Education shall establish guidelines to implement these provisions and shall provide for				
44	the periodic transfer of sums due from each local school division to the Department of				
45	Behavioral Health and Developmental Services and for Special Education categorical				
46	payments. The amount of the actual transfers will be based on data accumulated during the				
47	prior school year.				
48	e. 1) The apportionment to localities of all driver education revenues received during the				
49	school year shall be made as an undesignated component of the state share of Basic Aid in				
50	accordance with the provisions of this Item. Only school divisions complying with the				
51	standardized program established by the Board of Education shall be entitled to participate				
52	in the distribution of state funds appropriated for driver education. The Department of				
53	Education will deduct a designated amount per pupil from a school division's Basic Aid				
54	payment when the school division is not in compliance with § <a href="#">22.1-205</a> C, Code of				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Virginia. Such amount will be computed by dividing the current appropriation for the Driver				
2	Education Fund by actual 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 <del>\$21,908,342</del> \$5,739,977 the second year from the				
9	general fund and \$66,576,395 the first year and <del>\$44,931,013</del> \$60,882,610 the second year				
10	from the Lottery Proceeds Fund as the state's share of the cost of textbooks based on a per				
11	pupil amount of \$96.22 the first year and \$96.22 the second year. The state's share of				
12	textbooks will be fund split between the general fund and Lottery Proceeds Fund in the				
13	second year only. A school division shall appropriate these funds for textbooks or any other				
14	public education instructional expenditure by the school division. The state's distributions for				
15	textbooks shall be based on adjusted March 31 ADM. These funds shall be matched by the				
16	local government, based on the composite index of local 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				
22	and electronic curriculum materials.				
23	4) Any funds provided to school divisions for textbook costs that are unexpended as of June				
24	30, 2015, or June 30, 2016, 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	expended 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				
31	localities on the basis of the latest yearly estimate of school age population provided by the				
32	Weldon Cooper Center for Public Service as specified in this Item shall be reflected in each				
33	locality's annual budget for educational purposes as a separate revenue source for the current				
34	fiscal year.				
35	h. The appropriation for the Standards of Quality for Public Education (SOQ) includes				
36	amounts estimated at \$350,300,000 the first year and <del>\$362,900,000</del> \$370,000,000 the second				
37	year from the amounts transferred to the general fund from the Public Education Standards of				
38	Quality/Local Real Estate Property Tax Relief Fund pursuant to Part 3 of this act which are				
39	derived from the 0.375 cent increase in the state sales and use tax levied pursuant to §58.1-				
40	638, Code of Virginia. These additional funds are provided to local school divisions and local				
41	governments in order to relieve the financial pressure education programs place on local real				
42	estate taxes.				
43	i. From the total amounts in paragraph h. above, an amount estimated at \$233,600,000 the				
44	first year and <del>\$241,900,000</del> \$246,700,000 the second year (approximately 1/4 cent of sales				
45	and use tax) is appropriated to support a portion of the cost of the state's share of the				
46	following revisions to the Standards of Quality pursuant to Chapters 939 & 955 of the Acts of				
47	Assembly of 2004: five elementary resource teachers per 1,000 students; one support and one				
48	instructional technology position per 1,000 students; a full daily planning period for teachers				
49	at the middle and high school levels in order to relieve the pressure on local real estate taxes				
50	and shall be taken into account by the governing body of the county, city, or town in setting				
51	real estate tax rates.				
52	j. From the total amounts in paragraph h. above, an amount estimated at \$122,800,000 the				
53	first year and <del>\$127,500,000</del> \$123,300,000 the second year (approximately 1/8 cent of sales				
54	and use tax) is appropriated in this Item to distribute the remainder of the revenues collected				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	and deposited into the Public Education Standards of Quality/Local Real Estate Property				
2	Tax Relief Fund on the basis of the latest yearly estimate of school age population				
3	provided by the Weldon Cooper Center for Public Service as specified in this Item.				
4	k. For the purposes of funding certain support positions in Basic Aid a funding ratio				
5	methodology is used based upon the prevailing ratio of support positions to SOQ funded				
6	instructional positions as established in Chapter 781, 2009 Acts of Assembly. For the				
7	purposes of making the required spending adjustments, the appropriation and distribution				
8	of Basic Aid shall reflect this methodology. Local school divisions shall have the				
9	discretion as to where the adjustment may be made, consistent with the Standards of				
10	Quality funded in this Act.				
11	6. Education of the Gifted Payments				
12	a. An additional payment shall be disbursed by the Department of Education to local				
13	school divisions to support the state share of one full-time equivalent instructional position				
14	per 1,000 students in adjusted March 31 ADM.				
15	b. Local school divisions are required to spend, as part of the required local expenditure				
16	for the Standards of Quality the established per pupil cost for gifted education (state and				
17	local share) on approved programs for the gifted.				
18	7. Occupational-Vocational Education Payments				
19	a. An additional payment shall be disbursed by the Department of Education to the local				
20	school divisions to support the state share of the number of Vocational Education				
21	instructors required by the Standards of Quality. These funds shall be disbursed on the				
22	same basis as the payment is calculated.				
23	b. An amount estimated at \$108,906,772 the first year and \$109,140,109 the second year				
24	from the general fund included in Basic Aid Payments relates to vocational education				
25	programs in support of the Standards of Quality.				
26	8. Special Education Payments				
27	a. An additional payment shall be disbursed by the Department of Education to the local				
28	school divisions to support the state share of the number of Special Education instructors				
29	required by the Standards of Quality. These funds shall be disbursed on the same basis as				
30	the payment is calculated.				
31	b. Out of the amounts for special education payments, general fund support is provided to				
32	fund the caseload standards for speech pathologists at 68 students for each year of the				
33	biennium.				
34	9. Remedial Education Payments				
35	a. An additional payment estimated at \$100,686,259 the first year and <del>\$100,910,614</del>				
36	<del>\$100,487,258</del> the second year from the general fund shall be disbursed by the Department				
37	of Education to support the Board of Education's Standards of Quality Prevention,				
38	Intervention, and Remediation program adopted in June 2003.				
39	b. The payment shall be calculated based on one hour of additional instruction per day for				
40	identified students, using the three year average percent of students eligible for the federal				
41	Free Lunch program as a proxy for students needing such services. Fall membership shall				
42	be multiplied by the three year average division-level Free Lunch eligibility percentage to				
43	determine the estimated number of students eligible for services. Pupil-teacher ratios shall				
44	be applied to the estimated number of eligible students to determine the number of				
45	instructional positions needed for each school division. The pupil-teacher ratio applied for				
46	each school division shall range from 10:1 for those divisions with the most severe				
47	combined three year average failure rates for English and math Standards of Learning test				
48	scores to 18:1 for those divisions with the lowest combined three year average failure rates				
49	for English and math Standards of Learning test scores.				
50	c. Funding shall be matched by the local government based on the composite index of				
51	local ability-to-pay.				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	d. To provide flexibility in the instruction of English Language Learners who have limited				
2	English proficiency and who are at risk of not meeting state accountability standards, school				
3	divisions may use state and local funds from the SOQ Prevention, Intervention, and				
4	Remediation account to employ additional English Language Learner teachers to provide				
5	instruction to identified limited English proficiency students. Using these funds in this manner				
6	is intended to supplement the instructional services provided through the SOQ staffing				
7	standard of 17 instructional positions per 1,000 limited English proficiency students. School				
8	divisions using the SOQ Prevention, Intervention, and Remediation funds in this manner shall				
9	only employ instructional personnel licensed by the Board of Education.				
10	e. An additional state payment estimated at \$89,587,381 the first year and <del>\$89,641,183</del>				
11	<del>\$89,193,147</del> the second year from the Lottery Proceeds Fund shall be disbursed based on the				
12	estimated number of federal Free Lunch participants, in support of programs for students who				
13	are educationally at risk. The additional payment shall be based on the state 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.				
19	These 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				
22	local 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				
28	speak English as a second language, or programs related to increasing the success of				
29	disadvantaged students in completing a high school degree and providing opportunities to				
30	encourage further education and training. Further, any new funds a school division receives in				
31	excess of the amounts received in FY 2008 may be used first to provide data coordinators or				
32	to purchase similar services for schools that have not met Adequate Yearly Progress (AYP)				
33	under the 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 \$8,075,871 the first year and <del>\$8,219,783</del> \$8,141,554 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				
48	will collaborate to provide for the academic, psychological, and social needs of the students.				
49	Each 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				
52	state's share of the incremental per pupil cost for providing such programs. This incremental				
53	per pupil payment shall be adjusted for the composite index of local ability-to-pay of the				
54	school division that counts such students attending such program in its March 31 Average				
55	Daily Membership. It is the intent of the General Assembly that this incremental per pupil				



ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	amount be in addition to the basic aid per pupil funding provided to the affected school				
2	division for such students. Therefore, local school divisions are encouraged to provide the				
3	appropriate portion of the basic aid per pupil funding to the regional programs for students				
4	attending these programs, adjusted for costs incurred by the school division for				
5	transportation, administration, and any portion of the school day or school year that the				
6	student does not attend such program.				
7	b) In the event a school division does not use all of the student slots it is allocated under				
8	this program, the unused slots may be reallocated or transferred to another school division.				
9	1. A school division must request from the Department of Education the availability and				
10	possible use of any unused student slots. If any unused slots are available and if the				
11	requesting school division chooses to utilize any of the unused slots, the requesting school				
12	division shall only receive the state's share of tuition for the unused slot that was allocated				
13	in this Item for the originally designated school division.				
14	2. However, no requesting school division shall receive more tuition funding from the				
15	state for any requested unused slot than what would have been the calculated amount for				
16	the requesting school division had the unused slot been allocated to the requesting school				
17	division in the original budget. Furthermore, the requesting school division shall pay for				
18	any remaining tuition payment necessary for using a previously unused slot.				
19	3. The Department of Education shall provide assistance for the state share of the				
20	incremental cost of Regional Alternative Education program operations based on the				
21	composite index of local ability-to-pay.				
22	g. Remedial Summer School				
23	1) This appropriation includes \$3,296,232 the first year and <del>\$27,118,392</del> \$25,324,478 the				
24	second year from the general fund and \$21,970,607 the first year from the Lottery				
25	Proceeds Fund for the state's share of Remedial Summer School Programs. These funds				
26	are available to school divisions for the operation of programs designed to remediate				
27	students who are required to attend such programs during a summer school session or				
28	during an intersession in the case of year-round schools. These funds may be used in				
29	conjunction with other sources of state funding for remediation or intervention. School				
30	divisions shall have maximum flexibility with respect to the use of these funds and the				
31	types of remediation programs offered; however, in exercising this flexibility, students				
32	attending these programs shall not be charged tuition and no high school credit may be				
33	awarded to students who participate in this program.				
34	2) For school divisions charging students tuition for summer high school credit courses,				
35	consideration shall be given to students from households with extenuating financial				
36	circumstances who are repeating a class in order to graduate.				
37	10. K-3 Primary Class Size Reduction Payments				
38	a. An additional payment estimated at \$113,675,099 the first year and <del>\$117,634,756</del>				
39	<del>\$112,230,445</del> the second year from the Lottery Proceeds Fund shall be disbursed by the				
40	Department of Education as an incentive for reducing class sizes in the primary grades.				
41	b. The Department of Education shall calculate the payment based on the incremental cost				
42	of providing the lower class sizes based on the lower of the division average per pupil cost				
43	of all divisions or the actual division per pupil cost.				
44	c. Localities are required to provide a match for these funds based on the composite index				
45	of local ability-to-pay.				
46	d. By October 15 of each year school divisions must provide data to the Department of				
47	Education that each participating school has a September 30 pupil/teacher ratio in grades				
48	K through 3 that meet the following criteria:				
49	<b>Qualifying School Percentage of Students Approved</b>				
50		<b>Grades K-3</b>		<b>Maximum Individual</b>	
51	<b>Eligible for Free Lunch, Three-Year Average</b>	<b>School Ratio</b>		<b>K-3 Class Size</b>	

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
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 portion of grades kindergarten through three, with a commensurate reduction of state and required local funds, if local conditions do not permit participation at the established ratio and/or maximum individual class size. In the event that a school division requires additional actions to ensure participation at the established ratio and/or maximum individual class size, such actions must be completed by December 1 of the impacted school year. Special education teachers and instructional aides shall not be counted towards meeting these required pupil/teacher ratios in grades kindergarten through three.				
8					
9					
10					
11					
12					
13					
14					
15	f. The Superintendent of Public Instruction may grant waivers to school divisions for the class size requirement in eligible schools that have only one class in an affected grade level in the school.				
16					
17					
18	11. Literary Fund Subsidy Program Payments				
19	a. The Department of Education and the Virginia Public School Authority (VPSA) shall provide a program of funding for school construction and renovation through the Literary Fund and through VPSA bond sales. The program shall be used to provide funds, through Literary Fund loans and subsidies, and through VPSA bond sales, to fund a portion of the projects on the First or Second Literary Fund Waiting List, or other critical projects which may receive priority placement on the First or Second Literary Fund Waiting List by the Department of Education. Interest rate subsidies will provide school divisions with the present value difference in debt service between a Literary Fund loan and a borrowing through the VPSA. To qualify for an interest rate subsidy, the school division's project must be eligible for a Literary Fund loan and shall be subject to the same restrictions. The VPSA shall work with the Department of Education in selecting those projects to be funded through the interest rate subsidy/bond financing program, so as to ensure the maximum leverage of Literary Fund moneys and a minimum impact on the VPSA Bond Pool.				
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32	b. The Department of Education may offer up to \$52,884,000 million in the second year as school construction loans from the Literary Fund. In addition, the Department of Education may offer Literary Fund loans from the uncommitted balances of the Literary Fund after meeting the obligations of the interest rate subsidy sales and the amounts set aside from the Literary Fund for Debt Service Payments for Education Technology in this Item.				
33					
34					
35					
36	c. 1) In the event that on any scheduled payment date of bonds of the Virginia Public School Authority (VPSA) authorized under the provisions of a bond resolution adopted subsequent to June 30, 1997, issued subsequent to June 30, 1997, and not benefiting from the provisions of either § 22.1-168 (iii), (iv), and (v), Code of Virginia, or § 22.1-168.1, Code of Virginia, the sum of (i) the payments on general obligation school bonds of cities, counties, and towns (localities) paid to the VPSA and (ii) the proceeds derived from the application of the provisions of § 15.2-2659, Code of Virginia, to such bonds of localities, is less than the debt service due on such bonds of the VPSA on such date, there is hereby appropriated to the VPSA, first, from available moneys of the Literary Fund and, second, from the general fund a sum equal to such deficiency.				
37					
38					
39					
40					
41					
42					
43					
44					
45					
46	2) The Commonwealth shall be subrogated to the VPSA to the extent of any such appropriation paid to the VPSA and shall be entitled to enforce the VPSA's remedies with respect to the defaulting locality and to full recovery of the amount of such deficiency, together with interest at the rate of the defaulting locality's bonds.				
47					
48					
49					
50	d. The chairman of the Board of Commissioners of the VPSA shall, on or before November 1 of each year, make and deliver to the Governor and the Secretary of Finance a certificate setting forth his estimate of total debt service during each fiscal year of the biennium on bonds of the VPSA issued and projected to be issued during such biennium pursuant to the bond resolution referred to in paragraph a above. The Governor's budget submission each year				
51					
52					
53					
54					
55					

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	shall include provisions for the payment of debt service pursuant to paragraph 1) above.				
2	12. Educational Technology Payments				
3	a. Any unobligated amounts transferred to the educational technology fund shall be				
4	disbursed on a pro rata basis to localities. The additional funds shall be used for				
5	technology needs identified in the division's technology plan approved by the Department				
6	of Education.				
7	b. The Department of Education shall authorize amounts estimated at \$11,912,250 the first				
8	year from the Literary Fund to provide debt service payments for the education technology				
9	grant program conducted through the Virginia Public School Authority in 2010.				
10	c. The Department of Education shall authorize amounts estimated at \$11,670,000 the first				
11	year and \$11,670,750 the second year from the Literary Fund to provide debt service				
12	payments for the education technology grant program conducted through the Virginia				
13	Public School Authority in 2011.				
14	d. 1) The Department of Education shall authorize amounts estimated at \$11,617,000 the				
15	first year and \$11,620,250 the second year from the Literary Fund to provide debt service				
16	payments for the education technology grant program conducted through the Virginia				
17	Public School Authority in 2012.				
18	2) It is the intent of the General Assembly to authorize sufficient appropriate Literary				
19	Fund revenues to pay debt service on the Virginia Public School Authority bonds or notes				
20	authorized for this program. In developing the proposed 2016-18 biennial budget for				
21	public education, the Department of Education shall include a recommendation to the				
22	Governor to authorize sufficient Literary Fund revenues to make debt service payments				
23	for this program in FY 2016.				
24	e. 1) The Department of Education shall authorize amounts estimated at \$12,130,750 the				
25	first year and \$12,131,750 the second year from the Literary Fund to provide debt service				
26	payments for the education technology grant program conducted through the Virginia				
27	Public School Authority in 2013.				
28	2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues				
29	to pay debt service on the Virginia Public School Authority bonds or notes authorized for				
30	this program. In developing the proposed 2016-18 biennial budget for public education,				
31	the Department of Education shall include a recommendation to the Governor to authorize				
32	sufficient Literary Fund revenues to make debt service payments for this program in FY				
33	2017 and FY 2018.				
34	f. 1) The Department of Education shall authorize amounts estimated at \$13,245,122 the				
35	first year and \$13,243,250 the second year from the Literary Fund to provide debt service				
36	payments for the education technology grant program conducted through the Virginia				
37	Public School Authority in 2014.				
38	2) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues				
39	to pay debt service on the Virginia Public School Authority bonds or notes authorized for				
40	this program. In developing the proposed 2016-18 and 2018-20 biennial budgets for public				
41	education, the Department of Education shall include a recommendation to the Governor				
42	to authorize sufficient Literary Fund revenues to make debt service payments for this				
43	program in fiscal years 2017, 2018, and 2019.				
44	g. 1) An education technology grant program shall be conducted through the Virginia				
45	Public School Authority, through the issuance of equipment notes in an amount estimated				
46	at \$66,566,300 in FY 2015 and \$71,163,200 in FY 2016. Proceeds of the notes will be				
47	used to establish a computer-based instructional and testing system for the Standards of				
48	Learning (SOL) and to develop the capability for high speed Internet connectivity at high				
49	schools followed by middle schools followed by elementary schools. School divisions				
50	shall use these funds first to develop and maintain the capability to support the				
51	administration of online SOL testing for all students with the exception of students with a				
52	documented need for a paper SOL test.				
53	2) The Department of Education shall authorize amounts estimated at <del>\$13,993,403</del>				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	\$13,808,931				
2	the second year from the Literary Fund to provide debt service payments for the				
3	education technology grant program conducted through the Virginia Public School Authority				
	in FY 2015.				
4	3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to				
5	pay debt service on the Virginia Public School Authority bonds or notes authorized for				
6	education technology grant programs in FY 2015 and in FY 2016. In developing the proposed				
7	2016-2018, 2018-2020, and 2020-2022 biennial budgets for public education, the Department				
8	of Education shall include a recommendation to the Governor to authorize sufficient Literary				
9	Fund revenues to make debt service payments for these programs in fiscal years 2017, 2018,				
10	2019, 2020, and 2021.				
11	4) Grant funds from the issuance of \$66,556,300 in FY 2015 and \$71,163,200 in FY 2016 in				
12	equipment notes are based on a grant of \$26,000 per school and \$50,000 per school division.				
13	For purposes of this grant program, eligible schools shall include schools that are subject to				
14	state accreditation and reporting membership in grades K through 12 as of September 30,				
15	2014, for the FY 2015 issuance, and September 30, 2015, for the FY 2016 issuance, as well as				
16	regional vocational centers, special education centers, alternative education centers, regular				
17	school year Governor's Schools, and the School for the Deaf and the Blind. Schools that serve				
18	only pre-kindergarten students shall not be eligible for this grant.				
19	5) Supplemental grants shall be allocated to eligible divisions to support schools that are not				
20	fully accredited in accordance with this paragraph. Schools that include a ninth grade that				
21	administer SOL tests in Spring 2014 and that are not fully accredited for the second				
22	consecutive year, based on school accreditation ratings in effect for FY 2014 and FY 2015, or				
23	that have 15 percent of students in the English as a Second Language count and also have free				
24	lunch eligibility for the school of over one-third of the students, will qualify to participate in				
25	the Virginia e-Learning Backpack Initiative in FY 2015 and receive: (1) a supplemental grant				
26	of \$400 per student reported in ninth grade fall membership in a qualifying school for the				
27	purchase of a laptop or tablet for that student and (2) a supplemental grant of \$2,400 per				
28	qualifying school to purchase two content creation packages for teachers. Schools eligible to				
29	receive this supplemental grant in FY 2015 shall continue to receive the grant for the number				
30	of subsequent years equaling the number of grades 9 through 12 in the qualifying school up to				
31	a maximum of four years. Schools that administer SOL tests in Spring 2015 and that are not				
32	fully accredited for the second consecutive year based on school accreditation ratings in effect				
33	for FY 2015 and FY 2016 will qualify to participate in the initiative in FY 2016. Schools				
34	eligible for the supplemental grants in previous fiscal years shall continue to be eligible for				
35	the remaining years of their grant award. Schools eligible to receive this supplemental grant in				
36	FY 2016 shall continue to receive the grant for the number of subsequent years equaling the				
37	number of grades 9 through 12 in the qualifying school up to a maximum of four years.				
38	Grants awarded to qualifying schools that do not have grades 10, 11, or 12 may transition				
39	with the students to the primary receiving school for all years subsequent to grade 9. Schools				
40	are eligible to receive these grants for a period of up to four years beginning in FY 2014 shall				
41	not be eligible to receive a separate award in the future once the original award period has				
42	concluded. Schools that are fully accredited or that are new schools with conditional				
43	accreditation in their first year shall not be eligible to receive this supplemental grant.				
44	6) Required local match:				
45	a) Localities are required to provide a match for these funds equal to 20 percent of the grant				
46	amount, including the supplemental grants provided pursuant to paragraph g. 5). At least 25				
47	percent of the local match, including the match for supplemental grants, shall be used for				
48	teacher training in the use of instructional technology, with the remainder spent on other				
49	required uses. The Superintendent of Public Instruction is authorized to reduce the required				
50	local match for school divisions with a composite index of local ability-to-pay below 0.2000.				
51	The Virginia School for the Deaf and the Blind is exempt from the match requirement.				
52	b) School divisions that administer 100 percent of SOL tests online in all elementary, middle,				
53	and high schools may use up to 75 percent of their required local match to purchase targeted				
54	technology-based interventions. Such interventions may include the necessary technology and				
55	software to support online learning, technology-based content systems, content management				
56	systems, technology equipment systems, information and data management systems, and				
57	other appropriate technologies that support the individual needs of learners. School divisions				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	that receive supplemental grants pursuant to paragraph g.5) above shall use the funds in				
2	qualifying schools to purchase laptops and tablets for ninth grade students reported in fall				
3	membership and content creation packages for teachers.				
4	7) The goal of the education technology grant program is to improve the instructional,				
5	remedial, and testing capabilities of the Standards of Learning for local school divisions				
6	and to increase the number of schools achieving full accreditation.				
7	8) Funds shall be used in the following manner:				
8	a) Each division shall use funds to reach a goal, in each high school, of: (1) a 5-to-1				
9	student to computer ratio; (2) an Internet-ready local area network (LAN) capability; and				
10	(3) high speed access to the Internet. School connectivity (computers, LANs and network				
11	access) shall include sufficient download/upload capability to ensure that each student will				
12	have adequate access to Internet-based instructional, remedial and assessment programs.				
13	b) When each high school in a division meets the goals established in paragraph a) above,				
14	the remaining funds shall be used to develop similar capability in first the middle schools				
15	and then the elementary schools.				
16	c) For purposes of establishing or enhancing a computer-based instructional program				
17	supporting the Standards of Learning pursuant to paragraph g. 1) above, these grant funds				
18	may be used to purchase handheld multifunctional computing devices that support a broad				
19	range of applications and that are controlled by operating systems providing full				
20	multimedia support and mobile Internet connectivity. School divisions that elect to use				
21	these grant funds to purchase such qualifying handheld devices must continue to meet the				
22	on-line testing requirements stated in paragraph g. 1) above.				
23	d) School divisions shall be eligible to receive supplemental grants pursuant to paragraph				
24	g.5) above. These supplemental grants shall be used in qualifying schools for the purchase				
25	of laptops and tablets for ninth grade students reported in fall membership and content				
26	creation packages for teachers. Participating school divisions will be required to select a				
27	core set of electronic textbooks, applications and online services for productivity, learning				
28	management, collaboration, practice, and assessment to be included on all devices. In				
29	addition, participating school divisions will assume recurring costs for electronic textbook				
30	purchases and maintenance.				
31	e) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school				
32	divisions became one school division, whether by consolidation of only the school				
33	divisions or by consolidation of the local governments, such resulting division shall be				
34	provided funding through this program on the basis of having the same number of school				
35	divisions as existed prior to September 30, 2000.				
36	9) Local school divisions shall maximize the use of available federal funds, including E-				
37	Rate Funds, and to the extent possible, use such funds to supplement the program and				
38	meet the goals of this program.				
39	h. The Department of Education shall maintain criteria to determine if high schools,				
40	middle schools, or elementary schools have the capacity to meet the goals of this				
41	initiative. The Department of Education shall be responsible for the project management				
42	of this program.				
43	i. 1) In the event that, on any scheduled payment date of bonds or notes of the Virginia				
44	Public School Authority (VPSA) issued for the purpose described in § 22.1-166.2, Code				
45	of Virginia, and not benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v),				
46	Code of Virginia, or § 22.1-168.1, Code of Virginia, the available moneys in the Literary				
47	Fund are less than the amounts authorized for debt service due on such bonds or notes of				
48	the VPSA on such date, there is hereby appropriated to the VPSA from the general fund a				
49	sum equal to such deficiency.				
50	2) The Chairman of the Board of Commissioners of the VPSA shall, on or before				
51	November 1 of each year, make and deliver to the Governor and the Secretary of Finance				
52	a certificate setting forth his estimate of total debt service during each fiscal year of the				
53	biennium on bonds and notes of the VPSA issued and projected to be issued during such				
54	biennium pursuant to the resolution referred to in paragraph 1) above. The Governor's				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	budget submission each year shall include provisions for the payment of debt service pursuant				
2	to paragraph 1) above.				
3	j. Unobligated proceeds of the notes, including investment income derived from the proceeds				
4	of the notes may be used to pay interest on, or to decrease principal of the notes or to fund a				
5	portion of such other educational technology grants as authorized by the General Assembly.				
6	k. 1) For the purposes of § 56-232, Code of Virginia, "Contracts of Telephone Companies				
7	with State Government" and for the purposes of § 56-234 "Contracts for Service Rendered by				
8	a Telephone Company for the State Government" shall be deemed to include communications				
9	lines into public schools which are used for educational technology. The rate structure for				
10	such lines shall be negotiated by the Superintendent of Public Instruction and the Chief				
11	Information Officer of the Virginia Information Technologies Agency. Further, the				
12	Superintendent and Director are authorized to encourage the development of "by-pass"				
13	infrastructure in localities where it fails to obtain competitive prices or prices consistent with				
14	the best rates obtained in other parts of the state.				
15	2) The State Corporation Commission, in its consideration of the discount for services				
16	provided to elementary schools, secondary schools, and libraries and the universal service				
17	funding mechanisms as provided under § 254 of the Telecommunications Act of 1996, is				
18	hereby encouraged to make the discounts for intrastate services provided to elementary				
19	schools, secondary schools, and libraries for educational purposes as large as is prudently				
20	possible and to fund such discounts through the universal fund as provided in § 254 of the				
21	Telecommunications Act of 1996. The commission shall proceed as expeditiously as possible				
22	in implementing these discounts and the funding mechanism for intrastate services, consistent				
23	with the rules of the Federal Communications Commission aimed at the preservation and				
24	advancement of universal service.				
25	l. The Department of Education shall survey school divisions in the second year regarding				
26	their interest in using the education technology grants for lease expenditures if allowable				
27	sources of funding were available for such expenditures. School divisions shall submit				
28	responses to the survey by September 1, 2015, and the Department of Education shall provide				
29	a summary of the responses to the Governor and the Chairmen of the House Appropriations				
30	and Senate Finance Committees by October 15, 2015.				
31	13. Security Equipment Payments				
32	1) A security equipment grant program shall be conducted through the Virginia Public School				
33	Authority, through the issuance of equipment notes in an amount estimated at up to				
34	\$6,000,000 in fiscal year 2015 and \$6,000,000 in fiscal year 2016 in conjunction with the				
35	Virginia Public School Authority technology notes program authorized in C.12. of this Item.				
36	Proceeds of the notes will be used to help offset the related costs associated with the purchase				
37	of appropriate security equipment that will improve and help ensure the safety of students				
38	attending public schools in Virginia.				
39	2) The Department of Education shall authorize amounts estimated at \$2,439,878 the first				
40	year and <del>\$3,699,745</del> \$3,683,430 the second year from the Literary Fund to provide debt				
41	service payments for the security equipment grant programs conducted through the Virginia				
42	Public School Authority in fiscal years 2013, 2014, and 2015.				
43	3) It is the intent of the General Assembly to authorize sufficient Literary Fund revenues to				
44	pay debt service on the Virginia Public School Authority bonds or notes authorized for this				
45	program. In developing the proposed 2016-18, 2018-2020, and 2020-2022 biennial budgets				
46	for public education, the Department of Education shall include a recommendation to the				
47	Governor to authorize sufficient Literary Fund revenues to make debt service payments for				
48	these programs in fiscal years 2017, 2018, 2019, 2020, and 2021.				
49	4) In the event that, on any scheduled payment date of bonds or notes of the Virginia Public				
50	School Authority issued for the purpose described in § 22.1-166.2, Code of Virginia, and not				
51	benefiting from the provisions of either § 22.1-168 (iii), (iv) and (v), Code of Virginia, or §				
52	22.1-168.1, Code of Virginia, the available moneys in the Literary Fund are less than the				
53	amounts authorized for debt service due on such bonds or notes on such date, there is hereby				
54	appropriated to the Virginia Public School Authority from the general fund a sum equal to				
55	such deficiency.				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	5) The Chairman of the Board of Commissioners of the Virginia Public School Authority				
2	shall, on or before November 1 of each year, deliver to the Governor and the Secretary of				
3	Finance a certificate setting forth his estimate of total debt service during each fiscal year				
4	of the biennium on bonds and notes issued and projected to be issued during such				
5	biennium. The Governor's budget submission each year shall include provisions for the				
6	payment of debt service pursuant to paragraph 1) above.				
7	6) Grant award funds from the issuance of up to \$6,000,000 in fiscal year 2015 and				
8	\$6,000,000 in fiscal year 2016 in equipment notes shall be distributed to eligible school				
9	divisions. The grant awards will be based on a competitive grant basis of up to \$100,000				
10	per school division. School divisions will be permitted to apply annually for grant funding.				
11	For purposes of this program, eligible schools shall include schools that are subject to state				
12	accreditation and reporting membership in grades K through 12 as of September 30, 2014,				
13	for the fiscal year 2015 issuance, and September 30, 2015, for the fiscal year 2016				
14	issuance, as well as regional vocational centers, special education centers, alternative				
15	education centers, regular school year Governor's Schools, and the Virginia School for the				
16	Deaf and the Blind.				
17	7) School divisions would submit their application to Department of Education by August				
18	1 of each year based on the criteria developed by the Department of Education in				
19	collaboration with the Department of Criminal Justice Services who will provide				
20	requested technical support. Furthermore, the Department of Education will have the				
21	authority to make such grant awards to such school divisions.				
22	8) It is also the intent of the General Assembly that the total amount of the grant awards				
23	shall not exceed \$30,000,000 over any ongoing revolving five year period.				
24	9) Required local match:				
25	a) Localities are required to provide a match for these funds equal to 25 percent of the				
26	grant amount. The Superintendent of Public Instruction is authorized to reduce the				
27	required local match for school divisions with a composite index of local ability-to-pay				
28	below 0.2000. The Virginia School for the Deaf and the Blind is exempt from the match				
29	requirement.				
30	b) Pursuant to § 15.2-1302, Code of Virginia, and in the event that two or more school				
31	divisions became one school division, whether by consolidation of only the school				
32	divisions or by consolidation of the local governments, such resulting division shall be				
33	provided funding through this program on the basis of having the same number of school				
34	divisions as existed prior to September 30, 2000.				
35	c) Local school divisions shall maximize the use of available federal funds, including E-				
36	Rate Funds, and to the extent possible, use such funds to supplement the program and				
37	meet the goals of this program.				
38	14. Virginia Preschool Initiative Payments				
39	a.1) It is the intent of the General Assembly that a payment estimated at \$68,300,254 the				
40	first year and <del>\$71,996,399</del> \$70,651,478 the second year from the Lottery Proceeds Fund				
41	shall be disbursed by the Department of Education to schools and community-based				
42	organizations to provide quality preschool programs for at-risk four-year-olds unserved by				
43	Head Start program funding. In no event shall distributions from the Lottery Proceeds				
44	Fund be made directly to community-based or private providers.				
45	2) These state funds and required local matching funds shall be used to provide programs				
46	for at-risk four-year-old children, which include quality preschool education, health				
47	services, social services, parental involvement and transportation. It shall be the policy of				
48	the Commonwealth that state funds and required local matching funds for the Virginia				
49	Preschool Initiative not be used for capital outlay. Programs must provide full-day or half-				
50	day and, at least, school-year services.				
51	3) The Department of Education, in cooperation with the Council on Child Day Care and				
52	Early Childhood Programs, shall establish academic standards that are in accordance with				
53	appropriate preparation for students to be ready to successfully enter kindergarten. These				
54	standards shall be established in such a manner as to be measurable for student				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	achievement and success. Students shall be required to be evaluated in the fall and in the				
2	spring by each participating school division and the school divisions must certify that the				
3	Virginia Preschool Initiative program follows the established standards in order to receive the				
4	funding for quality preschool education and criteria for the service components. Such				
5	guidelines shall be consistent with the findings of the November 1993 study by the Board of				
6	Education, the Department of Education, and the Council on Child Day Care and Early				
7	Childhood Programs.				
8	4) a) Grants shall be distributed based on an allocation formula providing the state share of a				
9	\$6,000 grant for 100 percent of the unserved at-risk four-year-olds in each locality for a full-				
10	day program. The number of unserved at-risk four-year-olds in each locality shall be based on				
11	the projected number of kindergarten students, updated once each biennium for the				
12	Governor's introduced biennial budget. In the first year only, the Department shall adjust the				
13	additional slots calculated to fund such school divisions at the same number of slots actually				
14	used in FY 2014 on a prorated basis up to \$1,000,000. For the second year only, in no case				
15	shall a school division be eligible for fewer slots than they actually used for this program in				
16	FY 2014 on a prorated basis up to \$3,631,581. Programs operating half-day shall receive state				
17	funds based on a fractional basis determined by the pro-rata portion of a full-day, school year				
18	program provided. Half-day programs shall operate for a minimum of three hours of				
19	classroom instructional time per day, excluding breaks for lunch or recess, and grants to half-				
20	day programs shall be funded based on the state share of \$3,000 per unserved at-risk four-				
21	year-old in each locality. Full-day programs shall operate for a minimum of five and one-half				
22	instructional hours, excluding breaks for meals and recess. No additional state funding is				
23	provided for programs operating greater than three hours per day but less than five and one-				
24	half hours per day. In determining the state and local shares of funding, the composite index				
25	of local ability-to-pay is capped at 0.5000.				
26	b) For new programs in the first year of implementation only, programs operating less than a				
27	full school year shall receive state funds on a fractional basis determined by the pro-rata				
28	portion of a school year program provided. In determining the prorated state funds to be				
29	received, a school year shall be 180 days.				
30	b.1) Any locality which desires to participate in this grant program must submit a proposal				
31	through its chief administrator (county administrator or city manager) by May 15 of each				
32	year. The chief administrator, in conjunction with the school superintendent, shall identify a				
33	lead agency for this program within the locality. The lead agency shall be responsible for				
34	developing a local plan for the delivery of quality preschool services to at-risk children which				
35	demonstrates the coordination of resources and the combination of funding streams in an				
36	effort to serve the greatest number of at-risk four-year-old children.				
37	2) The proposal must demonstrate coordination with all parties necessary for the successful				
38	delivery of comprehensive services, including the schools, child care providers, local social				
39	services agency, Head Start, local health department, and other groups identified by the lead				
40	agency.				
41	3) A local match, based on the composite index of local ability-to-pay, shall be required. For				
42	purposes of meeting the local match, localities may use local expenditures for existing				
43	qualifying programs, however, at least seventy-five percent of the local match will be cash				
44	and no more than twenty-five percent will be in-kind. In-kind contributions are defined as				
45	cash outlays that are made by the locality that benefit the program but are not directly charged				
46	to the program. The value of fixed assets cannot be considered as an in-kind contribution.				
47	Localities shall also continue to pursue and coordinate other funding sources, including child				
48	care subsidies. Funds received through this program must be used to supplement, not				
49	supplant, any funds currently provided for programs within the locality. However, in the event				
50	a locality is prohibited from continuing the previous level of support to programs for at-risk				
51	four-year-olds from Title I of the federal Elementary and Secondary Education Act (ESEA),				
52	the state and local funds provided in this grants program may be used to continue services to				
53	these Title I students. Such prohibition may occur due to amendments to the allocation				
54	formula in the reauthorization of ESEA as the No Child Left Behind Act of 2001 or due to a				
55	percentage reduction in a locality's Title I allocation in 2014-2015 or 2015-2016. Any locality				
56	so affected shall provide written evidence to the Superintendent of Public Instruction and				
57	request his approval to continue the services to Title I students.				



ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	c. Local plans must provide clear methods of service coordination for the purpose of				
2	reducing the per child cost for the service, increasing the number of at-risk children served				
3	and/or extending services for the entire year. Examples of these include:				
4	1) "Wraparound Services" -- methods for combining funds such as child care subsidy				
5	dollars administered by local social service agencies with dollars for quality preschool				
6	education programs.				
7	2) "Wrap-out Services" - methods for using grant funds to purchase quality preschool				
8	services to at-risk four-year-old children through an existing child care setting by				
9	purchasing comprehensive services within a setting which currently provides quality				
10	preschool education.				
11	3) "Expansion of Service" - methods for using grant funds to purchase slots within				
12	existing programs, such as Head Start, which provide comprehensive services to at-risk				
13	four-year-old children.				
14	d.1) Local plans must indicate the number of at-risk four-year-old children to be served,				
15	and the eligibility criteria for participation in this program shall be consistent with the				
16	economic and educational risk factors stated in the 2014-2015 programs guidelines that				
17	are specific to: (i) family income at or below 200 percent of poverty, (ii) homelessness,				
18	(iii) student's parents or guardians are school dropouts, or (iv) family income is less than				
19	350 percent of federal poverty guidelines in the case of students with special needs or				
20	disabilities.				
21	2) The Department of Education is directed to compile from each school division the				
22	aggregated information as to the number of enrolled students whose families are (i) at or				
23	below 130 percent of poverty, and (ii) above 130 percent but below 200 percent of				
24	poverty. The Department shall report this information annually, after the application and				
25	fall participation reports are submitted to the Department from the school divisions, to the				
26	Chairmen of House Appropriations and Senate Finance Committees. In addition, the				
27	Department will post and maintain the summary information by division on the				
28	Department's website in keeping with current student privacy policies.				
29	e.1) The Department of Education and the Council on Child Day Care and Early				
30	Childhood Programs shall provide technical assistance for the administration of this grant				
31	program to provide assistance to localities in developing a comprehensive, coordinated,				
32	quality preschool program for serving at-risk four-year-old children.				
33	2) A pre-application session shall be provided by the Department and the Council on				
34	Child Day Care and Early Childhood Programs prior to the proposal deadline. The				
35	Department shall provide interested localities with information on models for service				
36	delivery, methods of coordinating funding streams, such as funds to match federal IV-A				
37	child care dollars, to maximize funding without supplanting existing sources of funding				
38	for the provision of services to at-risk four-year-old children. A priority for technical				
39	assistance in the design of programs shall be given to localities where the majority of the				
40	at-risk four-year-old population is currently unserved.				
41	f. The Department of Education shall include in the program's application package specific				
42	information regarding the potential availability of funding for supplemental grants that				
43	may be used for one-time expenses, other than capital, related to start-up or expansion of				
44	programs, with priority given to proposals for expanding the use of partnerships with				
45	either nonprofit or for-profit providers. Furthermore, the Department is mandated to				
46	communicate to all eligible school divisions the remaining available balances in the				
47	program's adopted budget, after the fall participation reports have been submitted and				
48	finalized for such grants.				
49	15. Early Reading Intervention Payments				
50	a. An additional payment of \$17,714,461 the first year and <del>\$17,778,143</del> \$17,501,316 the				
51	second year from the Lottery Proceeds Fund shall be disbursed by the Department of				
52	Education to local school divisions for the purposes of providing early reading				
53	intervention services to students in grades kindergarten through 3 who demonstrate				
54	deficiencies based on their individual performance on diagnostic tests which have been				

ITEM 136.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	approved by the Department of Education. The Department of Education shall review the			
2	tests of any local school board which requests authority to use a test other than the state-			
3	provided test to ensure that such local test uses criteria for the early diagnosis of reading			
4	deficiencies which are similar to those criteria used in the state-provided test. The Department			
5	of Education shall make the state-provided diagnostic test used in this program available to			
6	local school divisions. School divisions shall report the results of the diagnostic tests to the			
7	Department of Education on an annual basis at a time to be determined by the Superintendent			
8	of Public Instruction.			
9	b. These payments shall be based on the state's share of the cost of providing two and one-half			
10	hours of additional instruction each week for an estimated number of students in each school			
11	division at a student to teacher ratio of five to one. The estimated number of students in each			
12	school division in each year shall be determined by multiplying the projected number of			
13	students reported in each school division's fall membership in grades kindergarten, 1, 2, and 3			
14	by the percent of students who are determined to need services based on diagnostic tests			
15	administered in the previous year in that school division and adjusted in the following			
16	manner:			
17		Year 1		Year 2
18	Kindergarten	100%	100%	
19	Grade 1	100%	100%	
20	Grade 2	100%	100%	
21	Grade 3	100%	100%	
22	c. These payments are available to any school division that certifies to the Department of			
23	Education that an intervention program will be offered to such students and that each student			
24	who receives an intervention will be assessed again at the end of that school year. At the			
25	beginning of the school year, local school divisions shall partner with the parents of those			
26	third grade students in the division who demonstrate reading deficiencies, discussing with			
27	them a developed plan for remediation and retesting. Such intervention programs, at the			
28	discretion of the local school division, may include, but not be limited to, the use of: special			
29	reading teachers; trained aides; volunteer tutors under the supervision of a certified teacher;			
30	computer-based reading tutorial programs; aides to instruct in-class groups while the teacher			
31	provides direct instruction to the students who need extra assistance; or extended instructional			
32	time in the school day or year for these students. Localities receiving these payments are			
33	required to match these funds based on the composite index of local ability-to-pay.			
34	d. In the event that a school division does not use the diagnostic test provided by the			
35	Department of Education in the year that serves as the basis for updating the funding formula			
36	for this program but has used it in past years, the Department of Education shall use the most			
37	recent data available for the division for the state-provided diagnostic test.			
38	e. The results of all reading diagnostic tests and reading remediation shall be discussed with			
39	the student and the student's parent prior to the student being promoted to grade four.			
40	f. Funds appropriated for Standards of Quality Prevention, Intervention, and Remediation,			
41	Remedial Summer School, or At-Risk Add-On may also be used to meet the requirements of			
42	this program.			
43	16. Standards of Learning Algebra Readiness Payments			
44	a. An additional payment of \$12,107,540 the first year and <del>\$12,159,318</del> \$11,989,787 the			
45	second year from the Lottery Proceeds Fund shall be disbursed by the Department of			
46	Education to local school divisions for the purposes of providing math intervention services to			
47	students in grades 6, 7, 8 and 9 who are at-risk of failing the Algebra I end-of-course test, as			
48	demonstrated by their individual performance on diagnostic tests which have been approved			
49	by the Department of Education. The Department of Education shall review the tests to ensure			
50	that such local test uses state-provided criteria for diagnosis of math deficiencies which are			
51	similar to those criteria used in the state-provided test. The Department of Education shall			
52	make the state-provided diagnostic test used in this program available to local school			
53	divisions. School divisions shall report the results of the diagnostic tests to the Department of			
54	Education on an annual basis at a time to be determined by the Superintendent of Public			
55	Instruction.			

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	b. These payments shall be based on the state's share of the cost of providing two and one-half hours of additional instruction each week for an estimated number of students in each school division at a student to teacher ratio of ten to one. The estimate number of students in each school division shall be determined by multiplying the projected number of students reported in each school division's fall membership by the percent of students that qualify for the federal Free Lunch Program.				
2					
3					
4					
5					
6					
7	c. These payments are available to any school division that certifies to the Department of Education that an intervention program will be offered to such students and that each student who receives an intervention will be assessed again at the end of that school year. Localities receiving these payments are required to match these funds based on the composite index of local ability-to-pay.				
8					
9					
10					
11					
12	17. School Construction Grants Program Escrow				
13	Notwithstanding the requirements of Section 22.1-175.5, Code of Virginia, school divisions are permitted to withdraw funds from local escrow accounts established pursuant to Section 22.1-175.5 to pay for recurring operational expenses incurred by the school division. Localities are not required to provide a local match of the withdrawn funds.				
14					
15					
16					
17	18. English as a Second Language Payments				
18	A payment of \$49,367,794 the first year and <del>\$50,817,295</del> \$49,233,201 the second year from the Lottery Proceeds Fund shall be disbursed by the Department of Education to local school divisions to support the state share of 17 professional instructional positions per 1,000 students for whom English is a second language. Local school divisions shall provide a local match based on the composite index of local ability-to-pay.				
19					
20					
21					
22					
23	19. Special Education Instruction Payments				
24	a. The Department of Education shall establish rates for all elements of Special Education Instruction Payments.				
25					
26	b. Out of the appropriations in this Item, the Department of Education shall make available, subject to implementation by the Superintendent of Public Instruction, an amount estimated at \$79,503,166 the first year and <del>\$84,204,352</del> \$84,943,308 the second year from the Lottery Proceeds Fund for the purpose of the state's share of the tuition rates for approved public school regional programs. Notwithstanding any contrary provision of law, the state's share of the tuition rates shall be based on the composite index of local ability-to-pay.				
27					
28					
29					
30					
31					
32					
33	c. Out of the amounts for Financial Assistance for Categorical Programs, \$32,755,271 the first year and \$33,737,931 the second year from the general fund is appropriated to permit the Department of Education to enter into agreements with selected local school boards for the provision of educational services to children residing in certain hospitals, clinics, and detention homes by employees of the local school boards. The portion of these funds provided for educational services to children residing in local or regional detention homes shall only be determined on the basis of children detained in such facilities through a court order issued by a court of the Commonwealth. The selection and employment of instructional and administrative personnel under such agreements will be the responsibility of the local school board in accordance with procedures as prescribed by the local school board. State payments for the first year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2014 and the first three quarters of FY 2015. State payments for the second year to the local school boards operating these programs will be based on certified expenditures from the fourth quarter of FY 2015 and the first three quarters of FY 2016.				
34					
35					
36					
37					
38					
39					
40					
41					
42					
43					
44					
45					
46					
47					
48	d. By October 15, 2014, the Department of Education shall present to the Virginia Board of Education, options for increasing student to teacher ratios or other savings, including requesting the State Board of Education or federal government to consider waiving certain teacher staffing requirements given the uniqueness of the setting, prorating funding if localities choose to operate based on unnecessary gender separation, whether there may be options for achieving efficiencies in the 23 centers based on regional groupings based on proximity, working with the Department of Juvenile Justice and Department of				
49					
50					
51					
52					
53					
54					

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Correctional Education if appropriate, and a review of how other states handle education in				
2	juvenile detention centers. The Department shall also submit the report to the Chairmen of the				
3	Senate Finance and House Appropriations Committees by October 31, 2014.				
4	20. Vocational Education Instruction Payments				
5	a. It is the intention of the General Assembly that the Department of Education explore				
6	initiatives that will encourage greater cooperation between jurisdictions and the Virginia				
7	Community College System in meeting the needs of public school systems.				
8	b. This appropriation includes \$1,800,000 the first year from the Lottery Proceeds Fund and				
9	\$1,800,000 the second year from the Lottery Proceeds Fund for secondary vocational-				
10	technical equipment. A base allocation of \$2,000 each year shall be available for all divisions,				
11	with the remainder of the funding distributed on the basis of student enrollment in secondary				
12	vocational-technical courses. State funds received for secondary vocational-technical				
13	equipment must be used to supplement, not supplant, any funds currently provided for				
14	secondary vocational-technical equipment within the locality. Local school divisions are not				
15	required to provide a local match in order to receive these state funds.				
16	21. Adult Education Payments				
17	State funds shall be used to reimburse general adult education programs on a fixed cost per				
18	pupil or cost per class basis. No state funds shall be used to support vocational noncredit				
19	courses.				
20	22. General Education Payments				
21	a. This appropriation includes \$2,410,988 the first year and \$2,410,988 the second year from				
22	the Lottery Proceeds Fund to support Race to GED. Out of this appropriation, \$465,375 the				
23	first year and \$465,375 the second year shall be used for PluggedIn VA.				
24	b. This appropriation includes \$2,774,478 the first year from the general fund and \$2,774,478				
25	the second year from the Lottery Proceeds Fund to support Project Graduation and any				
26	associated administrative and contractual service expenditures related to this initiative.				
27	23. Virtual Virginia Payments				
28	a. From appropriations in this Item, the Department of Education shall provide assistance for				
29	the Virtual Virginia program.				
30	b. The local share of costs associated with the operation of the Virtual Virginia program shall				
31	be computed using the composite index of local ability-to-pay.				
32	24. Individual Student Alternative Education Program (ISAEP) Payments				
33	Out of this appropriation, \$2,247,581 the first year from the Lottery Proceeds Fund and				
34	\$2,247,581 in the second year from the Lottery Proceeds Fund shall be provided for the				
35	secondary schools' Individual Student Alternative Education Program (ISAEP), pursuant to				
36	Chapter 488 and Chapter 552 of the 1999 Session of the General Assembly.				
37	25. Foster Children Education Payments				
38	a. An additional state payment is provided from the Lottery Proceeds Fund for the prior year's				
39	local operations costs, as determined by the Department of Education, for each pupil of school				
40	age as defined in § 22.1-1, Code of Virginia, not a resident of the school division providing				
41	his education (a) who has been placed in foster care or other custodial care within the				
42	geographical boundaries of such school division by a Virginia agency, whether state or local,				
43	which is authorized under the laws of this Commonwealth to place children; (b) who has been				
44	placed in an orphanage or children's home which exercises legal guardianship rights; or (c)				
45	who is a resident of Virginia and has been placed, not solely for school purposes, in a child-				
46	caring institution or group home.				
47	b. This appropriation provides \$8,689,453 the first year and \$8,824,359 the second year from				
48	the Lottery Proceeds Fund to support children attending public school who have been placed				
49	in foster care or other such custodial care across jurisdictional lines, as provided by				
50	subsections A and B of § 22.1-101.1, Code of Virginia. To the extent these funds are not				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	adequate to cover the full costs specified therein, the Department is authorized to expend				
2	unobligated balances in this Item for this support.				
3	26. Sales Tax Payments				
4	a. This is a sum-sufficient appropriation for distribution to counties, cities and towns a				
5	portion of net revenue from the state sales and use tax, in support of the Standards of				
6	Quality (Title 22.1, Chapter 13.2, Code of Virginia) (See the Attorney General's opinion				
7	of August 3, 1982).				
8	b. Certification of payments and distribution of this appropriation shall be made by the				
9	State Comptroller.				
10	c. The distribution of state sales tax funds shall be made in equal bimonthly payments at				
11	the middle and end of each month.				
12	27. Adult Literacy Payments				
13	a. Appropriations in this Item include \$125,000 the first year and \$125,000 the second				
14	year from the general fund for the ongoing literacy programs conducted by Mountain				
15	Empire Community College.				
16	b. Out of this appropriation, the Department of Education shall provide \$100,000 the first				
17	year and \$100,000 the second year from the general fund for the Virginia Literacy				
18	Foundation grants to support programs for adult literacy including those delivered by				
19	community-based organizations and school divisions providing services for adults with 0-				
20	9th grade reading skills.				
21	28. Governor's School Payments				
22	a. Out of the amounts for Governor's School Payments, the Department of Education shall				
23	provide assistance for the state share of the incremental cost of regular school year				
24	Governor's Schools based on each participating locality's composite index of local ability-				
25	to-pay. Participating school divisions must certify that no tuition is assessed to students for				
26	participation in this program.				
27	b. Out of the amounts for Governor's School Payments, the Department of Education shall				
28	provide assistance for the state share of the incremental cost of summer residential				
29	Governor's Schools and Foreign Language Academies to be based on the greater of the				
30	state's share of the composite index of local ability-to-pay or 50 percent. Participating				
31	school divisions must certify that no tuition is assessed to students for participation in this				
32	program if they are enrolled in a public school.				
33	c. For the Summer Governor's Schools and Foreign Language Academies programs, the				
34	Superintendent of Public Instruction is authorized to adjust the tuition rates, types of				
35	programs offered, length of programs, and the number of students enrolled in order to				
36	maintain costs within the available state and local funds for these programs.				
37	d. It shall be the policy of the Commonwealth that state general fund appropriations not be				
38	used for capital outlay, structural improvements, renovations, or fixed equipment costs				
39	associated with initiation of existing or proposed Governor's schools. State general fund				
40	appropriations may be used for the purchase of instructional equipment for such schools,				
41	subject to certification by the Superintendent of Public Instruction that at least an equal				
42	amount of funds has been committed by participating school divisions to such purchases.				
43	e. The Board of Education shall not take any action that would increase the state's share of				
44	costs associated with the Governor's Schools as set forth in this Item. This provision shall				
45	not prohibit the Department of Education from submitting requests for the increased costs				
46	of existing programs resulting from updates to student enrollment for school divisions				
47	currently participating in existing programs or for school divisions that begin participation				
48	in existing programs.				
49	f.1) Regular school year Governor's Schools are funded through this Item based on the				
50	state's share of the incremental per pupil cost for providing such programs for each student				
51	attending a Governor's School up to a cap of 1,725 students per Governor's School in the				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	first year and a cap of 1,725 students per Governor's School in the second year. This				
2	incremental per pupil payment shall be adjusted for the composite index of the school division				
3	that counts such students attending an academic year Governor's School in their March 31				
4	Average Daily Membership. It is the intent of the General Assembly that this incremental per				
5	pupil amount be in addition to the basic aid per pupil funding provided to the affected school				
6	division for such students. Therefore, local school divisions are encouraged to provide the				
7	appropriate portion of the basic aid per pupil funding to the Governor's Schools for students				
8	attending these programs, adjusted for costs incurred by the school division for transportation,				
9	administration, and any portion of the day that the student does not attend a Governor's				
10	School.				
11	2) Students attending a revolving Academic Year Governor's School program for only one				
12	semester shall be counted as 0.50 of a full-time equivalent student and will be funded for only				
13	fifty percent of the full-year funded per pupil amount. Funding for students attending a				
14	revolving Academic Year program will be adjusted based upon actual September 30 <sup>th</sup> and				
15	January 30 <sup>th</sup> enrollment each fiscal year. For purposes of this Item, revolving programs shall				
16	mean Academic Year Governor's School programs that admit students on a semester basis.				
17	3) Students attending a continuous, non-revolving Academic Year Governor's School				
18	program shall be counted as a full-time equivalent student and will be funded for the full-year				
19	funded per pupil amount. Funding for students attending a continuous, non-revolving				
20	Academic Year Governor's School program will be adjusted based upon actual September				
21	30 <sup>th</sup> student enrollment each fiscal year. For purposes of this Item, continuous, non-revolving				
22	programs shall mean Academic Year Governor's School programs that only admit students at				
23	the beginning of the school year. Fairfax County Public Schools shall not reduce local per				
24	pupil funding for the Thomas Jefferson Governor's School below the amounts appropriated				
25	for the 2003-2004 school year.				
26	g. All regional Governor's Schools are encouraged to provide full-day grades 9 through 12				
27	programs. Out of the amounts in this Item, \$100,000 the second year from the general fund is				
28	provided for existing Governor's Schools, as distributed by the Superintendent of Public				
29	Instruction, to plan for or study the feasibility of expanding, including via a merger with				
30	another Governor's School.				
31	h. Out of this appropriation, \$100,000 the first year from the general fund is available for the				
32	Department of Education to develop a model proposal that establishes a Governor's School				
33	that focuses on Career and Technical Education.				
34	i. Out of the appropriation included in paragraph 36, a.1., of this Item, <del>\$218,854</del> \$218,825 the				
35	second year from the general fund is included for the Academic Year Governor's School				
36	funding allocation to increase the per pupil amount up to an additional <del>\$74.97</del> \$74.91 per				
37	pupil amount as an add-on for a 1.5 percent compensation incentive supplement with an				
38	effective date of August 16, 2015. In order to receive the state's allocation for the 1.5 percent				
39	compensation incentive supplement in the second year, participating Academic Year				
40	Governor's Schools shall comply with the provisions set out in paragraph 36 of this Item.				
41	29. School Nutrition Payments				
42	It is provided that, subject to implementation by the Superintendent of Public Instruction, no				
43	disbursement shall be made out of the appropriation for school nutrition to any locality in				
44	which the schools permit the sale of competitive foods in food service facilities or areas				
45	during the time of service of food funded pursuant to this Item.				
46	30. School Breakfast Payments				
47	a. Out of this appropriation, \$3,484,111 the first year and <del>\$3,948,823</del> \$3,796,205 the second				
48	year from the Lottery Proceeds Fund is included for the purpose of establishing a state funded				
49	incentive program to maximize federal school nutrition revenues and increase student				
50	participation in the school breakfast program. These funds are available to any school division				
51	as a reimbursement for breakfast meals served that are in excess of the baseline established by				
52	the Department of Education. The per meal reimbursement shall be \$0.22; however, the				
53	department is authorized, but not required to reduce this amount proportionately in the event				
54	that the actual number of meals to be reimbursed exceeds the number on which this				
55	appropriation is based so that this appropriation is not exceeded.				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	b. In order to receive these funds, school divisions must certify that these funds will be				
2	used to supplement existing funds provided by the local governing body and that local				
3	funds derived from sources that are not generated by the school nutrition programs have				
4	not been reduced or eliminated. The funds shall be used to improve student participation				
5	in the school breakfast program. These efforts may include, but are not limited to,				
6	reducing the per meal price paid by students, reducing competitive food sales in order to				
7	improve the quality of nutritional offerings in schools, increasing access to the school				
8	breakfast program, or providing programs to increase parent and student knowledge of				
9	good nutritional practices. In no event shall these funds be used to reduce local tax				
10	revenues below the level appropriated to school nutrition programs in the prior year.				
11	Further, these funds must be provided to the school nutrition programs and may not be				
12	used for any other school purpose.				
13	c1. Out of this appropriation, <del>\$537,297</del> \$555,634 the second year from the general fund is				
14	provided to fund during the 2015-2016 school year either, an elementary school breakfast				
15	pilot program available on a voluntary basis at elementary schools where student				
16	eligibility for free or reduced lunch exceeds 45.0 percent for the participating school, or to				
17	provide additional reimbursement for eligible meals served in the current traditional				
18	school breakfast program at all grade levels in any participating school. The elementary				
19	schools participating in the pilot program shall evaluate the educational impact of the				
20	models implemented that provide school breakfasts to students after the first bell of the				
21	school day, based on the guidelines developed by the Department of Education and submit				
22	the required report to the Department of Education no later June 30, 2016.				
23	2) The Department of Education shall communicate, through Superintendent's Memo, to				
24	school divisions the types of breakfast serving models and the criteria that will meet the				
25	requirements for this State reimbursement, which may include, but are not limited to,				
26	breakfast in the classroom, grab and go breakfast, or a breakfast after first period. School				
27	divisions may determine the breakfast serving model that best applies to its students, so				
28	long as it occurs after the instructional day has begun. For the 2015-2016 school year, the				
29	Department of Education shall monthly transfer to each school division a reimbursement				
30	rate of \$0.05 per breakfast meal that meets either of the established criteria.				
31	3) No later than July 1, 2015, the Department of Education shall provide for a pilot				
32	breakfast program application process for school divisions with eligible elementary				
33	schools, including guidelines regarding specified required data to be compiled from the				
34	prior school year or years and during the one-year pilot. The number of approved				
35	applications shall be based on the estimated number of pilot sites that can be				
36	accommodated within the approved funding level. The reporting requirements must				
37	include: student attendance and tardy arrivals, office discipline referrals, student				
38	achievement measures, teachers' responses to the impact of the pilot program before and				
39	after implementation, and the financial impact on the division's school food program. The				
40	Department of Education shall collect and compile the results of the pilot breakfast				
41	program and no later than August 1, 2016 shall submit the report to the Governor and the				
42	Chairmen of the House Appropriations and Senate Finance Committees.				
43	31. Clinical Faculty and Mentor Teacher Program Payments				
44	This appropriation includes \$1,000,000 the first year and \$1,000,000 the second year from				
45	the Lottery Proceeds Fund to be paid to local school divisions for statewide Mentor				
46	Teacher Programs to assist pre-service teachers and beginning teachers to make a				
47	successful transition into full-time teaching. This appropriation also includes \$318,750 the				
48	first year and \$318,750 the second year from the general fund for Clinical Faculty				
49	programs to assist pre-service teachers and beginning teachers to make a successful				
50	transition into full-time teaching. Such programs shall include elements which are				
51	consistent with the following:				
52	a. An application process for localities and school/higher education partnerships that wish				
53	to participate in the programs;				
54	b. For Clinical Faculty programs only, provisions for a local funding or institutional				
55	commitment of 50 percent, to match state grants of 50 percent;				
56	c. Program plans which include a description of the criteria for selection of clinical faculty				

ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	and mentor teachers, training, support, and compensation for clinical faculty and mentor				
2	teachers, collaboration between the school division and institutions of higher education, the				
3	clinical faculty and mentor teacher assignment process, and a process for evaluation of the				
4	programs;				
5	d. The Department of Education shall allow flexibility to local school divisions and higher				
6	education institutions regarding compensation for clinical faculty and mentor teachers				
7	consistent with these elements of the programs; and				
8	e. It is the intent of the General Assembly that no preference between pre-service or beginning				
9	teacher programs be construed by the language in this Item. School divisions operating				
10	beginning teacher mentor programs shall receive equal consideration for funding.				
11	32. Career Switcher/Alternative Licensure Payments				
12	Appropriations in this Item include \$279,983 the first year and \$279,983 the second year from				
13	the general fund to provide grants to school divisions that employ mentor teachers for new				
14	teachers entering the profession through the alternative route to licensure as prescribed by the				
15	Board of Education.				
16	33. Virginia Workplace Readiness Skills Assessment				
17	Appropriations in this Item include \$308,655 the first year and \$308,655 the second year from				
18	the general fund to provide support grants to school divisions for standard diploma graduates.				
19	To provide flexibility, school divisions may use the state grants for the actual assessment or				
20	for other industry certification preparation and testing.				
21	34. Reading Specialists Initiative				
22	a. An additional payment of \$1,237,723 the first year and \$1,476,790 the second year from				
23	the general fund shall be disbursed by the Department of Education to qualifying local school				
24	divisions for the purpose of providing a reading specialist for any school with a third grade				
25	that has a school-wide pass rate of less than 75 percent on the reading Standards of Learning				
26	(SOL) 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. School divisions with schools participating in this program in				
29	fiscal year 2014 shall be eligible to receive funding at 100 percent of the state share the first				
30	year and 50 percent of the state share the second year for the same schools and such schools				
31	are granted a one-year extension of the two-year waiver referenced in subsection c. for a third				
32	year in fiscal year 2016. The Department of Education is authorized to disburse additional				
33	payments to divisions from any remaining funds each year to support additional qualifying				
34	schools and shall give priority to such schools with the lowest SOL pass rates for reading or				
35	the greatest number of years accredited with warning in English. Payments to school divisions				
36	in support of such additional qualifying schools each year shall be based on 100 percent of the				
37	state share of cost.				
38	c. These payments are available to any school division with a qualifying school that (1)				
39	certifies to the Department of Education that the division has hired a reading specialist to				
40	provide direct services to children reading below grade level in the school to improve reading				
41	achievement and (2) applies and receives a waiver for up to two years from the Board of				
42	Education for the administration of third grade SOL assessments in science or history and				
43	social science or both for the purpose of creating additional instructional time for reading				
44	specialists to work with students reading below grade level to improve reading achievement.				
45	d. School divisions receiving these payments are required to match these funds based on the				
46	composite index of local ability-to-pay.				
47	35. Math/Reading Instructional Specialist Initiative				
48	a. Included in this appropriation is \$1,697,841 the first year and \$1,834,538 the second year				
49	from the general fund in additional payments for reading or math instructional specialists at				
50	underperforming schools. From this amount, the state share of one reading or math specialist				
51	shall be provided to local school divisions with schools which have been denied accreditation				
52	or were accredited with warning for the third consecutive year based on school accreditation				



ITEM 136.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	ratings for the 2013-2014 school year. Such schools shall be eligible to receive the state				
2	share of funding for both years of the biennium. In addition, following the academic				
3	review required by §22.1-253.13:3, Code of Virginia, the Department of Education shall				
4	identify up to 20 additional schools to also receive the state share of a reading or math				
5	instructional specialist. The schools eligible for such personnel are those which were				
6	accredited with warning for the second consecutive year based on school accreditation				
7	ratings for the 2012-2013 and 2013-2014 school years and that have shown no or limited				
8	improvement in student achievement in the past year. Such schools shall also be eligible to				
9	receive the state share of funding for both years of the biennium. If, following certification				
10	from a school division that it will not participate in the program, the Department is				
11	authorized to identify additional eligible schools.				
12	b. These payments are available to any school division with a qualifying school that				
13	certifies to the Department of Education that the division has hired a math or reading				
14	instructional specialist. Localities receiving these payments are required to match these				
15	funds based on the composite index of local ability-to-pay.				
16	c. The Department of Education is authorized to utilize available funding appropriated to				
17	the Early Reading Specialist Initiative contained in this Item to pay for instructional				
18	specialists at additional eligible schools.				
19	36. Compensation Supplements				
20	a.1) The appropriation in this Item includes <del>\$52,650,743</del> \$51,771,608 the second year				
21	from the general fund for the state share of a payment equivalent to a 1.5 percent salary				
22	incentive increase, effective August 16, 2015, for funded SOQ instructional and support				
23	positions. Funded SOQ instructional positions shall include the teacher, guidance				
24	counselor, librarian, instructional aide, principal, and assistant principal positions funded				
25	through the SOQ staffing standards for each school division in the biennium. The				
26	<del>\$52,650,743</del> \$51,771,608 includes <del>\$218,854</del> \$218,825 referenced in paragraph 28. i., for				
27	the Academic Year Governor's Schools for a 1.5 percent salary incentive increase,				
28	effective August 16, 2015, for instructional and support positions.				
29	2) It is the intent of the General Assembly that the instructional and support position				
30	salaries be improved in school divisions throughout the state by at least an average of 1.5				
31	percent in the second year. Sufficient funds are appropriated in this act to finance, on a				
32	statewide basis, the state share of a 1.5 percent salary increase for funded SOQ				
33	instructional and support positions, effective August 16, 2015, to school divisions which				
34	certify to the Department of Education, by June 15, 2015, that salary increases of a				
35	minimum average of 1.5 percent have been provided in the second year by January 1,				
36	2016, to instructional and support personnel. In certifying that the salary increases have				
37	been provided, school divisions may not include any salary increases that were provided				
38	in the second year solely to offset the cost of required member contributions to the				
39	Virginia Retirement System under § 51.1-144, Code of Virginia.				
40	b. The state funds for which the division is eligible to receive shall be matched by the				
41	local government, based on the composite index of local ability-to-pay, which shall be				
42	calculated using an effective date of January 1, 2016, as the basis for the local match				
43	requirement for both funded SOQ instructional and support positions.				
44	c. This funding is not intended as a mandate to increase salaries.				
45	137. Not set out.				
46	Total for Direct Aid to Public Education.....			\$7,022,410,629	<del>\$7,339,205,436</del>
47					\$7,313,199,686
48	Fund Sources: General.....	\$5,405,446,474	<del>\$5,560,264,011</del>		
49			\$5,526,970,639		
50	Special.....	\$895,000	\$895,000		
51	Commonwealth Transportation.....	\$855,027	\$803,778		
52	Trust and Agency.....	\$743,809,128	<del>\$890,175,750</del>		
53			\$897,463,372		
54	Federal Trust.....	\$871,405,000	\$887,066,897		

ITEM 137.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1		Grand Total for Department of Education, Central				
2		Office Operations.....			\$7,116,151,268	<del>\$7,437,491,205</del>
3						\$7,411,485,455
4		General Fund Positions.....	136.00	141.00		
5		Nongeneral Fund Positions.....	178.50	178.50		
6		Position Level.....	314.50	319.50		
7		Fund Sources: General.....	\$5,456,536,245	<del>\$5,615,260,435</del>		
8				\$5,581,967,063		
9		Special.....	\$5,356,475	\$5,356,690		
10		Commonwealth Transportation.....	\$1,098,946	\$1,047,697		
11		Trust and Agency.....	\$744,088,791	<del>\$890,455,413</del>		
12				<del>\$897,743,035</del>		
13		Federal Trust.....	\$909,070,811	\$925,370,970		
14	138.	Omitted.				
15	139.	Not set out.				
16	140.	Not set out.				
17	141.	Not set out.				
18	142.	Not set out.				
19	142.10	Not set out.				
20	143.	Not set out.				
21	144.	Not set out.				
22	145.	Not set out.				
23	146.	Not set out.				
24	147.	Not set out.				
25	148.	Not set out.				
26	149.	Not set out.				
27	150.	Not set out.				
28	151.	Not set out.				
29	152.	Not set out.				
30	153.	Not set out.				
31	154.	Not set out.				
32	155.	Not set out.				
33	156.	Not set out.				
34	157.	Not set out.				
35	158.	Not set out.				
36	159.	Not set out.				
37	160.	Not set out.				
38	161.	Not set out.				
39	162.	Not set out.				
40	163.	Not set out.				
41	164.	Not set out.				

ITEM 165.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	165.	Not set out.				
2	166.	Not set out.				
3	167.	Not set out.				
4	168.	Not set out.				
5	169.	Not set out.				
6	170.	Not set out.				
7	171.	Not set out.				
8	172.	Not set out.				
9	173.	Not set out.				
10	174.	Not set out.				
11	175.	Not set out.				
12	176.	Not set out.				
13	177.	Not set out.				
14	178.	Not set out.				
15	179.	Not set out.				
16	180.	Not set out.				
17	181.	Not set out.				
18	182.	Not set out.				
19	183.	Not set out.				
20	184.	Not set out.				
21	185.	Not set out.				
22	186.	Not set out.				
23	187.	Not set out.				
24	188.	Not set out.				
25	189.	Not set out.				
26	190.	Not set out.				
27	191.	Not set out.				
28	192.	Not set out.				
29	193.	Not set out.				
30	194.	Not set out.				
31	195.	Not set out.				
32	196.	Not set out.				
33	197.	Not set out.				
34	198.	Not set out.				
35	199.	Not set out.				
36	200.	Not set out.				
37	201.	Not set out.				

ITEM 202.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	202.	Not set out.				
2	203.	Not set out.				
3	204.	Not set out.				
4	205.	Not set out.				
5	206.	Not set out.				
6	207.	Not set out.				
7	208.	Not set out.				
8	209.	Not set out.				
9	210.	Not set out.				
10	211.	Not set out.				
11	212.	Not set out.				
12	213.	Not set out.				
13	214.	Not set out.				
14	215.	Not set out.				
15	216.	Not set out.				
16	217.	Not set out.				
17	218.	Not set out.				
18	219.	Not set out.				
19	220.	Not set out.				
20	<b>§ 1-9. VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY (208)</b>					
21	221.	Not set out.				
22	222.	Not set out.				
23	223.	Not set out.				
24	224.	Not set out.				
25	225.	Not set out.				
26	<b>Virginia Cooperative Extension and Agricultural Experiment Station (229)</b>					
27	226.	Educational and General Programs (10000).....			\$84,018,057	<del>\$84,492,025</del>
28						\$84,517,656
29		Higher Education Research (100102).....	\$37,215,773	\$37,688,522		
30		Higher Education Public Services (100103).....	\$45,064,595	<del>\$45,064,595</del>		
31				\$45,090,226		
32		Higher Education Academic (100104).....	\$714,821	\$714,821		
33		Operation and Maintenance Of Plant (100107).....	\$1,022,868	\$1,024,087		
34		Fund Sources: General.....	\$65,244,945	<del>\$65,717,694</del>		
35				\$65,743,325		
36		Higher Education Operating.....	\$18,773,136	\$18,774,355		
37		Federal Trust.....	(\$24)	(\$24)		
38	Authority: § 23-132.1 through § 23-132.11, Code of Virginia.					
39	A. Appropriations for this agency shall include operating expenses for research and					
40	investigations, and the several regional and county agricultural experiment stations under its					

ITEM 226.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	control, in accordance with law.				
2	B.1. It is the intent of the General Assembly that the Cooperative Extension Service gives				
3	highest priority to programs and services which comprised the original mission of the				
4	Extension Service, especially agricultural programs at the local level. The university shall				
5	ensure that the service utilizes information technology to the extent possible in the				
6	delivery of programs.				
7	2. The budget of this agency shall include and separately account for local payments.				
8	Virginia Polytechnic Institute and State University, in conjunction with Virginia State				
9	University, shall report, by fund source, actual expenditures for each program area and				
10	total actual expenditures for the agency, annually, by September 1, to the Department of				
11	Planning and Budget and the House Appropriations and Senate Finance Committees. The				
12	report shall include all expenditures from local support funds.				
13	C. The Virginia Cooperative Extension and Agricultural Experiment Station shall not				
14	charge a fee for testing the soil on property used for commercial farming.				
15	D. The appropriation for the fund source Higher Education Operating in this Item shall be				
16	considered a sum sufficient appropriation, which is an estimate of the amount of revenues				
17	to be collected for the educational and general program under the terms of the				
18	management agreement between Virginia Polytechnic Institute and State University and				
19	the Commonwealth, as set forth in Chapters 933 and 943, of the 2006 Acts of Assembly.				
20	E. Out of this appropriation, \$413,750 the first year from the general fund and \$47,001				
21	from nongeneral funds, and \$413,750 from the general fund and \$48,220 from nongeneral				
22	funds the second year is for the operation and maintenance of the new Human and				
23	Agricultural Biosciences building coming on line.				
24	F. In addition to the amounts provided in this item, and authorized pursuant to Item 467,				
25	P.7., the institution may reallocate from educational and general program funds in the				
26	second year to provide an additional 2.50 percent average faculty salary increase for				
27	teaching and research faculty. The institution may provide these increases consistent with				
28	its faculty pay plan.				
29	Total for Virginia Cooperative Extension and				
30	Agricultural Experiment Station.....			\$84,018,057	\$84,492,025
31					\$84,517,656
32	General Fund Positions.....	726.24	726.24		
33	Nongeneral Fund Positions.....	388.27	388.27		
34	Position Level.....	1,114.51	1,114.51		
35	Fund Sources: General.....	\$65,244,945	\$65,717,694		
36			\$65,743,325		
37	Higher Education Operating.....	\$18,773,136	\$18,774,355		
38	Federal Trust.....	(\$24)	(\$24)		
39	Grand Total for Virginia Polytechnic Institute and				
40	State University.....			\$1,323,918,888	\$1,329,374,229
41					\$1,329,399,860
42	General Fund Positions.....	2,637.77	2,616.77		
43	Nongeneral Fund Positions.....	5,321.72	5,321.72		
44	Position Level.....	7,959.49	7,938.49		
45	Fund Sources: General.....	\$234,807,411	\$240,261,525		
46			\$240,287,156		
47	Higher Education Operating.....	\$1,078,761,001	\$1,078,762,228		
48	Debt Service.....	\$10,350,500	\$10,350,500		
49	Federal Trust.....	(\$24)	(\$24)		
50	227. Not set out.				
51	228. Not set out.				
52	229. Not set out.				

ITEM 229.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	230.	Not set out.				
2	231.	Not set out.				
3	232.	Not set out.				
4	233.	Not set out.				
5	234.	Not set out.				
6	235.	Not set out.				
7	236.	Not set out.				
8	237.	Not set out.				
9	238.	Not set out.				
10	239.	Not set out.				
11	§ 1-10. VIRGINIA COMMISSION FOR THE ARTS (148)					
12	240.	Not set out.				
13	241.	Museum and Cultural Services (14500).....			\$408,115	<del>\$548,339</del>
14						\$601,166
15		Operational and Support Services (14507).....	\$408,115	<del>\$548,339</del>		
16				\$601,166		
17		Fund Sources: General.....	\$308,085	<del>\$448,213</del>		
18				\$501,040		
19		Special.....	\$15,001	\$15,001		
20		Federal Trust.....	\$85,029	\$85,125		
21		Authority: Title 2.2, Chapter 25, Article 4, Code of Virginia.				
22		Total for Virginia Commission for the Arts.....			\$4,771,164	<del>\$4,774,388</del>
23						\$4,827,215
24		General Fund Positions.....	5.00	5.00		
25		Position Level.....	5.00	5.00		
26		Fund Sources: General.....	\$3,907,459	<del>\$3,910,587</del>		
27				\$3,963,414		
28		Special.....	\$50,001	\$50,001		
29		Dedicated Special Revenue.....	\$8,000	\$8,000		
30		Federal Trust.....	\$805,704	\$805,800		
31	242.	Not set out.				
32	243.	Not set out.				
33	244.	Not set out.				
34	245.	Not set out.				
35	246.	Not set out.				
36	247.	Not set out.				
37	248.	Not set out.				
38	249.	Not set out.				
39	250.	Not set out.				
40	251.	Not set out.				

ITEM 251.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	TOTAL FOR OFFICE OF EDUCATION.....			\$17,215,668,176	\$17,697,583,674
2					\$17,671,656,382
3	General Fund Positions.....	18,426.24	18,419.14		
4	Nongeneral Fund Positions.....	38,931.79	39,072.19		
5	Position Level.....	57,358.03	57,491.33		
6	Fund Sources: General.....	\$7,270,128,231	<del>\$7,480,723,653</del>		
7			\$7,447,508,739		
8	Special.....	\$42,289,946	\$39,296,341		
9	Higher Education Operating.....	\$7,889,877,621	\$7,999,613,743		
10	Commonwealth Transportation.....	\$1,098,946	\$1,047,697		
11	Enterprise.....	\$5,328,468	\$5,328,468		
12	Internal Service.....	\$290,000	\$290,000		
13	Trust and Agency.....	\$744,088,791	<del>\$890,455,413</del>		
14			\$897,743,035		
15	Debt Service.....	\$325,963,669	\$327,925,405		
16	Dedicated Special Revenue.....	\$11,519,457	\$11,519,457		
17	Federal Trust.....	\$925,083,047	\$941,383,497		

ITEM 252.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>OFFICE OF FINANCE</b>			
<b>2</b>	252.	Not set out.		
<b>3</b>	<b>§ 1-11. DEPARTMENT OF ACCOUNTS (151)</b>			
<b>4</b>	253.	Not set out.		
<b>5</b>	254.	Not set out.		
<b>6</b>	255.	Not set out.		
<b>7</b>	256.	Not set out.		
<b>8</b>	257.	Not set out.		
<b>9</b>	258.	Not set out.		
<b>10</b>	259.	Not set out.		
<b>11</b>	260.	Not set out.		
<b>12</b>	<b>Department of Accounts Transfer Payments (162)</b>			
<b>13</b>	261.	Financial Assistance to Localities - General (72800)		
<b>14</b>		a sum sufficient, estimated at.....	\$558,465,000	<del>\$561,465,000</del>
<b>15</b>				\$561,565,000
<b>16</b>		Distribution of Rolling Stock Taxes (72806).....	\$6,900,000	<del>\$6,900,000</del>
<b>17</b>				\$7,100,000
<b>18</b>		Distribution of Recordation Taxes (72808).....	\$40,000,000	\$40,000,000
<b>19</b>		Financial Assistance to Localities - Rental Vehicle		
<b>20</b>		Tax (72810).....	\$36,000,000	\$36,000,000
<b>21</b>		Distribution of Sales Tax Revenues from Certain		
<b>22</b>		Public Facilities (72811).....	\$1,040,000	\$1,040,000
<b>23</b>		Distribution of Tennessee Valley Authority		
<b>24</b>		Payments in Lieu of Taxes (72812).....	\$1,400,000	<del>\$1,400,000</del>
<b>25</b>				\$1,300,000
<b>26</b>		Distribution of the Virginia Communications Sales		
<b>27</b>		and Use Tax (72816).....	\$440,000,000	\$440,000,000
<b>28</b>		Distribution of Payments to Localities for Enhanced		
<b>29</b>		Emergency Communications Services (72817).....	\$33,000,000	\$36,000,000
<b>30</b>		Distribution of Sales Tax Revenues from Certain		
<b>31</b>		Tourism Projects (72819).....	\$125,000	\$125,000
<b>32</b>		Fund Sources: General.....	\$49,465,000	<del>\$49,465,000</del>
<b>33</b>				\$49,565,000
<b>34</b>		Trust and Agency.....	\$36,000,000	\$36,000,000
<b>35</b>		Dedicated Special Revenue.....	\$473,000,000	\$476,000,000
<b>36</b>	Authority: §§ 4.1-116, 4.1-117, 4.1-235, 15.2-5814, 15.2-5914, 58.1-608.3, 58.1-662, 58.1-			
<b>37</b>	815.1, 58.1-816, 58.1-1736, 58.1-1741, 58.1-2658.1, and 58.1-3406, Code of Virginia.			
<b>38</b>	A. Out of this appropriation, amounts estimated at \$20,000,000 the first year and \$20,000,000			
<b>39</b>	the second year from the general fund shall be deposited into the Northern Virginia			
<b>40</b>	Transportation District Fund, as provided in § 33.2-2400, Code of Virginia. Said amount shall			
<b>41</b>	consist of recordation taxes attributable to and transferable to the cities of Alexandria, Fairfax,			
<b>42</b>	Falls Church, Manassas, and Manassas Park and the counties of Arlington, Fairfax, Loudoun,			
<b>43</b>	and Prince William, pursuant to § 58.1-816, Code of Virginia. This amount shall be			
<b>44</b>	transferred to Item 448 of this act and shall be used to support the Northern Virginia			
<b>45</b>	Transportation District Program as defined in § 33.2-2401, Code of Virginia. The			
<b>46</b>	Commonwealth Transportation Board shall make such allocations and expenditures from the			
<b>47</b>	fund as are provided in the Northern Virginia Transportation District, Commonwealth of			
<b>48</b>	Virginia Revenue Bond Act of 1993 (Chapter 391, 1993 Acts of Assembly). The			
<b>49</b>	Commonwealth Transportation Board also shall make such allocations and expenditures from			



ITEM 261.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	the fund as are provided in Chapters 470 and 597 of the 1994 Acts of Assembly				
2	(amendments to Chapter 391, 1993 Acts of Assembly).				
3	B. Pursuant to Chapters 233 and 662, 1994 Acts of Assembly, out of this appropriation, an				
4	amount estimated at \$1,000,000 the first year and \$1,000,000 the second year from the				
5	general fund shall be deposited into the set-aside fund as requested in an ordinance				
6	adopted March 28, 1995, and in compliance with the requirements provided for in § 58.1-				
7	816.1, Code of Virginia, for an account for the City of Chesapeake. These amounts shall				
8	be transferred to Item 448 of this act and shall be allocated by the Commonwealth				
9	Transportation Board to provide for the debt service pursuant to the Oak Grove				
10	Connector, City of Chesapeake, Commonwealth of Virginia Transportation Program				
11	Revenue Bond Act of 1994 (Chapters 233 and 662, 1994 Acts of Assembly).				
12	C. Out of this appropriation, the Virginia Baseball Stadium Authority shall be paid a sum				
13	sufficient equal to the state personal, corporate, and pass-through entity income and sales				
14	and use tax revenues to which the authority is entitled.				
15	D.1. In order to carry out the provisions of § 58.1-645 et seq., Code of Virginia, there is				
16	hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at				
17	\$440,000,000 in the first year and \$440,000,000 in the second year equal to the revenues				
18	collected pursuant to § 58.1-645 et seq., Code of Virginia, from the Virginia				
19	Communications Sales and Use Tax. All revenue received by the Commonwealth				
20	pursuant to the provisions of § 58.1-645 et seq., Code of Virginia, shall be paid into the				
21	state treasury and deposited to the Virginia Communications Sales and Use Tax Fund and				
22	shall be distributed pursuant to § 58.1-662, Code of Virginia and Item 282 of this act. For				
23	the purposes of the State Comptroller's preliminary and final annual reports required by §				
24	2.2-813, Code of Virginia, however, all deposits to and disbursements from the fund shall				
25	be accounted for as part of the general fund of the state treasury.				
26	2. It is the intent of the General Assembly that all such revenues be distributed to counties,				
27	cities, and towns, the Department for the Deaf and Hard-of-Hearing, and to the				
28	Department of Taxation for the costs of administering the Virginia Communications Sales				
29	and Use Tax Fund.				
30	E. In order to carry out the provisions of § 58.1-1734 et seq., Code of Virginia, there is				
31	hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at				
32	\$36,000,000 in the first year and \$36,000,000 in the second year equal to the revenues				
33	collected pursuant to A. 2 of § 58.1-1736 Code of Virginia, from the Virginia Motor				
34	Vehicle Rental Tax.				
35	F. In order to carry out the provisions of § 56-484.17 et seq., Code of Virginia, there is				
36	hereby appropriated a sum sufficient amount of nongeneral fund revenues estimated at				
37	\$33,000,000 in the first year and \$36,000,000 in the second year equal to the revenues				
38	collected pursuant to § 56-484.17.1 Code of Virginia, from the Virginia Wireless Tax.				
39	262. Not set out.				
40	263. Not set out.				
41	264. Not set out.				
42	265. Not set out.				
43	266. Not set out.				
44	267. Not set out.				
45	Total for Department of Accounts Transfer				
46	Payments.....			\$1,924,800,577	\$1,555,130,529
47					\$1,555,230,529
48	Nongeneral Fund Positions.....	1.00	1.00		
49	Position Level.....	1.00	1.00		
50	Fund Sources: General.....	\$1,372,135,048	\$999,465,000		
51			\$999,565,000		
52	Trust and Agency.....	\$78,339,185	\$78,339,185		

ITEM 267.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1		Dedicated Special Revenue.....	\$474,326,344	\$477,326,344		
2		Grand Total for Department of Accounts.....			<b>\$1,961,566,524</b>	<b>\$1,593,153,164</b>
3						<b>\$1,593,253,164</b>
4		General Fund Positions.....	109.00	115.00		
5		Nongeneral Fund Positions.....	60.00	54.00		
6		Position Level.....	169.00	169.00		
7		Fund Sources: General.....	\$1,384,001,633	<del>\$1,012,235,740</del>		
8				<del>\$1,012,335,740</del>		
9		Special.....	\$821,956	\$821,956		
10		Internal Service.....	\$24,077,406	\$24,429,939		
11		Trust and Agency.....	\$78,339,185	\$78,339,185		
12		Dedicated Special Revenue.....	\$474,326,344	\$477,326,344		
13	268.	Not set out.				
14	269.	Not set out.				
15	270.	Not set out.				
16	271.	Not set out.				
17	272.	Not set out.				
18	273.	Not set out.				
19	274.	Not set out.				
20	275.	Not set out.				
21		<b>§ 1-12. TREASURY BOARD (155)</b>				
22	276.	Bond and Loan Retirement and Redemption (74300).			\$722,161,855	<del>\$733,814,234</del>
23						<del>\$725,129,831</del>
24		Debt Service Payments on General Obligation Bonds				
25		(74301).....	\$96,778,700	<del>\$87,360,686</del>		
26				<del>\$87,296,343</del>		
27		Capital Lease Payments (74302).....	\$12,773,700	\$12,767,359		
28		Debt Service Payments on Public Building Authority				
29		Bonds (74303).....	\$284,550,929	<del>\$271,050,162</del>		
30				<del>\$263,880,953</del>		
31		Debt Service Payments on College Building				
32		Authority Bonds (74304).....	\$328,058,526	<del>\$362,636,027</del>		
33				<del>\$361,185,176</del>		
34		Fund Sources: General.....	\$672,084,088	<del>\$683,730,096</del>		
35				<del>\$675,045,693</del>		
36		Special.....	\$349,214	\$349,363		
37		Higher Education Operating.....	\$29,774,267	\$30,011,174		
38		Dedicated Special Revenue.....	\$645,000	\$645,000		
39		Federal Trust.....	\$19,309,286	\$19,078,601		
40		Authority: Title 2.2, Chapter 18; Title 33.1, Chapter 3, Article 5, Code of Virginia; Article X,				
41		Section 9, Constitution of Virginia.				
42		A. The Director, Department of Planning and Budget is authorized to transfer appropriations				
43		between Items in the Treasury Board to address legislation affecting the Treasury Board				
44		passed by the General Assembly.				
45		B.1. Out of the amounts for Debt Service Payments on General Obligation Bonds, the				
46		following amounts are hereby appropriated from the general fund for debt service on general				
47		obligation bonds issued pursuant to Article X, Section 9 (b), of the Constitution of Virginia:				
48		<b>Series</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2015</b>	<b>FY 2016</b>

ITEM 276.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1		General Fund	Federal Funds	General Fund	Federal Funds
2	2004B Refunding	\$0	\$0	\$0	\$0
3	2005	\$6,247,500	\$0	\$0	\$0
4	2006A Refunding	\$7,932,750	\$0	\$0	\$0
5	2006	\$6,512,000	\$0	\$6,216,000	\$0
6	2007A	\$7,437,501	\$0	\$7,125,001	\$0
7	2007B	\$5,119,550	\$0	<del>\$4,919,550</del>	\$0
8				<del>\$4,400,000</del>	
9	2008A	\$7,863,563	\$0	<del>\$7,617,313</del>	\$0
10				<del>\$5,614,050</del>	
11	2008B	\$8,301,438	\$0	<del>\$8,101,438</del>	\$0
12				<del>\$5,647,850</del>	
13	2009A	\$6,685,000	\$0	\$6,485,000	\$0
14	2009B	\$3,374,355	\$522,943	<del>\$3,326,424</del>	\$498,110
15				<del>\$3,323,933</del>	
16	2009 Refunding	\$6,064,750	\$0	\$14,174,750	\$0
17	2012 Refunding	\$15,943,250	\$0	\$7,203,450	\$0
18	2013 Refunding	\$5,567,750	\$0	\$11,657,750	\$0
19	2014 Refunding	\$9,166,350	\$0	\$9,995,900	\$0
20	2015B Refunding			<del>\$4,909,550</del>	<del>\$0</del>
21	Projected debt service	\$40,000	\$0	<del>\$40,000</del>	\$0
22	& expenses			<del>\$45,000</del>	
23	Total Service Area	\$96,255,757	\$522,943	<del>\$86,862,576</del>	\$498,110
24				<del>\$86,798,233</del>	
25	2. Out of the amounts for Debt Service Payments on General Obligation Bonds, sums				
26	needed to fund issuance costs and other expenses are hereby appropriated.				
27	C. Out of the amounts for Capital Lease Payments, the following amounts are hereby				
28	appropriated for capital lease payments:				
29			FY 2015		FY 2016
30	Big Stone Gap RHA (DOC) (Wallens		\$6,001,750		\$5,996,250
31	Ridge, 1995)				
32	Norfolk RHA (VCCS-TCC), Series		\$2,016,800		\$2,014,159
33	1995				
34	Virginia Biotech Research Park, 2009		\$4,755,150		\$4,756,950
35	Total Capital Lease Payments		\$12,773,700		\$12,767,359
36	D.1. Out of the amounts for Debt Service Payments on Virginia Public Building Authority				
37	Bonds shall be paid to the Virginia Public Building Authority the following amounts for				
38	use by the authority for its various bond issues:				
39			FY 2015		FY 2016
40	Series	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
41	2003 Refunding	\$998,375	\$0	\$0	\$0
42	2004A Refunding	\$22,691,503	\$0	\$0	\$0
43	2004B	\$14,810,281	\$0	\$0	\$0
44	2004C	\$4,457,500	\$0	\$0	\$0
45	2004D Refunding	\$10,888,607	\$0	\$0	\$0
46	2005A Refunding	\$4,892,375	\$0	<del>\$4,695,000</del>	\$0
47				<del>\$4,151,250</del>	
48	2005B Refunding	\$14,950,186	\$349,214	<del>\$14,942,162</del>	\$349,363
49				<del>\$13,575,262</del>	
50	2005C	\$4,376,750	\$0	\$4,269,125	\$0

ITEM 276.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	STARS 2005C	\$12,251,750	\$0	\$12,248,750		\$0
2	2005D	\$750,000	\$0	\$1,250,000		\$0
3	2006A	\$4,558,867	\$0	<del>\$4,009,575</del>		\$0
4				\$3,852,375		
5	STARS 2006A	\$7,147,750	\$0	\$7,144,250		\$0
6	2006B	\$9,952,900	\$0	\$8,620,500		\$0
7	STARS 2006B	\$4,468,875	\$0	\$4,466,625		\$0
8	2007A	\$11,853,925	\$0	\$8,994,500		\$0
9	STARS 2007A	\$7,514,750	\$0	\$7,516,125		\$0
10	2008B	\$11,995,600	\$0	<del>\$11,995,406</del>		\$0
11				\$7,121,394		
12	2009A	\$4,678,775	\$0	\$4,678,871		\$0
13	2009B	\$16,676,805	\$0	\$16,677,405		\$0
14	2009B STARS	\$6,584,850	\$0	\$6,584,050		\$0
15	2009C	\$1,086,770	\$0	\$1,091,015		\$0
16	2009D	\$6,277,100	\$0	\$6,266,525		\$0
17	2010A	\$21,759,082	\$4,511,477	\$21,689,457		\$4,511,477
18	2010B	\$22,230,957	\$3,483,595	\$22,224,907		\$3,483,595
19	2011A STARS	\$626,750	\$0	\$629,625		\$0
20	2011A	\$20,811,675	\$0	\$20,811,550		\$0
21	2011B	\$1,300,324	\$0	\$1,295,624		\$0
22	2012A Refunding	\$3,474,600	\$0	\$3,474,600		\$0
23	2013A	\$10,282,850	\$0	\$10,282,925		\$0
24	2013B	\$3,478,000	\$0	\$3,478,000		\$0
25	2014A	\$1,545,304	\$645,000	\$9,202,775		\$645,000
26	2014B	\$303,683	\$0	\$2,014,665		\$0
27	2014C Refunding	\$5,200,484	\$0	\$29,820,075		\$0
28	2015A			\$6,691,747		\$0
29	2015B Refunding			\$4,087,602		\$0
30	Projected debt service	\$683,640	\$0	<del>\$11,686,640</del>		\$0
31	and expenses			\$679,944		
32	<b>Total Service Area</b>	<b>\$275,561,643</b>	<b>\$8,989,286</b>	<b>\$262,060,727</b>		<b>\$8,989,435</b>
33				<b>\$254,891,518</b>		

2.a. Funding is included in this Item for the Commonwealth's reimbursement of a portion of the approved capital costs as determined by the Board of Corrections and other interest costs as provided in §§ 53.1-80 through 53.1-82.2 of the Code of Virginia, for the following:

Project	Commonwealth Share of Approved Capital Costs
Richmond City Jail Replacement	\$31,238,755
RSW Regional Jail	\$32,840,850
Prince William – Manassas Regional Jail	\$21,032,421
Southwest Virginia Regional Jail	\$18,143,780
Central Virginia Regional Jail	\$8,464,891
Chesapeake City Jail	\$5,130,673
Pamunkey Regional Jail Authority	\$288,575
<b>Total Approved Capital Costs</b>	<b>\$117,139,945</b>

b. The Commonwealth's share of the total construction cost of the projects listed in the table in paragraph D.2.a. shall not exceed the amount listed for each project. Reimbursement of the Commonwealth's portion of the construction costs of these projects shall be subject to the approval of the Department of Corrections of the final expenditures.

c. This paragraph shall constitute the authority for the Virginia Public Building Authority to

ITEM 276.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	issue bonds for the foregoing projects pursuant to § 2.2-2261 of the Code of Virginia.			
2	E.1. Out of the amounts for Debt Service Payments on Virginia College Building			
3	Authority Bonds shall be paid to the Virginia College Building Authority the following			
4	amounts for use by the Authority for payments on obligations issued for financing			
5	authorized projects under the 21 <sup>st</sup> Century College Program:			
6	Series	FY 2015	FY2016	
7	2004B Refunding	\$0	\$0	
8	2005A	\$3,239,250	\$0	
9	2006	\$7,449,000	\$8,284,500	
10	2007A Refunding	\$3,865,100	\$9,626,500	
11	2007B	\$2,852,125	<del>\$2,851,925</del>	
12			\$2,418,850	
13	2008A	\$7,444,731	<del>\$7,443,231</del>	
14			\$5,278,656	
15	2009A&B	\$33,310,221	<del>\$33,299,703</del>	
16			\$27,178,965	
17	2009C Refunding	\$5,781,200	\$0	
18	2009E Refunding	\$21,309,750	\$24,546,800	
19	2009F	\$38,751,636	\$38,543,486	
20	2010B	\$28,160,064	\$28,160,564	
21	2011 A	\$17,779,300	\$17,777,300	
22	2012A	\$21,494,900	\$21,497,400	
23	2012B	\$23,775,450	\$23,797,950	
24	2012 C	\$1,748,824	\$1,729,118	
25	2013 A	\$21,956,592	\$21,960,013	
26	2014A	\$19,548,396	\$19,544,400	
27	2014B	\$7,080,285	\$9,704,400	
28	2015A		\$24,506,222	
29	2015B Refunding		\$7,283,400	
30	2015C		\$1,176,359	
31	2015D		\$9,126,970	
32	Projected 21 <sup>st</sup> Century debt service &	\$887,764	<del>\$40,575,987</del>	
33	expenses		\$861,047	
34	Subtotal 21st Century	\$266,434,588	<del>\$309,343,277</del>	
35			\$303,002,900	
36	2. Out of the amounts for Debt Service Payments on Virginia College Building Authority			
37	Bonds shall be paid to the Virginia College Building Authority the following amounts for			
38	the payment of debt service on authorized bond issues to finance equipment:			
39	Series	FY 2015	FY 2016	
40	2008A	\$8,232,000	\$0	
41	2009D	\$9,048,425	\$9,046,250	
42	2010A	\$8,336,500	\$8,236,000	
43	2011A	\$8,538,000	\$8,538,500	
44	2012A	\$8,360,000	\$8,362,500	
45	2013A	\$9,449,257	\$9,453,500	
46	2014A	\$9,659,756	\$9,656,000	
47	2015		\$4,889,525	
48	Projected debt service & expenses	\$0	\$0	
49	Subtotal Equipment	\$61,623,938	<del>\$53,292,750</del>	
50			\$58,182,275	
51	Total Service Area	\$328,058,526	<del>\$362,636,027</del>	

ITEM 276.

	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
				\$361,185,175
3. Beginning with the FY 2008 allocation of the higher education equipment trust fund, the Treasury Board shall amortize equipment purchases at seven years, which is consistent with the useful life of the equipment.				
4. Out of the amounts for Debt Service Payments on Virginia College Building Authority Bonds, the following nongeneral fund amounts from a capital fee charged to out-of-state students at institutions of higher education shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the 21st Century Program:				
Institution	FY 2015			FY 2016
George Mason University	\$2,535,489			\$2,644,092
Old Dominion University	\$1,059,300			\$1,047,123
University of Virginia	\$4,670,622			\$4,721,706
Virginia Polytechnic Institute and State University	\$4,656,663			\$4,867,731
Virginia Commonwealth University	\$2,132,460			\$2,224,530
College of William and Mary	\$1,493,811			\$1,549,053
Christopher Newport University	\$112,167			\$122,562
University of Virginia's College at Wise	\$48,510			\$45,540
James Madison University	\$2,635,578			\$2,675,079
Norfolk State University	\$458,766			\$402,831
Longwood University	\$111,276			\$97,911
University of Mary Washington	\$293,535			\$222,750
Radford University	\$275,022			\$281,556
Virginia Military Institute	\$370,260			\$377,190
Virginia State University	\$845,856			\$739,233
Richard Bland College	\$9,900			\$9,900
Virginia Community College System	\$3,222,450			\$3,139,785
TOTAL	\$24,931,665			\$25,168,572
5. Out of the amounts for Debt Service Payments of College Building Authority Bonds, the following is the estimated general and nongeneral fund breakdown of each institution's share of the debt service on the Virginia College Building Authority bond issues to finance equipment. The nongeneral fund amounts shall be paid to the Virginia College Building Authority in each year for debt service on bonds issued under the equipment program:				
	FY 2015			FY 2016
Institution	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
College of William & Mary	\$1,971,989	\$259,307	\$2,055,788	\$259,307
University of Virginia	\$10,279,755	\$1,088,024	\$10,864,008	\$1,088,024
Virginia Polytechnic Institute and State University	\$10,028,546	\$992,321	\$10,681,639	\$992,321
Virginia Military Institute	\$669,067	\$88,844	\$668,917	\$88,844
Virginia State University	\$1,087,459	\$108,886	\$1,079,829	\$108,886
Norfolk State University	\$986,193	\$108,554	\$980,968	\$108,554
Longwood University	\$606,167	\$54,746	\$600,196	\$54,746
University of Mary Washington	\$514,380	\$97,063	\$494,933	\$97,063
James Madison University	\$1,842,565	\$254,504	\$1,808,591	\$254,504
Radford University	\$1,380,677	\$135,235	\$1,386,733	\$135,235

ITEM 276.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Old Dominion	\$3,987,893	\$374,473	\$4,079,283	\$374,473	
2	University					
3	Virginia	\$7,694,791	\$401,647	\$7,811,983	\$401,647	
4	Commonwealth					
5	University					
6	Richard Bland College	\$138,250	\$2,027	\$136,610	\$2,027	
7	Christopher Newport	\$640,698	\$17,899	\$635,957	\$17,899	
8	University					
9	University of Virginia's	\$214,116	\$19,750	\$207,311	\$19,750	
10	College at Wise					
11	George Mason	\$3,442,578	\$205,665	\$3,507,381	\$205,665	
12	University					
13	Virginia Community	\$10,729,855	\$633,657	\$10,906,346	\$633,657	
14	College System					
15	Virginia Institute of	\$517,521	\$0	\$507,607	\$0	
16	Marine Science					
17	Roanoke Higher	\$66,522	\$0	\$66,465	\$0	
18	Education Authority					
19	Southwest Virginia	\$66,899	\$0	\$68,594	\$0	
20	Higher Education					
21	Center					
22	Institute for Advanced	\$206,894	\$0	\$234,759	\$0	
23	Learning and Research					
24	Southern Virginia	\$45,769	\$0	\$53,828	\$0	
25	Higher Education					
26	Center					
27	New College Institute	\$53,496	\$0	\$57,722	\$0	
28	<b>TOTAL</b>	<b>\$57,172,080</b>	<b>\$4,842,602</b>	<b>\$58,895,448</b>	<b>\$4,842,602</b>	
29	F. Pursuant to various Payment Agreements between the Treasury Board and the					
30	Commonwealth Transportation Board, funds required to pay the debt service due on					
31	Commonwealth Transportation Board bonds shall be paid to the Trustee for the					
32	bondholders by the Treasury Board after transfer of these funds to the Treasury Board					
33	from the Commonwealth Transportation Board pursuant to Item 448, paragraph E of this					
34	act and §§ 33.2-2300, 33.2-2400, and 58.1-816.1, Code of Virginia.					
35	G. Under the authority of this act, an agency may transfer funds to the Treasury Board for					
36	use as lease, rental, or debt service payments to be used for any type of financing where					
37	the proceeds are used to acquire equipment and to finance associated costs, including but					
38	not limited to issuance and other financing costs. In the event such transfers occur, the					
39	transfers shall be deemed an appropriation to the Treasury Board for the purpose of					
40	making the lease, rental, or debt service payments described herein.					
41	277.	Not set out.				
42	Total for Treasury Board.....				<b>\$722,161,855</b>	<b>\$733,814,234</b>
43						<b>\$725,129,831</b>
44	Fund Sources: General.....	\$672,084,088	\$683,730,096			
45			\$675,045,693			
46	Special.....	\$349,214	\$349,363			
47	Higher Education Operating.....	\$29,774,267	\$30,011,174			
48	Dedicated Special Revenue.....	\$645,000	\$645,000			
49	Federal Trust.....	\$19,309,286	\$19,078,601			
50	TOTAL FOR OFFICE OF FINANCE.....				<b>\$2,815,921,505</b>	<b>\$2,461,377,426</b>
51						<b>\$2,452,793,023</b>
52	General Fund Positions.....	1,104.50	1,098.50			
53	Nongeneral Fund Positions.....	194.50	200.50			
54	Position Level.....	1,299.00	1,299.00			

ITEM 277.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Fund Sources: General.....	\$2,163,300,716	\$1,804,251,699		
2			\$1,795,667,296		
3	Special.....	\$14,662,585	\$15,067,734		
4	Higher Education Operating.....	\$29,774,267	\$30,011,174		
5	Commonwealth Transportation.....	\$435,187	\$435,187		
6	Internal Service.....	\$24,077,406	\$24,429,939		
7	Trust and Agency.....	\$88,214,201	\$88,955,235		
8	Dedicated Special Revenue.....	\$476,147,857	\$479,147,857		
9	Federal Trust.....	\$19,309,286	\$19,078,601		



ITEM 278.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
OFFICE OF HEALTH AND HUMAN RESOURCES				
§ 1-13. SECRETARY OF HEALTH AND HUMAN RESOURCES (188)				
278.	Not set out.			
Children's Services Act (200)				
279.	Protective Services (45300).....		\$270,024,810	<del>\$270,024,810</del> \$288,106,861
	Financial Assistance for Child and Youth Services (45303).....	\$270,024,810	<del>\$270,024,810</del> \$288,106,861	
	Fund Sources: General.....	\$217,417,064	<del>\$217,417,064</del> \$235,499,115	
	Federal Trust.....	\$52,607,746	\$52,607,746	
Authority: Title 2.2, Chapter 52, Code of Virginia.				
A. The Department of Education shall serve as fiscal agent to administer funds cited in paragraphs B and C.				
B.1.a. Out of this appropriation, \$159,855,199 the first year and \$161,237,160 the second year from the general fund and \$51,609,746 the first year and \$51,607,746 the second year from nongeneral funds shall be used for the state pool of funds pursuant to § 2.2-5211, Code of Virginia. This appropriation shall consist of a Medicaid pool allocation, and a non-Medicaid pool allocation.				
b. The Medicaid state pool allocation shall consist of \$28,526,197 the first year and \$28,526,197 the second year from the general fund and \$43,187,748 the first year and \$43,187,748 the second year from nongeneral funds. The Office of Comprehensive Services will transfer these funds to the Department of Medical Assistance Services as they are needed to pay Medicaid provider claims.				
c. The non-Medicaid state pool allocation shall consist of \$131,329,002 the first year and \$132,710,963 the second year from the general fund and \$8,419,998 the first year and \$8,419,998 the second year from nongeneral funds. The nongeneral funds shall be transferred from the Department of Social Services.				
d. The Office of Comprehensive Services, with the concurrence of the Department of Planning and Budget, shall have the authority to transfer the general fund allocation between the Medicaid and non-Medicaid state pools in the event that a shortage should exist in either of the funding pools.				
e. The Office of Comprehensive Services, per the policy of the State Executive Council, shall deny state pool funding to any locality not in compliance with federal and state requirements pertaining to the provision of special education and foster care services funded in accordance with § 2.2-5211, Code of Virginia.				
2.a. Out of this appropriation, \$55,666,865 the first year and <del>\$55,666,865</del> \$73,748,916 the second year from the general fund and \$1,000,000 the first year and \$1,000,000 the second year from nongeneral funds shall be set aside to pay for the state share of supplemental requests from localities that have exceeded their state allocation for mandated services. The nongeneral funds shall be transferred from the Department of Social Services.				
b. In each year, the director of the Office of Comprehensive Services for At-Risk Youth and Families may approve and obligate supplemental funding requests in excess of the amount in 2a above, for mandated pool fund expenditures up to 10 percent of the total general fund appropriation authority in B1a in this Item.				
c. The State Executive Council shall maintain local government performance measures to				

ITEM 279.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	include, but not be limited to, use of federal funds for state and local support of the				
2	Comprehensive Services Act.				
3	d. Pursuant to § 2.2-5200, Code of Virginia, Community Policy and Management Teams shall				
4	seek to ensure that services and funding are consistent with the Commonwealth's policies of				
5	preserving families and providing appropriate services in the least restrictive environment,				
6	while protecting the welfare of children and maintaining the safety of the public. Each locality				
7	shall submit to the Office of Comprehensive Services information on utilization of residential				
8	facilities for treatment of children and length of stay in such facilities. By December 15 of				
9	each year, the Office of Comprehensive Services shall report to the Governor and Chairmen				
10	of the House Appropriations and Senate Finance Committees on utilization rates and average				
11	lengths of stays statewide and for each locality.				
12	3. Each locality receiving funds for activities under the Comprehensive Services Act (CSA)				
13	shall have a utilization management process, including a uniform assessment, approved by the				
14	State Executive Council, covering all CSA services. Utilizing a secure electronic site, each				
15	locality shall also provide information as required by the Office of Comprehensive Services to				
16	include, but not be limited to case specific information, expenditures, number of youth served				
17	in specific CSA activities, length of stay for residents in core licensed residential facilities,				
18	and proportion of youth placed in treatment settings suggested by the uniform assessment				
19	instrument. The State Executive Council, utilizing this information, shall track and report on				
20	child specific outcomes for youth whose services are funded under the Comprehensive				
21	Services Act. Only non-identifying demographic, service, cost and outcome information shall				
22	be released publicly. Localities requesting funding from the set aside in paragraph 2.a. and				
23	2.b. must demonstrate compliance with all CSA provisions to receive pool funding.				
24	4. The Secretary of Health and Human Resources, in consultation with the Secretary of				
25	Education and the Secretary of Public Safety and Homeland Security, shall direct the actions				
26	for the Departments of Social Services, Education, and Juvenile Justice, Medical Assistance				
27	Services, Health, and Behavioral Health and Developmental Services, to implement, as part of				
28	ongoing information systems development and refinement, changes necessary for state and				
29	local agencies to fulfill CSA reporting needs.				
30	5. The State Executive Council shall provide localities with technical assistance on ways to				
31	control costs and on opportunities for alternative funding sources beyond funds available				
32	through the state pool.				
33	6. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the				
34	general fund is provided for a combination of regional and statewide meetings for technical				
35	assistance to local community policy and management teams, family assessment and planning				
36	teams, and local fiscal agents. Training shall include, but not be limited to, cost containment				
37	measures, building community-based services, including creation of partnerships with private				
38	providers and non-profit groups, utilization management, use of alternate revenue sources,				
39	and administrative and fiscal issues. A state-supported institution of higher education, in				
40	cooperation with the Virginia Association of Counties, the Virginia Municipal League, and				
41	the State Executive Council, may assist in the provisions of this paragraph. A training plan				
42	shall be presented to and approved by the State Executive Council before the beginning of				
43	each fiscal year. A training calendar and timely notice of programs shall be provided to				
44	Community Policy and Management Teams and family assessment and planning team				
45	members statewide as well as to local fiscal agents and chief administrative officers of cities				
46	and counties. A report on all regional and statewide training sessions conducted during the				
47	fiscal year, including (i) a description of each program and trainers, (ii) the dates of the				
48	training and the number of attendees for each program, (iii) a summary of evaluations of these				
49	programs by attendees, and (iv) the funds expended, shall be made to the Chairmen of the				
50	House Appropriations and Senate Finance Committees and to the members of the State				
51	Executive Council by December 1 of each year. Any funds unexpended for this purpose in the				
52	first year shall be reappropriated for the same use in the second year..				
53	7. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the				
54	general fund is provided for the Office of Comprehensive Services to contract for the support				
55	of uniform CSA reporting requirements.				
56	8. The State Executive Council shall require a uniform assessment instrument.				

ITEM 279.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	9. The Office of Comprehensive Services, in conjunction with the Department of Social				
2	Services, shall determine a mechanism for reporting Temporary Assistance for Needy				
3	Families Maintenance of Effort eligible costs incurred by the Commonwealth and local				
4	governments for the Comprehensive Services Act for At-Risk Youth and Families.				
5	10. For purposes of defining cases involving only the payment of foster care maintenance,				
6	pursuant to § 2.2-5209, Code of Virginia, the definition of foster care maintenance used by				
7	the Virginia Department of Social Services for federal Title IV-E shall be used.				
8	C. The funding formula to carry out the provisions of the Comprehensive Services Act for				
9	At-Risk Youth and Families is as follows:				
10	1. Allocations. The allocations for the Medicaid and non-Medicaid pools shall be the				
11	amounts specified in paragraphs B.1.b. and B.1.c. in this Item. These funds shall be				
12	distributed to each locality in each year of the biennium based on the greater of that				
13	locality's percentage of actual 1997 Comprehensive Services Act pool fund program				
14	expenditures to total 1997 pool fund program expenditures or the latest available three-				
15	year average of actual pool fund program expenditures as reported to the state fiscal agent.				
16	2. Local Match. All localities are required to appropriate a local match for the base year				
17	funding consisting of the actual aggregate local match rate based on actual total 1997				
18	program expenditures for the Comprehensive Services Act for At-Risk Youth and				
19	Families. This local match rate shall also apply to all reimbursements from the state pool				
20	of funds in this Item and carryforward expenditures submitted prior to September 30 each				
21	year for the preceding fiscal year, including administrative reimbursements under				
22	paragraph C.4. in this Item.				
23	3.a. Notwithstanding the provisions of C.2. of this Item, beginning July 1, 2008, the local				
24	match rate for community based services for each locality shall be reduced by 50 percent.				
25	b. Localities shall review their caseloads for those individuals who can be served				
26	appropriately by community-based services and transition those cases to the community				
27	for services. Beginning July 1, 2009, the local match rate for non-Medicaid residential				
28	services for each locality shall be 25 percent above the fiscal year 2007 base. Beginning				
29	July 1, 2011, the local match rate for Medicaid residential services for each locality shall				
30	be 25 percent above the fiscal year 2007 base.				
31	c. By October 1 of each year, The State Executive Council (SEC) shall provide an update				
32	to the Governor and the Chairmen of the House Appropriations and Senate Finance				
33	Committees on the outcomes of this initiative.				
34	d. At the direction of the State Executive Council, local Community Policy and				
35	Management Teams (CPMTs) and Community Services Boards (CSBs) shall work				
36	collaboratively in their service areas to develop a local plan for intensive care coordination				
37	(ICC) services that best meets the needs of the children and families. If there is more than				
38	one CPMT in the CSB's service area, the CPMTs and the CSB may work together as a				
39	region to develop a plan for ICC services. Local CPMTs and CSBs shall also work				
40	together to determine the most appropriate and cost-effective provider of ICC services for				
41	children in their community who are placed in, or at-risk of being placed in, residential				
42	care through the Comprehensive Services Act for At-Risk Youth and Families program, in				
43	accordance with guidelines developed by the State Executive Council. The State				
44	Executive Council and Office of Comprehensive Services shall establish guidelines for				
45	reasonable rates for ICC services and provide training and technical assistance to CPMTs				
46	and fiscal agents regarding these services.				
47	e. The local match rate for all non-Medicaid services provided in the public schools after				
48	June 30, 2011 shall equal the fiscal year 2007 base.				
49	4. Local Administrative Costs. Out of this appropriation, an amount equal to two percent				
50	of the fiscal year 1997 pool fund allocations, not to exceed \$1,560,000 the first year and				
51	\$1,560,000 the second year from the general fund, shall be allocated among all localities				
52	for administrative costs. Every locality shall be required to appropriate a local match				
53	based on the local match contribution in paragraph C.2. of this Item. Inclusive of the state				
54	allocation and local matching funds, every locality shall receive the larger of \$12,500 or				

ITEM 279.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	an amount equal to two percent of the total pool allocation. No locality shall receive more				
2	than \$50,000, inclusive of the state allocation and local matching funds. Localities are				
3	encouraged to use administrative funding to hire a full-time or part-time local coordinator for				
4	the Comprehensive Services Act program. Localities may pool this administrative funding to				
5	hire regional coordinators.				
6	5. Definition. For purposes of the funding formula in the Comprehensive Services Act for At-				
7	Risk Youth and Families, "locality" means city or county.				
8	D. Community Policy and Management Teams shall use Medicaid-funded services whenever				
9	they are available for the appropriate treatment of children and youth receiving services under				
10	the Comprehensive Services Act for At-Risk Children and Youth. Effective July 1, 2009, pool				
11	funds shall not be spent for any service that can be funded through Medicaid for Medicaid-				
12	eligible children and youth except when Medicaid-funded services are unavailable or				
13	inappropriate for meeting the needs of a child.				
14	E. Pursuant to subdivision 3 of §2.2-5206, Code of Virginia, Community Policy and				
15	Management Teams shall enter into agreements with the parents or legal guardians of children				
16	receiving services under the Comprehensive Services Act for At-Risk Children and Youth.				
17	The Office of Comprehensive Services shall be a party to any such agreement. If the parent or				
18	legal guardian fails or refuses to pay the agreed upon sum on a timely basis and a collection				
19	action cannot be referred to the Division of Child Support Enforcement of the Department of				
20	Social Services, upon the request of the community policy management team, the Office of				
21	Comprehensive Services shall make a claim against the parent or legal guardian for such				
22	payment through the Department of Law's Division of Debt Collection in the Office of the				
23	Attorney General.				
24	F. The Office of Comprehensive Services, in cooperation with the Department of Medical				
25	Assistance Services, shall provide technical assistance and training to assist residential and				
26	treatment foster care providers who provide Medicaid-reimbursable services through the				
27	Comprehensive Services Act for At-Risk Children and Youth (CSA) to become Medicaid-				
28	certified providers.				
29	G. The Office of Comprehensive Services shall work with the State Executive Council and				
30	the Department of Medical Assistance Services to assist Community Policy and Management				
31	Teams in appropriately accessing a full array of Medicaid-funded services for Medicaid-				
32	eligible children and youth through the Comprehensive Services Act for At-Risk Children and				
33	Youth, thereby increasing Medicaid reimbursement for treatment services and decreasing the				
34	number of denials for Medicaid services related to medical necessity and utilization review				
35	activities.				
36	H. Pursuant to subdivision 19 of §2.2-2648, Code of Virginia, no later than December 20 in				
37	the odd-numbered years, the State Executive Council shall biennially publish and disseminate				
38	to members of the General Assembly and Community Policy and Management Teams a				
39	progress report on comprehensive services for children, youth, and families and a plan for				
40	such services for the succeeding biennium.				
41	I. Out of this appropriation, \$275,000 the first year and \$275,000 the second year from the				
42	general fund shall be used to purchase and maintain an information system to provide quality				
43	and timely child demographic, service, expenditure, and outcome data.				
44	J. The State Executive Council shall work with the Department of Education to ensure that				
45	funding in this Item is sufficient to pay for the educational services of students that have been				
46	placed in or admitted to state or privately operated psychiatric or residential treatment				
47	facilities to meet the educational needs of the students as prescribed in the student's Individual				
48	Educational Plan (IEP).				
49	K. The State Executive Council (SEC) shall authorize guidelines for therapeutic foster care				
50	(TFC) services, including a standardized definition of therapeutic foster care services, uniform				
51	service needs criteria required for the utilization of therapeutic foster care services, uniform				
52	placement outcome goals to include length of stay targets when the service is indicated and				
53	uniform contracting requirements when purchasing therapeutic foster care services. The SEC				
54	shall authorize the use of regional contracts for the provision of TFC services. The SEC shall				
55	direct the Office of Comprehensive Services to (i) work with stakeholders to develop these				

ITEM 279.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	guidelines for the provision of TFC and (ii) develop regional contracts for the provision of				
2	TFC, with the goal of decreasing the unit cost of social services and maintaining or				
3	increasing the quality and effectiveness of the services. The SEC shall focus its attention				
4	on rural areas and areas with few service providers. Training will be provided for all local				
5	departments of social services, family assessment and planning teams, community policy				
6	and management teams and therapeutic foster care services providers on these guidelines.				
7	The Director of the Office of Comprehensive Services shall report the progress of these				
8	efforts to the SEC at its regularly scheduled meetings.				
9	L.1. The Office of Comprehensive Services (OCS) shall report on funding for therapeutic				
10	foster care services including but not limited to the number of children served annually,				
11	average cost of care, type of service provided, length of stay, referral source, and ultimate				
12	disposition. In addition, the OCS shall provide guidance and training to assist localities in				
13	negotiating contracts with therapeutic foster care providers.				
14	2. The Office of Comprehensive Services shall report on funding for special education day				
15	treatment and residential services, including but not limited to the number of children				
16	served annually, average cost of care, type of service provided, length of stay, referral				
17	source, and ultimate disposition.				
18	3. The Office of Comprehensive Services shall report the information included in this				
19	paragraph to the Chairmen of the House Appropriations and Senate Finance Committees				
20	beginning September 1, 2011 and each year thereafter.				
21	M. Out of this appropriation, the Director, Office of Comprehensive Services, shall				
22	allocate \$2,200,000 the first year and \$2,200,000 the second year from the general fund to				
23	localities for wrap-around services for students with disabilities as defined in the				
24	Comprehensive Services Act policy manual.				
25	N. The State Executive Council shall convene a work group to examine options and make				
26	recommendations for funding the educational costs for students whose placement in or				
27	admittance to state or privately operated psychiatric or residential treatment facilities for				
28	non-educational reasons has been authorized by Medicaid. The work group shall include				
29	representatives of the Office of Comprehensive Services, the Department of Education,				
30	the Department of Medical Assistance Services, the Department of Behavioral Health and				
31	Developmental Services, local school divisions, and public and private service providers.				
32	The State Executive Council shall report on its recommendations to the Chairmen of the				
33	House Appropriations and Senate Finance Committees by September 1, 2015.				
34	281. Not set out.				
35	Total for Children's Services Act.....			\$271,693,156	\$271,704,898
36					\$289,786,949
37	General Fund Positions.....	13.00	13.00		
38	Position Level.....	13.00	13.00		
39	Fund Sources: General.....	\$219,085,410	\$219,097,152		
40			\$237,179,203		
41	Federal Trust.....	\$52,607,746	\$52,607,746		
42	Grand Total for Secretary of Health and Human				
43	Resources.....			\$272,365,395	\$272,528,155
44					\$290,610,206
45	General Fund Positions.....	18.00	18.00		
46	Position Level.....	18.00	18.00		
47	Fund Sources: General.....	\$219,757,649	\$219,920,409		
48			\$238,002,460		
49	Federal Trust.....	\$52,607,746	\$52,607,746		
50	282. Not set out.				

§ 1-14. DEPARTMENT OF HEALTH (601)

ITEM 283.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	283.	Not set out.				
2	284.	Not set out.				
3	285.	Not set out.				
4	286.	Not set out.				
5	287.	Not set out.				
6	288.	Not set out.				
7	289.	Not set out.				
8	290.	Community Health Services (44000).....			\$238,309,634	\$238,684,548
9						\$238,707,003
10		Local Dental Services (44002).....	\$4,544,352	\$4,544,352		
11		Restaurant and Food Safety, Well and Septic				
12		Permitting and Other Environmental Health Services				
13		(44004).....	\$35,712,351	\$35,712,351		
14		Local Family Planning Services (44005).....	\$24,180,329	\$24,180,329		
15				\$24,202,784		
16		Support for Local Management, Business, and				
17		Facilities (44009).....	\$59,437,515	\$59,812,429		
18		Local Maternal and Child Health Services (44010)....	\$42,637,375	\$42,637,375		
19		Local Immunization Services (44013).....	\$11,351,007	\$11,351,007		
20		Local Communicable Disease Investigation,				
21		Treatment, and Control (44014).....	\$18,425,600	\$18,425,600		
22		Local Personal Care Services (44015).....	\$4,205,870	\$4,205,870		
23		Local Chronic Disease and Prevention Control				
24		(44016).....	\$10,906,089	\$10,906,089		
25		Local Nutrition Services (44018).....	\$26,909,146	\$26,909,146		
26		Fund Sources: General.....	\$96,665,713	\$96,876,528		
27		Special.....	\$97,968,592	\$98,132,691		
28		Dedicated Special Revenue.....	\$2,472,715	\$2,472,715		
29		Federal Trust.....	\$41,202,614	\$41,202,614		
30				\$41,225,069		
31	Authority: §§ 32.1-11 through 32.1-12, 32.1-31, 32.1-163 through 32.1-176, 32.1-198 through					
32	32.1-211, 32.1-246, and 35.1-1 through 35.1-26, Code of Virginia; Title V of the U.S. Social					
33	Security Act; and Title X of the U.S. Public Health Service Act.					
34	A.1. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health					
35	Commissioner shall charge a fee of no more than \$425.00, for a construction permit for on-					
36	site sewage systems designed for less than 1,000 gallons per day, and alternative discharging					
37	systems not supported with certified work from an authorized onsite soil evaluator or a					
38	professional engineer working in consultation with an authorized onsite soil evaluator.					
39	2. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health					
40	Commissioner shall charge a fee of no more than \$350.00, for the certification letter for less					
41	than 1,000 gallons per day not supported with certified work from an authorized onsite soil					
42	evaluator or a professional engineer working in consultation with an authorized onsite soil					
43	evaluator.					
44	3. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health					
45	Commissioner shall charge a fee of no more than \$225.00, for a construction permit for an					
46	onsite sewage system designed for less than 1,000 gallons per day when the application is					
47	supported with certified work from a licensed onsite soil evaluator.					
48	4. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health					
49	Commissioner shall charge a fee of no more than \$320.00, for the certification letter for less					
50	than 1,000 gallons per day supported with certified work from an authorized onsite soil					
51	evaluator or a professional engineer working in consultation with an authorized onsite soil					
52	evaluator.					

ITEM 290.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	5. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health				
2	Commissioner shall charge a fee of no more than \$300.00, for a construction permit for a				
3	private well.				
4	6. Notwithstanding § 32.1-163 through § 32.1-176, Code of Virginia, the State Health				
5	Commissioner shall charge a fee of no more than \$1,400.00, for a construction permit or				
6	certification letter designed for more than 1,000 gallons per day.				
7	7. The State Health Commissioner shall appoint two manufacturers to the Advisory				
8	Committee on Sewage Handling and Disposal, representing one system installer and the				
9	Association of Onsite Soil Engineers.				
10	B. The State Health Commissioner is authorized to develop, in consultation with the				
11	regulated entities, a hotel, campground, and summer camp plan and specification review				
12	fee, not to exceed \$40.00, a restaurant plan and specification review fee, not to exceed				
13	\$40.00, an annual hotel, campground, and summer camp permit renewal fee, not to exceed				
14	\$40.00, and an annual restaurant permit renewal fee, not to exceed \$40.00 to be collected				
15	from all establishments, except K-12 public schools, that are subject to inspection by the				
16	Department of Health pursuant to §§ 35.1-13, 35.1-14, 35.1-16, and 35.1-17, Code of				
17	Virginia. However, any such establishment that is subject to any health permit fee,				
18	application fee, inspection fee, risk assessment fee or similar fee imposed by any locality				
19	as of January 1, 2002, shall be subject to this annual permit renewal fee only to the extent				
20	that the Department of Health fee and the locally imposed fee, when combined, do not				
21	exceed the fee amount listed in this paragraph. This fee structure shall be subject to the				
22	approval of the Secretary of Health and Human Resources.				
23	C. Pursuant to the Department of Health's Policy Implementation Manual (#07-01),				
24	individuals who participate in a local festival, fair, or other community event where food				
25	is sold, shall be exempt from the annual temporary food establishment permit fee of				
26	\$40.00 provided the event is held only one time each calendar year and the event takes				
27	place within the locality where the individual resides.				
28	D. The State Health Commissioner shall work with public and private dental providers to				
29	develop options for delivering dental services in underserved areas, including the use of				
30	public-private partnerships in the development and staffing of facilities, the use of dental				
31	hygiene and dental students to expand services and enhance learning experiences, and the				
32	availability of reimbursement mechanisms and other public and private resources to				
33	expand services.				
34	E. The Department of Health shall continue to implement a sustainable preventive model				
35	to begin July 1, 2014, except in the Mount Rogers, Western Tidewater, and Norfolk				
36	Health districts, and full transition by January 1, 2016. The model shall ensure that (i)				
37	trained personnel are in place; (ii) the focus on those areas of the Commonwealth in the				
38	most need of these dental services, including those areas with higher risk factors including				
39	a concentration of diabetic and free lunch populations and a higher than average				
40	Medicaid-eligible population; and (iii) the development of evaluation metrics to assist in				
41	ensuring efficient and effective use of funding and services.				
42	F. Out of this appropriation, \$176,929 the first year and \$387,744 the second year from the				
43	general fund and \$103,503 the first year and \$267,602 the second year from nongeneral				
44	funds is provided to address the cost of leasing or expanding local health department				
45	facilities.				
46	<i>G. Out of this appropriation, \$22,455 the second year from the Temporary Assistance for</i>				
47	<i>Needy Families (TANF) block grant and one position shall be provided to develop a pilot</i>				
48	<i>program to increase education about reproductive choices available to women throughout</i>				
49	<i>the Commonwealth and to expand access to long acting reversible contraception (LARC).</i>				
50	291. Not set out.				
51	292. Not set out.				
52	293. Not set out.				
53	294. Not set out.				



			Item Details(\$)		Appropriations(\$)	
ITEM 295.			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	295.	Not set out.				
2		Total for Department of Health.....			\$641,233,340	\$646,112,683
3						\$646,135,138
4		General Fund Positions.....	1,485.00	1,488.00		
5		Nongeneral Fund Positions.....	2,191.00	<del>2,191.00</del>		
6				2,192.00		
7		Position Level.....	3,676.00	<del>3,679.00</del>		
8				3,680.00		
9		Fund Sources: General.....	\$160,729,959	\$165,510,117		
10		Special.....	\$138,106,828	\$138,270,927		
11		Dedicated Special Revenue.....	\$106,068,122	\$106,068,122		
12		Federal Trust.....	\$236,328,431	<del>\$236,263,517</del>		
13				\$236,285,972		
14	296.	Not set out.				
15	297.	Not set out.				
16	<b>§ 1-15. DEPARTMENT OF MEDICAL ASSISTANCE SERVICES (602)</b>					
17	298.	Pre-Trial, Trial, and Appellate Processes (32100).....			\$15,069,989	\$15,742,428
18						\$16,807,820
19		Reimbursements for Medical Services Related to				
20		Involuntary Mental Commitments (32107).....	\$15,069,989	<del>\$15,742,428</del>		
21				\$16,807,820		
22		Fund Sources: General.....	\$15,069,989	<del>\$15,742,428</del>		
23				\$16,807,820		
24		Authority: § 37.2-809, Code of Virginia.				
25		A. Any balance, or portion thereof, in Reimbursements for Medical Services Related to				
26		Involuntary Mental Commitments (32107), may be transferred between Items 40, 41, 42, and				
27		298 as needed, to address any deficits incurred for Involuntary Mental Commitments by the				
28		Supreme Court or the Department of Medical Assistance Services.				
29		B. Out of this appropriation, payments may be made to licensed health care providers for				
30		medical screening and assessment services provided to persons with mental illness while in				
31		emergency custody pursuant to § 37.2-808, Code of Virginia.				
32		C. To the extent that the appropriation in this Item is insufficient, the Department of Planning				
33		and Budget shall transfer general fund appropriation from Items 300, 301, and 303 to this				
34		Item, if available.				
35		D. The Director of the Department of Medical Assistance Services, in consultation with the				
36		Commissioner of the Department of Behavioral Health and Developmental Services, shall				
37		review the current rate that is paid for medical costs associated with involuntary mental health				
38		commitments. The review shall assess whether the current rate paid for medical services is				
39		adequate to serve individuals who may require highly specialized staffing and treatment needs				
40		while under detention. The director shall report his findings and recommendations to the				
41		Chairmen of the House Appropriations and Senate Finance Committees by November 1,				
42		2014.				
43	299.	Not set out.				
44	300.	Children's Health Insurance Program Delivery			\$156,690,535	\$179,113,399
45		(44600).....				\$140,710,084
46						
47		Reimbursements for Medical Services Provided				
48		Under the Family Access to Medical Insurance				
49		Security Plan (44602).....	\$156,690,535	<del>\$179,113,399</del>		
50				\$140,710,084		
51		Fund Sources: General.....	\$40,794,373	<del>\$17,727,001</del>		
52				\$10,910,413		



ITEM 300.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Dedicated Special Revenue.....	\$14,065,627	\$14,065,627		
2	Federal Trust.....	\$101,830,535	<del>\$147,320,771</del>		
3			\$115,734,044		
4	Authority: Title 32.1, Chapter 13, Code of Virginia; Title XXI, Social Security Act,				
5	Federal Code.				
6	A. Pursuant to Chapter 679, Acts of Assembly of 1997, the State Corporation Commission				
7	shall annually, on or before June 30, 1998, and each year thereafter, calculate the premium				
8	differential between: (i) 0.75 percent of the direct gross subscriber fee income derived				
9	from eligible contracts and (ii) the amount of license tax revenue generated pursuant to				
10	subdivision A 4 of § 58.1-2501 for the immediately preceding taxable year and notify the				
11	Comptroller of the Commonwealth to transfer such amounts to the Family Access to				
12	Medical Insurance Security Plan Trust Fund as established on the books of the State				
13	Comptroller.				
14	B. As a condition of this appropriation, revenues from the Family Access to Medical				
15	Insurance Security Plan Trust Fund, shall be used to match federal funds for the Children's				
16	Health Insurance Program.				
17	C. Every eligible applicant for health insurance as provided for in Title 32.1, Chapter 13,				
18	Code of Virginia, shall be enrolled and served in the program.				
19	D. To the extent that appropriations in this Item are insufficient, the Department of				
20	Planning and Budget shall transfer general fund appropriation from Items 301 and 303, if				
21	available, into this Item, to be used as state match for federal Title XXI funds.				
22	E. The Department of Medical Assistance Services shall make the monthly capitation				
23	payment to managed care organizations for the member months of each month in the first				
24	week of the subsequent month.				
25	F. If any part, section, subsection, paragraph, clause, or phrase of this Item or the				
26	application thereof is declared by the United States Department of Health and Human				
27	Services or the Centers for Medicare and Medicaid Services to be in conflict with a federal				
28	law or regulation, such decisions shall not affect the validity of the remaining portions of				
29	this Item, which shall remain in force as if this Item had passed without the conflicting				
30	part, section, subsection, paragraph, clause, or phrase. Further, if the United States				
31	Department of Health and Human Services or the Centers for Medicare and Medicaid				
32	Services determines that the process for accomplishing the intent of a part, section,				
33	subsection, paragraph, clause, or phrase of this Item is out of compliance or in conflict				
34	with federal law and regulation and recommends another method of accomplishing the				
35	same intent, the Director, Department of Medical Assistance Services, after consultation				
36	with the Attorney General, is authorized to pursue the alternative method.				
37	301. Medicaid Program Services (45600).....			\$8,136,412,131	<del>\$8,494,567,407</del>
38					\$8,837,426,767
39	Reimbursements to State-Owned Mental Health				
40	and Intellectual Disabilities Facilities (45607).....	\$197,295,289	<del>\$151,698,269</del>		
41			\$164,907,411		
42	Reimbursements for Behavioral Health Services				
43	(45608).....	\$687,767,790	<del>\$789,996,961</del>		
44			\$745,326,462		
45	Reimbursements for Medical Services (45609).....	\$4,979,574,340	<del>\$5,273,664,286</del>		
46			\$5,404,835,312		
47	Reimbursements for Long-Term Care Services				
48	(45610).....	\$2,271,774,712	<del>\$2,279,207,891</del>		
49			\$2,522,357,582		
50	Fund Sources: General.....	\$3,694,399,164	<del>\$3,987,155,922</del>		
51			\$4,159,548,054		
52	Dedicated Special Revenue.....	\$430,248,427	\$346,848,632		
53	Federal Trust.....	\$4,011,764,540	<del>\$4,160,562,853</del>		
54			\$4,331,030,081		
55	Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Title				
56	XIX, Social Security Act, Federal Code.				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	A. Out of this appropriation, \$98,647,645 the first year and <del>\$75,849,135</del> \$82,453,706 the				
2	second year from the general fund and \$98,647,644 the first year and <del>\$75,849,134</del>				
3	\$82,453,705 the second year from the federal trust fund is provided for reimbursement to the				
4	institutions within the Department of Behavioral Health and Developmental Services.				
5	B.1. Included in this appropriation is \$75,856,682 the first year and <del>\$82,016,765</del> \$64,154,140				
6	the second year from the general fund and \$91,101,458 the first year and <del>\$98,731,727</del>				
7	\$80,869,101 the second year from nongeneral funds to reimburse the Virginia Commonwealth				
8	University Health System for indigent health care costs. This funding is composed of				
9	disproportionate share hospital (DSH) payments, indirect medical education (IME) payments,				
10	and any Medicaid profits realized by the Health System. Payments made from the federal				
11	DSH fund shall be made in accordance with 42 USC 1396r-4.				
12	2. Included in this appropriation is \$43,284,148 the first year and <del>\$44,688,169</del> \$37,081,720				
13	the second year from the general fund and \$54,386,197 the first year and <del>\$57,112,685</del>				
14	\$49,506,236 the second year from nongeneral funds to reimburse the University of Virginia				
15	Health System for indigent health care costs. This funding is comprised of disproportionate				
16	share hospital (DSH) payments, indirect medical education (IME) payments, and any				
17	Medicaid profits realized by the Health System. Payments made from the federal DSH fund				
18	shall be made in accordance with 42 USC 1396r-4.				
19	3. The general fund amounts for the state teaching hospitals have been reduced to mirror the				
20	general fund impact of no inflation for inpatient services in FY 2015 and FY 2016 for private				
21	hospitals reflected in paragraph CCC. of this Item. It also includes reductions for prior year				
22	inflation reductions and indigent care reductions. However, the nongeneral funds are				
23	appropriated. In order to receive the nongeneral funds in excess of the amount of the general				
24	fund appropriated, the health systems shall certify the public expenditures.				
25	4. The Department of Medical Assistance Service shall have the authority to increase				
26	Medicaid payments for Type One hospitals and physicians consistent with the appropriations				
27	to compensate for limits on disproportionate share hospital (DSH) payments to Type One				
28	hospitals that the department would otherwise make. In particular, the department shall have				
29	the authority to amend the State Plan for Medical Assistance to increase physician				
30	supplemental payments for physician practice plans affiliated with Type One hospitals up to				
31	the average commercial rate as demonstrated by University of Virginia Health System and				
32	Virginia Commonwealth University Health System, to change reimbursement for Graduate				
33	Medical Education to cover costs for Type One hospitals, to case mix adjust the formula for				
34	indirect medical education reimbursement for HMO discharges for Type One hospitals and to				
35	increase the adjustment factor for Type One hospitals to 1.0. The department shall have the				
36	authority to implement these changes prior to completion of any regulatory process				
37	undertaken in order to effect such change.				
38	C.1. The estimated revenue for the Virginia Health Care Fund is \$430,248,427 the first year				
39	and \$346,848,632 the second year, to be used pursuant to the uses stated in §32.1-367, Code				
40	of Virginia.				
41	2. Notwithstanding §32.1-366, Code of Virginia, the State Comptroller shall deposit 41.5				
42	percent of the Commonwealth's allocation of the Master Settlement Agreement with tobacco				
43	product manufacturers, as defined in §3.2-3100, Code of Virginia, to the Virginia Health Care				
44	Fund.				
45	3. Notwithstanding any other provision of law, the State Comptroller shall deposit 50 percent				
46	of the Commonwealth's allocation of the Strategic Contribution Fund payment pursuant to the				
47	Master Settlement Agreement with tobacco product manufacturers into the Virginia Health				
48	Care Fund.				
49	4. Notwithstanding any other provision of law, revenues deposited to the Virginia Health Care				
50	Fund shall only be used as the state share of Medicaid unless specifically authorized by this				
51	act.				
52	D. If any part, section, subsection, paragraph, clause, or phrase of this Item or the application				
53	thereof is declared by the United States Department of Health and Human Services or the				
54	Centers for Medicare and Medicaid Services to be in conflict with a federal law or regulation,				
55	such decisions shall not affect the validity of the remaining portions of this Item, which shall				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	remain in force as if this Item had passed without the conflicting part, section, subsection,				
2	paragraph, clause, or phrase. Further, if the United States Department of Health and				
3	Human Services or the Centers for Medicare and Medicaid Services determines that the				
4	process for accomplishing the intent of a part, section, subsection, paragraph, clause, or				
5	phrase of this Item is out of compliance or in conflict with federal law and regulation and				
6	recommends another method of accomplishing the same intent, the Director, Department				
7	of Medical Assistance Services, after consultation with the Attorney General, is authorized				
8	to pursue the alternative method.				
9	E.1. The Director, Department of Medical Assistance Services shall seek the necessary				
10	waivers from the United States Department of Health and Human Services to authorize the				
11	Commonwealth to cover health care services and delivery systems, as may be permitted				
12	by Title XIX of the Social Security Act, which may provide less expensive alternatives to				
13	the State Plan for Medical Assistance.				
14	2. The director shall promulgate such regulations as may be necessary to implement those				
15	programs which may be permitted by Titles XIX and XXI of the Social Security Act, in				
16	conformance with all requirements of the Administrative Process Act.				
17	F. It is the intent of the General Assembly to develop and cause to be developed				
18	appropriate, fiscally responsible methods for addressing the issues related to the cost and				
19	funding of long-term care. It is the further intent of the General Assembly to promote				
20	home-based and community-based care for individuals who are determined to be in need				
21	of nursing facility care.				
22	G. To the extent that appropriations in this Item are insufficient, the Department of				
23	Planning and Budget shall transfer general fund appropriation from Item 300 and 303, if				
24	available, to be used as state match for federal Title IX funds.				
25	H. It is the intent of the General Assembly that the medically needy income limits for the				
26	Medicaid program are adjusted annually to account for changes in the Consumer Price				
27	Index.				
28	I. It is the intent of the General Assembly that the use of the new atypical medications to				
29	treat seriously mentally ill Medicaid recipients should be supported by the formularies				
30	used to reimburse claims under the Medicaid fee-for-service and managed care plans.				
31	J. The Department of Medical Assistance Services shall establish a program to more				
32	effectively manage those Medicaid recipients who receive the highest cost care. To				
33	implement the program, the department shall establish uniform criteria for the program,				
34	including criteria for the high cost recipients, providers and reimbursement, service limits,				
35	assessment and authorization limits, utilization review, quality assessment, appeals and				
36	other such criteria as may be deemed necessary to define the program. The department				
37	shall seek any necessary approval from the Centers for Medicare and Medicaid Services,				
38	and shall promulgate such regulations as may be deemed necessary to implement this				
39	program.				
40	K. The Department of Medical Assistance Services and the Virginia Department of Health				
41	shall work with representatives of the dental community: to expand the availability and				
42	delivery of dental services to pediatric Medicaid recipients; to streamline the				
43	administrative processes; and to remove impediments to the efficient delivery of dental				
44	services and reimbursement thereof. The Department of Medical Assistance Services shall				
45	report its efforts to expand dental services to the Chairmen of the House Appropriations				
46	and Senate Finance Committees and the Department of Planning and Budget by December				
47	15 each year.				
48	L. The Department of Medical Assistance Services shall not require dentists who agree to				
49	participate in the delivery of Medicaid pediatric dental care services, or services provided				
50	to enrollees in the Family Access to Medical Insurance Security (FAMIS) Plan or any				
51	variation of FAMIS, to also deliver services to subscribers enrolled in commercial plans of				
52	the managed care vendor, unless the dentist is a willing participant in the commercial				
53	managed care plan.				
54	M. The Department of Medical Assistance Services shall implement continued				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	enhancements to the drug utilization review (DUR) program. The department shall continue				
2	the Pharmacy Liaison Committee and the DUR Board. The department shall continue to work				
3	with the Pharmacy Liaison Committee to implement initiatives for the promotion of cost-				
4	effective services delivery as may be appropriate. The department shall report on the				
5	Pharmacy Liaison Committee's and the DUR Board's activities to the Board of Medical				
6	Assistance Services and to the Chairmen of the House Appropriations and Senate Finance				
7	Committees and the Department of Planning and Budget no later than December 15 each year				
8	of the biennium.				
9	N.1. The Department of Medical Assistance Services shall have the authority to seek federal				
10	approval of changes to its MEDALLION waiver and its Medallion II waiver.				
11	2. In order to conform the state regulations to the federally approved changes and to				
12	implement the provisions of this act, the department shall promulgate emergency regulations				
13	to become effective within 280 days or less from the enactment of this act. The department				
14	shall implement these necessary regulatory changes to be consistent with federal approval of				
15	the waiver changes.				
16	O.1. The Department of Medical Assistance Services shall develop and pursue cost saving				
17	strategies internally and with the cooperation of the Department of Social Services, Virginia				
18	Department of Health, Office of the Attorney General, Comprehensive Services Act program,				
19	Department of Education, Department of Juvenile Justice, Department of Behavioral Health				
20	and Developmental Services, Department for Aging and Rehabilitative Services, Department				
21	of the Treasury, University of Virginia Health System, Virginia Commonwealth University				
22	Health System Authority, Department of Corrections, federally qualified health centers, local				
23	health departments, local school divisions, community service boards, local hospitals, and				
24	local governments, that focus on optimizing Medicaid claims and cost recoveries. Any				
25	revenues generated through these activities shall be transferred to the Virginia Health Care				
26	Fund to be used for the purposes specified in this Item.				
27	2. The Department of Medical Assistance Services shall retain the savings necessary to				
28	reimburse a vendor for its efforts to implement paragraph. O.1. of this Item. However, prior to				
29	reimbursement, the department shall identify for the Secretary of Health and Human				
30	Resources each of the vendor's revenue maximization efforts and the manner in which each				
31	vendor would be reimbursed. No reimbursement shall be made to the vendor without the prior				
32	approval of the above plan by the Secretary.				
33	P. The Department of Medical Assistance Services shall have the authority to pay				
34	contingency fee contractors, engaged in cost recovery activities, from the recoveries that are				
35	generated by those activities. All recoveries from these contractors shall be deposited to a				
36	special fund. After payment of the contingency fee any prior year recoveries shall be				
37	transferred to the Virginia Health Care Fund. The Director, Department of Medical Assistance				
38	Services, shall report to the Chairmen of the House Appropriations and Senate Finance				
39	Committees the increase in recoveries associated with this program as well as the areas of				
40	audit targeted by contractors by November 1 each year.				
41	Q. The Department of Medical Assistance Services in cooperation with the State Executive				
42	Council, shall provide semi-annual training to local Comprehensive Services Act teams on the				
43	procedures for use of Medicaid for residential treatment and treatment foster care services,				
44	including, but not limited to, procedures for determining eligibility, billing, reimbursement,				
45	and related reporting requirements. The department shall include in this training information				
46	on the proper utilization of inpatient and outpatient mental health services as covered by the				
47	Medicaid State Plan.				
48	R.1. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, the Department of Medical				
49	Assistance Services, in consultation with the Department of Behavioral Health and				
50	Developmental Services, shall amend the State Plan for Medical Assistance Services to				
51	modify the delivery system of pharmaceutical products to include a Preferred Drug List. In				
52	developing the modifications, the department shall consider input from physicians,				
53	pharmacists, pharmaceutical manufacturers, patient advocates, and others, as appropriate.				
54	2.a. The department shall utilize a Pharmacy and Therapeutics Committee to assist in the				
55	development and ongoing administration of the Preferred Drug List program. The Pharmacy				
56	and Therapeutics Committee shall be composed of 8 to 12 members, including the				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Commissioner, Department of Behavioral Health and Developmental Services, or his				
2	designee. Other members shall be selected or approved by the department. The				
3	membership shall include a ratio of physicians to pharmacists of 2:1 and the department				
4	shall ensure that at least one-half of the physicians and pharmacists are either direct				
5	providers or are employed with organizations that serve recipients for all segments of the				
6	Medicaid population. Physicians on the committee shall be licensed in Virginia, one of				
7	whom shall be a psychiatrist, and one of whom specializes in care for the aging.				
8	Pharmacists on the committee shall be licensed in Virginia, one of whom shall have				
9	clinical expertise in mental health drugs, and one of whom has clinical expertise in				
10	community-based mental health treatment. The Pharmacy and Therapeutics Committee				
11	shall recommend to the department (i) which therapeutic classes of drugs should be				
12	subject to the Preferred Drug List program and prior authorization requirements; (ii)				
13	specific drugs within each therapeutic class to be included on the preferred drug list; (iii)				
14	appropriate exclusions for medications, including atypical anti-psychotics, used for the				
15	treatment of serious mental illnesses such as bi-polar disorders, schizophrenia, and				
16	depression; (iv) appropriate exclusions for medications used for the treatment of brain				
17	disorders, cancer and HIV-related conditions; (v) appropriate exclusions for therapeutic				
18	classes in which there is only one drug in the therapeutic class or there is very low				
19	utilization, or for which it is not cost-effective to include in the Preferred Drug List				
20	program; and (vi) appropriate grandfather clauses when prior authorization would				
21	interfere with established complex drug regimens that have proven to be clinically				
22	effective. In developing and maintaining the preferred drug list, the cost effectiveness of				
23	any given drug shall be considered only after it is determined to be safe and clinically				
24	effective.				
25	b. The Pharmacy and Therapeutics Committee shall schedule meetings at least semi-				
26	annually and may meet at other times at the discretion of the chairperson and members. At				
27	the meetings, the Pharmacy and Therapeutics committee shall review any drug in a class				
28	subject to the Preferred Drug List that is newly approved by the Federal Food and Drug				
29	Administration, provided there is at least thirty (30) days notice of such approval prior to				
30	the date of the quarterly meeting.				
31	3. The department shall establish a process for acting on the recommendations made by				
32	the Pharmacy and Therapeutics Committee, including documentation of any decisions				
33	which deviate from the recommendations of the committee.				
34	4. The Preferred Drug List program shall include provisions for (i) the dispensing of a 72-				
35	hour emergency supply of the prescribed drug when requested by a physician and a				
36	dispensing fee to be paid to the pharmacy for such supply; (ii) prior authorization				
37	decisions to be made within 24 hours and timely notification of the recipient and/or the				
38	prescribing physician of any delays or negative decisions; (iii) an expedited review				
39	process of denials by the department; and (iv) consumer and provider education, training				
40	and information regarding the Preferred Drug List prior to implementation, and ongoing				
41	communications to include computer access to information and multilingual material.				
42	5. The Preferred Drug List program shall generate savings as determined by the				
43	department that are net of any administrative expenses to implement and administer the				
44	program.				
45	6. Notwithstanding § 32.1-331.12 et seq., Code of Virginia, to implement these changes,				
46	the Department of Medical Assistance Services shall promulgate emergency regulations to				
47	become effective within 280 days or less from the enactment of this act. With respect to				
48	such state plan amendments and regulations, the provisions of § 32.1-331.12 et seq., Code				
49	of Virginia, shall not apply. In addition, the department shall work with the Department of				
50	Behavioral Health and Developmental Services to consider utilizing a Preferred Drug List				
51	program for its non-Medicaid clients.				
52	7. The Department of Medical Assistance Services shall (i) continually review utilization				
53	of behavioral health medications under the State Medicaid Program for Medicaid				
54	recipients; and (ii) ensure appropriate use of these medications according to federal Food				
55	and Drug Administration (FDA) approved indications and dosage levels. The department				
56	may also require retrospective clinical justification according to FDA approved				
57	indications and dosage levels for the use of multiple behavioral health drugs for a				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Medicaid patient. For individuals 18 years of age and younger who are prescribed three or				
2	more behavioral health drugs, the department may implement clinical edits that target				
3	inefficient, ineffective, or potentially harmful prescribing patterns in accordance with FDA-				
4	approved indications and dosage levels.				
5	8. The Department of Medical Assistance Services shall ensure that in the process of				
6	developing the Preferred Drug List, the Pharmacy and Therapeutics Committee considers the				
7	value of including those prescription medications which improve drug regimen compliance,				
8	reduce medication errors, or decrease medication abuse through the use of medication				
9	delivery systems that include, but are not limited to, transdermal and injectable delivery				
10	systems.				
11	S.1. The Department of Medical Assistance Services may amend the State Plan for Medical				
12	Assistance Services to modify the delivery system of pharmaceutical products to include a				
13	specialty drug program. In developing the modifications, the department shall consider input				
14	from physicians, pharmacists, pharmaceutical manufacturers, patient advocates, the Pharmacy				
15	Liaison Committee, and others as appropriate.				
16	2. In developing the specialty drug program to implement appropriate care management and				
17	control drug expenditures, the department shall contract with a vendor who will develop a				
18	methodology for the reimbursement and utilization through appropriate case management of				
19	specialty drugs and distribute the list of specialty drug rates, authorized drugs and utilization				
20	guidelines to medical and pharmacy providers in a timely manner prior to the implementation				
21	of the specialty drug program and publish the same on the department's website.				
22	3. In the event that the Department of Medical Assistance Services contracts with a vendor,				
23	the department shall establish the fee paid to any such contractor based on the reasonable cost				
24	of services provided. The department may not offer or pay directly or indirectly any material				
25	inducement, bonus, or other financial incentive to a program contractor based on the denial or				
26	administrative delay of medically appropriate prescription drug therapy, or on the decreased				
27	use of a particular drug or class of drugs, or a reduction in the proportion of beneficiaries who				
28	receive prescription drug therapy under the Medicaid program. Bonuses cannot be based on				
29	the percentage of cost savings generated under the benefit management of services.				
30	4. The department shall: (i) review, update and publish the list of authorized specialty drugs,				
31	utilization guidelines, and rates at least quarterly; (ii) implement and maintain a procedure to				
32	revise the list or modify specialty drug program utilization guidelines and rates, consistent				
33	with changes in the marketplace; and (iii) provide an administrative appeals procedure to				
34	allow dispensing or prescribing provider to contest the listed specialty drugs and rates.				
35	5. The department shall report on savings and quality improvements achieved through the				
36	implementation measures for the specialty drug program to the Chairmen of the House				
37	Appropriations and Senate Finance Committees, the Joint Commission on Health Care, and				
38	the Department of Planning and Budget by November 1 of each year.				
39	6. The department shall have authority to enact emergency regulations under § 2.2-4011 of				
40	the Administrative Process Act to effect these provisions.				
41	T.1. The Department of Medical Assistance Services shall reimburse school divisions who				
42	sign an agreement to provide administrative support to the Medicaid program and who				
43	provide documentation of administrative expenses related to the Medicaid program 50 percent				
44	of the Federal Financial Participation by the department.				
45	2. The Department of Medical Assistance Services shall retain five percent of the Federal				
46	Financial Participation for reimbursement to school divisions for medical and transportation				
47	services.				
48	U. In the event that the Department of Medical Assistance Services decides to contract for				
49	pharmaceutical benefit management services to administer, develop, manage, or implement				
50	Medicaid pharmacy benefits, the department shall establish the fee paid to any such contractor				
51	based on the reasonable cost of services provided. The department may not offer or pay				
52	directly or indirectly any material inducement, bonus, or other financial incentive to a				
53	program contractor based on the denial or administrative delay of medically appropriate				
54	prescription drug therapy, or on the decreased use of a particular drug or class of drugs, or a				



ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	reduction in the proportion of beneficiaries who receive prescription drug therapy under				
2	the Medicaid program. Bonuses cannot be based on the percentage of cost savings				
3	generated under the benefit management of services.				
4	V. The Department of Medical Assistance Services, in cooperation with the Department of				
5	Social Services' Division of Child Support Enforcement (DSCE), shall identify and report				
6	third party coverage where a medical support order has required a custodial or				
7	noncustodial parent to enroll a child in a health insurance plan. The Department of				
8	Medical Assistance Services shall also report to the DCSE third party information that has				
9	been identified through their third party identification processes for children handled by				
10	DCSE.				
11	W.1. Within the limits of this appropriation, the Department of Medical Assistance				
12	Services shall work with its contracted managed care organizations and fee-for-service				
13	health care providers to: (i) raise awareness among the providers who serve the Medicaid				
14	population about the health risks of chronic kidney disease; (ii) establish effective means				
15	of identifying patients with this condition; and (iii) develop strategies for improving the				
16	health status of these patients. The department shall work with the National Kidney				
17	Foundation to prepare and disseminate information for physicians and other health care				
18	providers regarding generally accepted standards of clinical care and the benefits of early				
19	identification of individuals at highest risk of chronic kidney disease.				
20	2. The department shall request any clinical laboratory performing a serum creatinine test				
21	on a Medicaid recipient over the age of 18 years to calculate and report to the physician				
22	the estimated glomerular filtration rate (eGFR) of the patient and shall report it as a				
23	percent of kidney function remaining.				
24	X.1. Notwithstanding the provisions of § 32.1-325.1:1, Code of Virginia, upon identifying				
25	that an overpayment for medical assistance services has been made to a provider, the				
26	Director, Department of Medical Assistance Services shall notify the provider of the				
27	amount of the overpayment. Such notification of overpayment shall be issued within the				
28	earlier of (i) four years after payment of the claim or other payment request, or (ii) four				
29	years after filing by the provider of the complete cost report as defined in the Department				
30	of Medical Assistance Services' regulations, or (iii) 15 months after filing by the provider				
31	of the final complete cost report as defined in the Department of Medical Assistance				
32	Services' regulations subsequent to sale of the facility or termination of the provider.				
33	2. Notwithstanding the provisions of § 32.1-325.1, Code of Virginia, the director shall				
34	issue an informal fact-finding conference decision concerning provider reimbursement in				
35	accordance with the State Plan for Medical Assistance, the provisions of § 2.2-4019, Code				
36	of Virginia, and applicable federal law. The informal fact-finding conference decision				
37	shall be issued within 180 days of the receipt of the appeal request. If the agency does not				
38	render an informal fact-finding conference decision within 180 days of the receipt of the				
39	appeal request, the decision is deemed to be in favor of the provider. An appeal of the				
40	director's informal fact-finding conference decision concerning provider reimbursement				
41	shall be heard in accordance with § 2.2-4020 of the Administrative Process Act (§ 2.2-				
42	4020 et seq.) and the State Plan for Medical Assistance provided for in § 32.1-325, Code				
43	of Virginia. Once a final agency case decision has been made, the director shall undertake				
44	full recovery of such overpayment whether or not the provider disputes, in whole or in				
45	part, the informal fact-finding conference decision or the final agency case decision.				
46	Interest charges on the unpaid balance of any overpayment shall accrue pursuant to § 32.1-				
47	313, Code of Virginia, from the date the Director's agency case decision becomes final.				
48	Y. Any hospital that was designated a Medicare-dependent small rural hospital, as defined				
49	in 42 U.S.C. §1395ww (d) (5) (G) (iv) prior to October 1, 2004, shall be designated a rural				
50	hospital pursuant to 42 U.S.C. §1395ww (d) (8) (ii) (II) on or after September 30, 2004.				
51	Z. The Department of Medical Assistance Services shall implement one or more Program				
52	for All Inclusive Care for the Elderly (PACE) programs.				
53	AA. The Department of Medical Assistance Services shall amend its State Plan for				
54	Medical Assistance Services to develop and implement a regional model for the				
55	integration of acute and long-term care services. This model would be offered to elderly				
56	and disabled clients on a mandatory basis. The department shall promulgate emergency				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	regulations to implement this amendment within 280 days or less from the enactment of this				
2	act.				
3	BB.1. Contingent upon approval by the Centers for Medicare and Medicaid Services as part				
4	of the Money Follows the Person demonstration grant, the Department of Medical Assistance				
5	Services shall seek federal approval for necessary changes to home and community-based				
6	1915(c) waivers to allow individuals transitioning from institutions to receive care in the				
7	community. The Department of Medical Assistance Services shall promulgate any necessary				
8	emergency regulations within 280 days or less from the enactment date of this act.				
9	2. The Department of Medical Assistance Services shall amend the Individual and Family				
10	Developmental Disabilities Support (DD) Waiver to add up to 30 new slots (up to 15 each				
11	fiscal year) and the Intellectual Disabilities (ID) Waiver to add up to 220 new slots (up to 110				
12	each fiscal year) which will be reserved for individuals transitioning out of institutional				
13	settings through the Money Follows the Person Demonstration. The Department of Medical				
14	Assistance Services shall seek federal approval for necessary changes to the DD and ID				
15	waver applications to add the additional slots.				
16	CC. The Department of Medical Assistance Services shall have the authority to implement				
17	prior authorization and utilization review for community-based mental health services for				
18	children and adults. The department shall have the authority to promulgate emergency				
19	regulations to implement this amendment within 280 days or less from the enactment of this				
20	act.				
21	DD. The Department of Medical Assistance Services shall delay the last quarterly payment of				
22	certain quarterly amounts paid to hospitals, from the end of each state fiscal year to the first				
23	quarter of the following year. Quarterly payments that shall be delayed from each June to				
24	each July shall be Disproportionate Share Hospital payments, Indirect Medical Education				
25	payments, and Direct Medical Education payments. The department shall have the authority				
26	to implement this reimbursement change effective upon passage of this act, and prior to the				
27	completion of any regulatory process undertaken in order to effect such change.				
28	EE. The Department of Medical Assistance Services shall make the monthly capitation				
29	payment to managed care organizations for the member months of each month in the first				
30	week of the subsequent month. The department shall have the authority to implement this				
31	reimbursement schedule change effective upon passage of this act, and prior to the completion				
32	of any regulatory process undertaken in order to effect such change.				
33	FF. In every June the remittance that would normally be paid to providers on the last				
34	remittance date of the state fiscal year shall be delayed one week longer than is normally the				
35	practice. This change shall apply to the remittances of Medicaid and FAMIS providers. This				
36	change does not apply to providers who are paid a per-month capitation payment. The				
37	department shall have the authority to implement this reimbursement change effective upon				
38	passage of this act, and prior to the completion of any regulatory process undertaken in order				
39	to effect such change.				
40	GG. Upon approval by the Centers for Medicare and Medicaid Services of the application for				
41	renewal of the Intellectual Disabilities Waiver, expeditious implementation of any revisions				
42	shall be deemed an emergency situation pursuant to § 2.2-4002 of the Administrative Process				
43	Act. Therefore, to meet this emergency situation, the Department of Medical Assistance				
44	Services shall promulgate emergency regulations to implement the provisions of this act.				
45	HH. The Department of Medical Assistance Services shall provide information to personal				
46	care agency providers regarding the options available to meet staffing requirements for				
47	personal care aides including the completion of provider-offered training or DMAS Personal				
48	Care Aide Training Curriculum.				
49	II. The Department of Medical Assistance Services shall impose an assessment equal to 5.5				
50	percent of revenue on all ICF-MR providers. The department shall determine procedures for				
51	collecting the assessment, including penalties for non-compliance. The department shall have				
52	the authority to adjust interim rates to cover new Medicaid costs as a result of this assessment.				
53	JJ. The Department of Medical Assistance Services shall make programmatic changes in the				
54	provision of Intensive In-Home services and Community Mental Health services in order				



ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	ensure appropriate utilization and cost efficiency. The department shall consider all				
2	available options including, but not limited to, prior authorization, utilization review and				
3	provider qualifications. The Department of Medical Assistance Services shall promulgate				
4	regulations to implement these changes within 280 days or less from the enactment date of				
5	this act.				
6	KK. Notwithstanding Chapters 228 and 303 of the 2009 Virginia Acts of Assembly and				
7	§32.1-323.2 of the Code of Virginia, the Department of Medical Assistance Services shall				
8	not add any slots to the Intellectual Disabilities Medicaid Waiver or the Individual and				
9	Family Developmental Disabilities and Support Medicaid Waiver other than those slots				
10	authorized to specifically to support the Money Follows the Person Demonstration,				
11	individuals who are exiting state institutions, any slots authorized under Chapters 724 and				
12	729 of the 2011 Virginia Acts of Assembly or §37.2-319, Code of Virginia, or authorized				
13	elsewhere in this act.				
14	LL. The Department of Medical Assistance Services shall not adjust rates or the rate				
15	ceiling of residential psychiatric facilities for inflation.				
16	MM. The Department of Medical Assistance Services shall have the authority to modify				
17	reimbursement for Durable Medical Equipment for incontinence supplies based on				
18	competitive bidding subject to approval by the Centers for Medicare and Medicaid				
19	Services (CMS). The department shall have the authority to promulgate regulations to				
20	become effective within 280 days or less from the enactment of this act.				
21	NN. The Department of Medical Assistance Services shall work with the Department of				
22	Behavioral Health and Developmental Services in consultation with the Virginia				
23	Association of Community Services Boards, the Virginia Network of Private Providers,				
24	the Virginia Coalition of Private Provider Associations, and the Association of				
25	Community Based Providers, to establish rates for the Intensive In-Home Service based				
26	on quality indicators and standards, such as the use of evidence-based practices.				
27	OO. The Department of Medical Assistance Services shall seek federal authority through				
28	the necessary waiver(s) and/or State Plan authorization under Titles XIX and XXI of the				
29	Social Security Act to expand principles of care coordination to all geographic areas,				
30	populations, and services under programs administered by the department. The expansion				
31	of care coordination shall be based on the principles of shared financial risk such as shared				
32	savings, performance benchmarks or risk and improving the value of care delivered by				
33	measuring outcomes, enhancing quality, and monitoring expenditures. The department				
34	shall engage stakeholders, including beneficiaries, advocates, providers, and health plans,				
35	during the development and implementation of the care coordination projects.				
36	Implementation shall include specific requirements for data collection to ensure the ability				
37	to monitor utilization, quality of care, outcomes, costs, and cost savings. The department				
38	shall report by November 1 of each year to the Governor and the Chairmen of the House				
39	Appropriations and Senate Finance Committees detailing implementation progress				
40	including, but not limited to, the number of individuals enrolled in care coordination, the				
41	geographic areas, populations and services affected and cost savings achieved. Unless				
42	otherwise delineated, the department shall have authority to implement necessary changes				
43	upon federal approval and prior to the completion of any regulatory process undertaken in				
44	order to effect such change. The intent of this Item may be achieved through several steps,				
45	including, but not limited to, the following:				
46	a. In fulfillment of this item, the department may seek federal authority to implement a				
47	care coordination program for Elderly or Disabled with Consumer Direction (EDCD)				
48	waiver participants effective October 1, 2011. This service would be provided to adult				
49	EDCD waiver participants on a mandatory basis. The department shall have authority to				
50	promulgate emergency regulations to implement this amendment within 280 days or less				
51	from the enactment of this act.				
52	b. In fulfillment of this item, the department may seek federal authority through				
53	amendments to the State Plan under Title XIX of the Social Security Act, and any				
54	necessary waivers, to allow individuals enrolled in Home and Community Based Care				
55	(HCBC) waivers to also be enrolled in contracted Medallion II managed care				
56	organizations for the purposes of receiving acute and medical care services. The				
57	department shall have authority to promulgate emergency regulations to implement this				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	amendment within 280 days or less from the enactment of this act.				
2	c. In fulfillment of this item, the department and the Department of Behavioral Health and				
3	Developmental Services, in collaboration with the Community Services Boards and in				
4	consultation with appropriate stakeholders, shall develop a blueprint for the development and				
5	implementation of a care coordination model for individuals in need of behavioral health				
6	services not currently provided through a managed care organization. The overall goal of the				
7	project is to improve the value of behavioral health services purchased by the Commonwealth				
8	of Virginia without compromising access to behavioral health services for vulnerable				
9	populations. Targeted case management services will continue to be the responsibility of the				
10	Community Services Boards. The blueprint shall: (i) describe the steps for development and				
11	implementation of the program model(s) including funding, populations served, services				
12	provided, timeframe for program implementation, and education of clients and providers; (ii)				
13	set the criteria for medical necessity for community mental health rehabilitation services; and				
14	(iii) include the following principles:				
15	1. Improves value so that there is better access to care while improving equity.				
16	2. Engages consumers as informed and responsible partners from enrollment to care delivery.				
17	3. Provides consumer protections with respect to choice of providers and plans of care.				
18	4. Improves satisfaction among providers and provides technical assistance and incentives for				
19	quality improvement.				
20	5. Improves satisfaction among consumers by including consumer representatives on provider				
21	panels for the development of policy and planning decisions.				
22	6. Improves quality, individual safety, health outcomes, and efficiency.				
23	7. Develops direct linkages between medical and behavioral services in order to make it easier				
24	for consumers to obtain timely access to care and services, which could include up to full				
25	integration.				
26	8. Builds upon current best practices in the delivery of behavioral health services.				
27	9. Accounts for local circumstances and reflects familiarity with the community where				
28	services are provided.				
29	10. Develops service capacity and a payment system that reduces the need for involuntary				
30	commitments and prevents default (or diversion) to state hospitals.				
31	11. Reduces and improves the interface of vulnerable populations with local law enforcement,				
32	courts, jails, and detention centers.				
33	12. Supports the responsibilities defined in the Code of Virginia relating to Community				
34	Services Boards and Behavioral Health Authorities.				
35	13. Promotes availability of access to vital supports such as housing and supported				
36	employment.				
37	14. Achieves cost savings through decreasing avoidable episodes of care and hospitalizations,				
38	strengthening the discharge planning process, improving adherence to medication regimens,				
39	and utilizing community alternatives to hospitalizations and institutionalization.				
40	15. Simplifies the administration of acute psychiatric, community mental health rehabilitation,				
41	and medical health services for the coordinating entity, providers, and consumers.				
42	16. Requires standardized data collection, outcome measures, customer satisfaction surveys,				
43	and reports to track costs, utilization of services, and outcomes. Performance data should be				
44	explicit, benchmarked, standardized, publicly available, and validated.				
45	17. Provides actionable data and feedback to providers.				
46	18. In accordance with federal and state regulations, includes provisions for effective and				
47	timely grievances and appeals for consumers.				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	d. The department may seek the necessary waiver(s) and/or State Plan authorization under				
2	Titles XIX and XXI of the Social Security Act to develop and implement a care				
3	coordination model, that is consistent with the principles in Paragraph e, for individuals in				
4	need of behavioral health services not currently provided through managed care to be				
5	effective July 1, 2012. This model may be applied to individuals on a mandatory basis.				
6	The department shall have authority to promulgate emergency regulations to implement				
7	this amendment within 280 days or less from the enactment date of this act.				
8	e.1. The department may seek the necessary waiver(s) and/or State Plan authorization				
9	under Title XIX of the Social Security Act to develop and implement a care coordination				
10	model for individuals dually eligible for services under both Medicare and Medicaid. The				
11	Director of the Department of Medical Assistance Services, in consultation with the				
12	Secretary of Health and Human Resources, shall establish a stakeholder advisory				
13	committee to support implementation of dual-eligible care coordination systems. The				
14	advisory committee shall support the dual-eligible initiatives by identifying care				
15	coordination and quality improvement priorities, assisting in securing analytic and care				
16	management support resources from federal, private and other sources and helping design				
17	and communicate performance reports. The advisory committee shall include				
18	representation from health systems, health plans, long-term care providers, health policy				
19	researchers, physicians, and others with expertise in serving the aged, blind, and disabled,				
20	and dual-eligible populations. The department shall have authority to implement necessary				
21	changes upon federal approval and prior to the completion of any regulatory process				
22	undertaken in order to effect such change.				
23	2. There is hereby created in the state treasury a special nonreverting fund to be known as				
24	the Commonwealth Coordinated Care Pay for Performance Fund, hereafter referred to as				
25	the "fund." The fund shall be established on the books of the Comptroller and any moneys				
26	remaining in the Fund at the end of each fiscal year shall not revert to the general fund but				
27	shall remain in the fund. Moneys deposited to the fund shall be used solely for bonus				
28	payments to managed care organizations participating in the Commonwealth Coordinated				
29	Care program that meet the performance criteria of the pay for performance program				
30	specified in paragraph OO.e.1.				
31	3. The department is authorized to implement a quality withhold program in the context of				
32	the initiative implemented pursuant to OO.e.1. Quality withhold funds, withheld from				
33	health plan capitation payments, shall be deposited in the fund created pursuant to OO.e.2.				
34	At the time and in the amounts determined by DMAS and Centers for Medicare and				
35	Medicaid Services, DMAS shall be authorized to make payments from the fund to health				
36	plans that meet quality performance measures stipulated in the Memorandum of				
37	Understanding and contract with health plans entered into pursuant to OO.e.1. Funds				
38	deposited in the fund may be used only for such payments.				
39	4. The Department of Planning and Budget in collaboration with the Department of				
40	Medical Assistance services shall transfer general fund appropriation withheld from funds				
41	set aside in connection with a pay for performance program related to the dual eligible				
42	initiative pursuant to paragraph OO.e.1., to the fund.				
43	PP. The Department of Medical Assistance Services shall make programmatic changes in				
44	the provision of Residential Treatment Facility (Level C) and Levels A and B residential				
45	services (group homes) for children with serious emotional disturbances in order ensure				
46	appropriate utilization and cost efficiency. The department shall consider all available				
47	options including, but not limited to, prior authorization, utilization review and provider				
48	qualifications. The department shall have authority to promulgate regulations to				
49	implement these changes within 280 days or less from the enactment date of this act.				
50	QQ. The Department of Medical Assistance Services, in consultation with the appropriate				
51	stakeholders, shall seek federal authority to implement a pricing methodology to modify				
52	or replace the current pricing methodology for pharmaceutical products as defined in 12				
53	VAC 30-80-40, including the dispensing fee, with an alternative methodology that is				
54	budget neutral or that creates cost savings. The department shall have the authority to				
55	promulgate emergency regulations to implement this amendment within 280 days or less				
56	from the enactment of this act.				
57	RR. The Department of Medical Assistance Services shall make programmatic changes to				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	the recipient utilization (Client Medical Management) program in order ensure appropriate				
2	utilization, prevent abuse, and promote improved and cost efficient medical management of				
3	essential Medicaid client health care. The department shall consider all available options				
4	including, but not limited to, utilization review, program criteria, and client enrollment. The				
5	Department of Medical Assistance Services shall promulgate regulations to implement these				
6	changes within 280 days or less from the enactment date of this act.				
7	SS. The Department of Medical Assistance Services shall mandate that payment rates				
8	negotiated between participating Medicaid managed care organizations and out-of-network				
9	providers for emergency or otherwise authorized treatment shall be considered payment in				
10	full. In the absence of rates negotiated between the managed care organization and the out-of-				
11	network provider, these services shall be reimbursed at the Virginia Medicaid fees and/or				
12	rates and shall be considered payment in full. The department shall have the authority to				
13	promulgate emergency regulations to implement this amendment within 280 days or less from				
14	the enactment date of this act.				
15	TT. The Department of Medical Assistance Services shall have the authority to amend the				
16	State Plan for Medical Assistance to convert the current cost-based reimbursement				
17	methodology for outpatient hospitals to an Enhanced Ambulatory Patient Group (EAPG)				
18	methodology. Reimbursement for laboratory services shall be included in the new outpatient				
19	hospital reimbursement methodology. The new EAPG reimbursement methodology shall be				
20	implemented in a budget-neutral manner. The department shall have the authority to				
21	promulgate regulations to become effective within 280 days or less from the enactment of this				
22	act.				
23	UU. The Department of Medical Assistance Services shall seek federal authority to move the				
24	family planning eligibility group from a demonstration waiver to the State Plan for Medical				
25	Assistance. The department shall seek approval of coverage under this new state plan option				
26	for individuals with income up to 200 percent of the federal poverty level. For the purposes of				
27	this section, family planning services shall not cover payment for abortion services and no				
28	funds shall be used to perform, assist, encourage or make direct referrals for abortions. The				
29	department shall have authority to implement necessary changes upon federal approval and				
30	prior to the completion of any regulatory process undertaken in order to effect such change.				
31	VV. The Department of Medical Assistance Services (DMAS) shall have the authority to				
32	amend the State Plan for Medical Assistance to enroll and reimburse freestanding birthing				
33	centers accredited by the Commission for the Accreditation of Birthing Centers.				
34	Reimbursement shall be based on the Enhanced Ambulatory Patient Group methodology				
35	applied in a manner similar to the reimbursement methodology for ambulatory surgery				
36	centers. The department shall have authority to implement necessary changes upon federal				
37	approval and prior to the completion of any regulatory process undertaken in order to effect				
38	such change.				
39	WW. The Department of Medical Assistance Services shall amend the State Plan for Medical				
40	Assistance to pay Medicare rates for primary care services performed by primary care				
41	physicians as mandated in §1202 of the federal Health Care and Education Reconciliation Act				
42	of 2010 ("HCERA"; P.L. 111-152). Primary care services are defined as certain evaluation				
43	and management (E&M) services and services related to immunization administration for				
44	vaccines and toxoids. Eligible physicians are defined as physicians with a primary specialty				
45	designation of family medicine, general internal medicine, or pediatric medicine. The				
46	department shall have the authority to establish procedures to determine which providers meet				
47	the criteria. The rate increase shall be effective for a two-year period with dates of service				
48	beginning January 1, 2013, through December 31, 2014. As prescribed in HCERA, the				
49	department shall claim 100 percent federal matching funds for the difference in payments				
50	between the Medicaid fee schedule effective July 1, 2009, and the Medicare rate effective				
51	January 1, 2013. HCERA also mandates that the increase be applied to Managed Care				
52	services. The department shall have authority to implement these reimbursement changes, and				
53	consistent with the federal rule implementing § 1202 of HCERA and State Plan Amendment				
54	approved by the Centers for Medicare and Medicaid Services.				
55	XX.1. In response to the unfavorable outcome to an appeal by the Department of Medical				
56	Assistance Services in federal court regarding reimbursement for services furnished to				
57	Medicaid members in a residential treatment center or freestanding psychiatric hospital, the				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	department shall revise reimbursement for services furnished Medicaid members in				
2	residential treatment centers and freestanding psychiatric hospitals to include professional,				
3	pharmacy and other services to be reimbursed separately as long as the services are in the				
4	plan of care developed by the residential treatment center or the freestanding psychiatric				
5	hospital and arranged by the residential treatment center or the freestanding psychiatric				
6	hospital. The department shall require residential treatment centers to include all services				
7	in the plan of care needed to meet the member's physical and psychological well-being				
8	while in the facility but may also include services in the community or as part of an				
9	emergency.				
10	2. The department shall have the authority to promulgate emergency regulations to				
11	implement this amendment within 280 days from the enactment of this act.				
12	YY. The Department of Medical Assistance Services may seek federal authority through				
13	amendments to the State Plans under Title XIX and XXI of the Social Security Act, and				
14	appropriate waivers to such, to allow foster care children, on a regional basis to be				
15	determined by the department, to be enrolled in Medicaid managed care (Medallion II).				
16	The department shall have the authority to promulgate emergency regulations to				
17	implement this amendment within 280 days or less from the enactment date of this act.				
18	ZZ. The Department of Medical Assistance Services shall have the authority to amend the				
19	State Plans under Title XIX and Title XXI of the Social Security Act in order to comply				
20	with the mandated provider screening provisions of the federal Affordable Care Act (P.L.				
21	111-148 and P.L. 111-152). The department shall have authority to promulgate				
22	emergency regulations to implement this amendment within 280 days or less from the				
23	enactment of this act.				
24	AAA. The department may seek federal authority through amendments to the State Plans				
25	under Title XIX and XXI of the Social Security Act, and appropriate waivers to such, to				
26	develop and implement programmatic and system changes that allow expedited				
27	enrollment of Medicaid eligible recipients into Medicaid managed care, most importantly				
28	for pregnant women. The department shall have the authority to promulgate emergency				
29	regulations to implement this amendment within 280 days or less from the enactment date				
30	of this act.				
31	BBB.1. The Department of Medical Assistance Services, related to appeals administered				
32	by and for the department, shall have authority to amend regulations to:				
33	i. Utilize the method of transmittal of documentation to include email, fax, courier, and				
34	electronic transmission.				
35	ii. Clarify that the day of delivery ends at normal business hours of 5:00 pm.				
36	iii. Eliminate an automatic dismissal against DMAS for alleged deficiencies in the case				
37	summary that do not relate to DMAS's obligation to substantively address all issues				
38	specified in the provider's written notice of informal appeal. A process shall be added, by				
39	which the provider shall file with the informal appeals agent within 12 calendar days of				
40	the provider's receipt of the DMAS case summary, a written notice that specifies any such				
41	alleged deficiencies that the provider knows or reasonably should know exist. DMAS shall				
42	have 12 calendar days after receipt of the provider's timely written notification to address				
43	or cure any of said alleged deficiencies. The current requirement that the case summary				
44	address each adjustment, patient, service date, or other disputed matter identified in the				
45	provider's written notice of informal appeal in the detail set forth in the current regulation				
46	shall remain in force and effect, and failure to file a written case summary with the				
47	Appeals Division in the detail specified within 30 days of the filing of the provider's				
48	written notice of informal appeal shall result in dismissal in favor of the provider on those				
49	issues not addressed by DMAS.				
50	iv. Clarify that appeals remanded to the informal appeal level via Final Agency Decision				
51	or court order shall reset the timetable under DMAS' appeals regulations to start running				
52	from the date of the remand.				
53	v. Clarify the department's authority to administratively dismiss untimely filed appeal				
54	requests.				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	vi. Clarify the time requirement for commencement of the formal administrative hearing.				
2	2. The Department of Medical Assistance Services shall have authority to promulgate				
3	regulations to implement these changes within 280 days or less from the enactment date of				
4	this act.				
5	CCC. The Department of Medical Assistance Services shall amend the State Plan for Medical				
6	Assistance to eliminate hospital inflation for FY 2015 and FY 2016. This shall apply to				
7	inpatient hospital operating rates (including long-stay and freestanding psychiatric), graduate				
8	medical education (GME) payments and disproportionate share hospital (DSH) payments.				
9	Similar reductions shall be made to the general fund share for Type One hospitals as reflected				
10	in Item 301 B. The department shall have the authority to implement these reimbursement				
11	changes effective July 1, 2014, and prior to completion of any regulatory process in order to				
12	effect such changes.				
13	DDD. The Department of Medical Assistance Services shall amend the 1915 (c) home- and				
14	community-based Intellectual Disabilities waiver to add 115 slots effective July 1, 2014 and				
15	an additional 410 slots effective July 1, 2015.				
16	EEE. The Department of Medical Assistance Services shall amend the Individual and Family				
17	Developmental Disabilities Support (DD) waiver to add 15 new slots effective July 1, 2014				
18	and an additional 40 slots effective July 1, 2015. The Department of Medical Assistance				
19	Services shall seek federal approval for necessary changes to the DD waiver to add the				
20	additional slots.				
21	FFF. The Department of Medical Assistance Services shall amend its regulations, subject to				
22	the federal Centers for Medicare and Medicaid Services approval, to strengthen the				
23	qualifications and responsibilities of the Consumer Directed Service Facilitator to ensure the				
24	health, safety and welfare of Medicaid home- and community-based waiver enrollees. The				
25	department shall have the authority to promulgate emergency regulations to implement this				
26	change effective July 1, 2012.				
27	GGG. It is the intent of the General Assembly that the implementation and administration of				
28	the care coordination contract for behavioral health services be conducted in a manner that				
29	insures system integrity and engages private providers in the independent assessment process.				
30	In addition, it is the intent that in the provision of services that ethical and professional				
31	conflicts are avoided and that sound clinical decisions are made in the best interests of the				
32	individuals receiving behavioral health services. As part of this process, the department shall				
33	monitor the performance of the contract to ensure that these principles are met and that				
34	stakeholders are involved in the assessment, approval, provision, and use of behavioral health				
35	services provided as a result of this contract.				
36	HHH. 1. Notwithstanding the requirements of Code of Virginia §2.2-4000, et seq., the				
37	Department of Medical Assistance Services shall amend the state plan and appropriate				
38	waivers under Title XIX of the Social Security Act to implement a process for administrative				
39	appeals of Medicaid/Medicare dual eligible recipients in accordance with terms of the				
40	Memorandum of Understanding between the department and the Centers for Medicare and				
41	Medicaid Services for the financial alignment demonstration program for dual eligible				
42	recipients. The department shall implement this change within 280 days or less from the				
43	enactment of this Appropriation Act.				
44	2. The department shall report by November 1 of each year to the Governor, the Chairmen of				
45	the House Appropriations and Senate Finance Committees, and the Director, Department of				
46	Planning and Budget detailing implementation progress of the financial alignment				
47	demonstration. This report shall include, but is not limited to, costs of implementation,				
48	projected cost savings, number of individuals enrolled, and any other implementation issues				
49	that arise.				
50	III. Effective July 1, 2013, the Department of Medical Assistance Services shall have the				
51	authority, to establish a 25 percent higher reimbursement rate for congregate residential				
52	services for individuals with complex medical or behavioral needs currently residing in an				
53	institution and unable to transition to integrated settings in the community due to the need for				
54	services that cannot be provided within the maximum allowable rate, or individuals whose				
55	needs present imminent risk of institutionalization and enhanced waiver services are needed				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	beyond those available within the maximum allowable rate. The department shall have				
2	authority to promulgate regulations to implement this change within 280 days or less from				
3	the enactment of this act.				
4	JJJ. The Department of Medical Assistance Services shall amend the State Plan for				
5	Medical Assistance to allow for delivery of notices of program reimbursement or other				
6	items referred to in the regulations related to provider appeals by electronic means				
7	consistent with the Uniform Electronic Transactions Act. The department shall implement				
8	this change effective July 1, 2013, and prior to completion of any regulatory process				
9	undertaken in order to effect such changes.				
10	KKK. The Department of Medical Assistance Services shall amend the State Plan for				
11	Medical Assistance to convert the current cost-based payment methodology for nursing				
12	facility operating rates in 12 VAC 30-90-41 to a price-based methodology effective July 1,				
13	2014. The new price-based payment methodology shall be implemented in a budget				
14	neutral manner.				
15	1. The department shall calculate prospective operating rates for direct and indirect costs				
16	in the following manner:				
17	a. The department shall calculate the cost per day in the base year for direct and indirect				
18	operating costs for each nursing facility. The department shall use existing definitions of				
19	direct and indirect costs.				
20	b. The initial base year for calculating the cost per day is cost reports ending in calendar				
21	year 2011. The department shall rebase prices in fiscal year 2018 and every three years				
22	thereafter using the most recent reliable calendar year cost-settled cost reports for				
23	freestanding nursing facilities that have been completed as of September 1.				
24	c. Each nursing facility's direct cost per day shall be neutralized by dividing the direct cost				
25	per day by the raw Medicaid facility case-mix that corresponds to the base year by facility.				
26	d. Costs per day shall be inflated to the midpoint of the fiscal year rate period using the				
27	moving average Virginia Nursing Home inflation index for the 4th quarter of each year				
28	(the midpoint of the fiscal year). Costs in the 2011 base year shall be inflated from the				
29	midpoint of the cost report year to the midpoint of fiscal year 2012 by pro-rating fiscal				
30	year 2012 inflation and annual inflation after that. Annual inflation adjustments shall be				
31	based on the last available report prior to the beginning of the fiscal year and corrected for				
32	any revisions to prior year inflation.				
33	e. Prices will be established for the following peer groups using a combination of				
34	Medicare wage regions and Medicaid rural and bed size modifications based on similar				
35	costs.				
36	1) Direct Peer groups				
37	- Northern Virginia MSA				
38	- Other MSAs				
39	- Northern Rural				
40	- Southern Rural				
41	2) Indirect Peer Groups				
42	- Northern Virginia MSA				
43	- Rest of State – Greater than 60 Beds				
44	- Other MSAs				
45	- Northern Rural				
46	- Southern Rural				
47	- Rest of State – 60 Beds or Less				

ITEM 301.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	f. The price for each peer group shall be based on the following adjustment factors:			
2	1) Direct - 105 percent of the peer group day-weighted median neutralized and inflated cost			
3	per day for freestanding nursing facilities.			
4	2) Indirect - 100.7 percent of the peer group day-weighted median inflated cost per day for			
5	freestanding nursing facilities.			
6	g. Facilities with costs projected to the rate year below 95 percent of the price shall have an			
7	adjusted price equal to the price minus the difference between their cost and 95 percent of the			
8	unadjusted price. Adjusted prices will be established at each rebasing. New facilities after the			
9	base year shall not have an adjusted price until the next rebasing. The "spending floor" limits			
10	the potential gain of low cost facilities, thereby making it possible to implement higher			
11	adjustment factors for other facilities at less cost.			
12	h. Individual claim payment for direct costs shall be based on each resident's Resource			
13	Utilization Group (RUG) during the service period times the facility direct price (similar to			
14	Medicare).			
15	i. Resource Utilization Group (RUG) is a resident classification system that groups nursing			
16	facility residents according to resource utilization and assigns weights related to the resource			
17	utilization for each classification. The department shall use RUGS to determine facility case			
18	mix for cost neutralization in determining the direct costs used in setting the price and for			
19	adjusting the claim payments for residents. The department may elect to transition from the			
20	RUG-III 34 Medicaid grouper to the RUG-IV 48 grouper in the following manner.			
21	1) The department shall neutralize direct costs per day in the base year using the most current			
22	RUG grouper applicable to the base year.			
23	2) The department shall utilize RUG-III 34 groups and weights in fiscal year 2015 for claim			
24	payments.			
25	3) Beginning in fiscal year 2016, the department may elect to implement RUG-IV 48			
26	Medicaid groups and weights for claim payments.			
27	4) RUG-IV 48 weights used for claim payments will be normalized to RUG-III 34 weights as			
28	long as base year costs are neutralized by the RUG-III 34 group. In that the weights are not			
29	the same under RUG IV as under RUG III, normalization will insure that total payments in			
30	direct using the RUGs IV 48 weights will be the same as total payments in direct using the			
31	RUGs-III 34 grouper.			
32	j. The department shall transition to the price-based methodology over a period of four years,			
33	blending the price-based rate described here with the cost-based rate based on current law			
34	with the following adjustments. The facility cost-based operating rates shall be the direct and			
35	indirect rates for fiscal year 2015 based on facility case-mix neutral rates modeled after the			
36	law that would have been in effect in fiscal year 2015 absent this amendment and using base			
37	year data from calendar year 2011 inflated to the rate year. Based on a four-year transition,			
38	the rate will be based on the following blend:			
39	1) Fiscal year 2015 - 25 percent of the price-based rate and 75 percent of the cost-based rate.			
40	2) Fiscal year 2016 - 50 percent of the price-based rate and 50 percent of the cost-based rate.			
41	3) Fiscal year 2017 - 75 percent of the price-based rate and 25 percent of the cost-based rate.			
42	4) Fiscal year 2018 - 100 percent of the price-based (fully implemented).			
43	During the first transition year for the period July 1, 2014 through October 31, 2014, DMAS			
44	shall case-mix adjust each direct cost component of the rates using the average facility case-			
45	mix from the two most recent finalized quarters (September and December 2013) instead of			
46	adjusting this component claim by claim.			
47	Cost-based rates to be used in the transition for facilities without cost data in the base year but			
48	placed in service prior to July 1, 2013 shall be determined based on the most recently settled			
49	cost data. If there is no settled cost report at the beginning of a fiscal year, then 100 percent of			



ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	the price-based rate shall be used for that fiscal year. Facilities placed in service after June				
2	30, 2013 shall be paid 100 percent of the price-based rate.				
3	2. Prospective capital rates shall be calculated in the following manner.				
4	a. Fair rental value per diem rates for the fiscal year shall be calculated for all freestanding				
5	nursing facilities based on the prior calendar year information aged to the fiscal year and				
6	using RS Means factors and rental rates corresponding to the fiscal year. There will be no				
7	separate calculation for beds subject to and not subject to transition.				
8	b. The department shall develop a procedure for mid-year fair rental value per diem rate				
9	changes for nursing facilities that put into service a major renovation or new beds. A				
10	major renovation shall be defined as an increase in capital of \$3,000 per bed. The nursing				
11	facility shall submit complete pro forma documentation at least 60 days prior to the				
12	effective date and the new rate shall be effective at the beginning of the month following				
13	the end of the 60 days. The provider shall submit final documentation within 60 days of				
14	the new rate effective date and the department shall review final documentation and				
15	modify the rate if necessary effective 90 days after the implementation of the new rate. No				
16	mid-year rate changes shall be made for an effective date after April 30 of the fiscal year.				
17	c. Effective July 1, 2014, the rental rate shall be 8.0 percent.				
18	d. These FRV changes shall also apply to specialized care facilities.				
19	e. The capital per diem rate for hospital-based nursing facilities shall be the last settled				
20	capital per diem.				
21	3. Prospective Nurse Aide Training and Competency Evaluation Programs (NATCEP)				
22	rates shall be the Medicaid per diem rate in the base year inflated to the rate year based on				
23	inflation used in the operating rate calculations.				
24	4. A prospective rate for criminal records checks shall be the per diem rate in the base				
25	year.				
26	5. The department shall have the authority to implement these payment changes effective				
27	July 1, 2014 and prior to completion of any regulatory process in order to effect such				
28	changes.				
29	6. The department shall amend the State Plan for Medical Assistance to reimburse the				
30	price-based operating rate rather than the transition operating rate to any nursing facility				
31	whose licensed bed capacity decreased by at least 30 beds after 2011 and whose				
32	occupancy increased from less than 70 percent in 2011 to more than 80 percent in 2013.				
33	The department shall have the authority to implement this reimbursement change effective				
34	July 1, 2015, and prior to completion of any regulatory process in order to effect such				
35	change.				
36	LLL. The Department of Medical Assistance Services shall amend its State Plan under				
37	Title XIX of the Social Security Act to implement reasonable restrictions on the amount of				
38	incurred dental expenses allowed as a deduction from income for nursing facility				
39	residents. Such limitations shall include: (i) that routine exams and x-rays, and dental				
40	cleaning shall be limited to twice yearly; (ii) full mouth x-rays shall be limited to once				
41	every three years; and (iii) deductions for extractions and fillings shall be permitted only if				
42	medically necessary as determined by the department.				
43	MMM. Notwithstanding §32.1-325, et seq. and §32.1-351, et seq. of the Code of Virginia,				
44	and effective upon the availability of subsidized private health insurance offered through a				
45	Health Benefits Exchange in Virginia as articulated through the federal Patient Protection				
46	and Affordable Care Act (PPACA), the Department of Medical Assistance Services shall				
47	eliminate, to the extent not prohibited under federal law, Medicaid Plan First and FAMIS				
48	Moms program offerings to populations eligible for and enrolled in said subsidized				
49	coverage in order to remove disincentives for subsidized private healthcare coverage				
50	through publicly-offered alternatives. To ensure, to the extent feasible, a smooth transition				
51	from public coverage, DMAS shall endeavor to phase out such coverage for existing				
52	enrollees once subsidized private insurance is available through a Health Benefits				
53	Exchange in Virginia. The department shall implement any necessary changes upon				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	federal approval and prior to the completion of any regulatory process undertaken in order to				
2	effect such change.				
3	NNN. The Department of Medical Assistance Services shall have authority to amend the State				
4	Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any				
5	waivers thereof, to implement requirements of the federal Patient Protection and Affordable				
6	Care Act (PPACA) as it pertains to implementation of Medicaid and CHIP eligibility				
7	determination and case management standards and practices, including the Modified Adjusted				
8	Gross Income (MAGI) methodology. The department shall have authority to implement such				
9	standards and practices upon federal approval and prior to the completion of any regulatory				
10	process undertaken in order to effect such change.				
11	OOO. Effective July 1, 2013, the Department of Medical Assistance Services shall establish a				
12	Medicaid Physician and Managed Care Liaison Committee including, but not limited to,				
13	representatives from the following organizations: the Virginia Academy of Family				
14	Physicians; the American Academy of Pediatricians – Virginia Chapter; the Virginia College				
15	of Emergency Physicians; the American College of Obstetrics and Gynecology – Virginia				
16	Section; Virginia Chapter, American College of Radiology; the Psychiatric Society of				
17	Virginia; the Virginia Medical Group Management Association; and the Medical Society of				
18	Virginia. The committee shall also include representatives from each of the department's				
19	contracted managed care organizations and a representative from the Virginia Association of				
20	Health Plans. The committee will work with the department to investigate the implementation				
21	of quality, cost-effective health care initiatives, to identify means to increase provider				
22	participation in the Medicaid program, to remove administrative obstacles to quality, cost-				
23	effective patient care, and to address other matters as raised by the department or members of				
24	the committee. The committee shall meet semi-annually, or more frequently if requested by				
25	the department or members of the committee. The department, in cooperation with the				
26	committee, shall report on the committee's activities annually to the Board of Medical				
27	Assistance Services and to the Chairmen of the House Appropriations and Senate Finance				
28	Committees and the Department of Planning and Budget no later than October 1 each year.				
29	PPP. The Department of Medical Assistance Services shall establish a work group of				
30	representatives of providers of home- and community-based care services to continue				
31	improvements in the audit process and procedures for home- and community-based utilization				
32	and review audits. The Department of Medical Assistance Services shall report on any				
33	revisions to the methodology for home- and community-based utilization and review audits,				
34	including progress made in addressing provider concerns and solutions to improve the process				
35	for providers while ensuring program integrity. In addition, the report shall include				
36	documentation of the past year's audits, a summary of the number of audits to which				
37	retractions were assessed and the total amount, the number of appeals received and the results				
38	of appeals. The report shall be provided to the Chairmen of the House Appropriations and				
39	Senate Finance Committees by December 1 of each year.				
40	QQQ. The Department of Medical Assistance Services shall amend the State Plan for Medical				
41	Assistance to calculate an indirect medical education (IME) factor for Virginia freestanding				
42	children's hospitals with greater than 50 percent Medicaid utilization in 2009. Total payments				
43	for IME in combination with other payments for freestanding children's hospitals with greater				
44	than 50 percent Medicaid utilization in 2009 may not exceed the federal uncompensated care				
45	cost limit that disproportionate share hospital payments are subject to. The department shall				
46	have the authority to implement these reimbursement changes effective July 1, 2013, and				
47	prior to completion of any regulatory process undertaken in order to effect such change.				
48	RRR. The Department of Medical Assistance Services shall realign the billable activities paid				
49	for individual supported employment provided under the Medicaid home- and community-				
50	based waivers to be consistent with job development and job placement services provided				
51	through employment services organizations that are reimbursed by the Department for Aging				
52	and Rehabilitative Services. The department shall have the authority to implement this				
53	reimbursement change effective July 1, 2013, and prior to the completion of any regulatory				
54	process undertaken in order to effect such change.				
55	SSS. Effective July 1, 2013, the Department of Medical Assistance Services shall take the				
56	steps necessary to amend the Intellectual Disability Waiver and the Individual and Family				
57	Developmental Disabilities Support Waiver to change the unit of service for skilled and				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	private duty nursing from the current one hour to one-quarter of an hour. The department				
2	shall implement this change using a methodology that is budget neutral.				
3	TTT.1. The Department of Medical Assistance Services shall seek federal authority				
4	through any necessary waiver(s) and/or State Plan authorization under Titles XIX and				
5	XXI of the Social Security Act to implement a comprehensive value-driven, market-based				
6	reform of the Virginia Medicaid/FAMIS programs. This reform shall be implemented in				
7	three phases as outlined in paragraphs 2, 3 and 4. The department shall have authority to				
8	implement necessary changes when feasible after federal approval and prior to the				
9	completion of any regulatory process undertaken in order to effect such change.				
10	2. In the first phase of reform, the Department of Medical Assistance Services shall				
11	continue currently authorized reforms of the Virginia Medicaid/FAMIS service delivery				
12	model that shall, at a minimum, include (i) implementation of a Medicare-Medicaid				
13	Enrollee (dual eligible) Financial Alignment demonstration as evidenced by a				
14	Memorandum of Understanding with the Centers for Medicare and Medicaid Services				
15	(CMS), signing of a three-way contract with CMS and participating plans, and approval of				
16	the necessary amendments to the State Plan for Medical Assistance and any waivers				
17	thereof; (ii) enhanced program integrity and fraud prevention efforts to include at a				
18	minimum: recovery audit contracting (RAC), data mining, service authorization, enhanced				
19	coordination with the Medicaid Fraud Control Unit (MFCU), and Payment Error Rate				
20	Measurement (PERM); (iii) inclusion of children enrolled in foster care in managed care;				
21	(iv) implementation of a new eligibility and enrollment information system for Medicaid				
22	and other social services; (v) improved access to Veterans services through creation of the				
23	Veterans Benefit Enhancement Program; and (vi) expedite the tightening of standards,				
24	services limits, provider qualifications, and licensure requirements for community				
25	behavioral health services.				
26	3. In the second phase of reform, the Department of Medical Assistance Services shall				
27	implement value-based purchasing reforms for all recipients subject to a Modified				
28	Adjusted Gross Income (MAGI) methodology for program eligibility and any other				
29	recipient categories not excluded from the Medallion II managed care program. Such				
30	reforms shall, at a minimum, include the following: (i) the services and benefits provided				
31	are the types of services and benefits provided by commercial insurers and may include				
32	appropriate and reasonable limits on services such as occupational, physical, and speech				
33	therapy, and home care with the exception of non-traditional behavioral health and				
34	substance use disorder services; (ii) reasonable limitations on non-essential benefits such				
35	as non-emergency transportation are implemented; and (iii) patient responsibility is				
36	required including reasonable cost-sharing and active patient participation in health and				
37	wellness activities to improve health and control costs.				
38	To administer this reformed delivery model, the department is authorized to contract with				
39	qualified health plans to offer recipients a Medicaid benefit package adhering to these				
40	principles. Any coordination of non-traditional behavioral health services covered under				
41	contract with qualified health plans or through other means shall adhere to the principles				
42	outlined in paragraph OO. c. This reformed service delivery model shall be mandatory, to				
43	the extent allowed under the relevant authority granted by the federal government and				
44	shall, at a minimum, include (i) limited high-performing provider networks and				
45	medical/health homes; (ii) financial incentives for high quality outcomes and alternative				
46	payment methods; (iii) improvements to encounter data submission, reporting, and				
47	oversight; (iv) standardization of administrative and other processes for providers; and (v)				
48	support of the health information exchange.				
49	The second phase of reform shall also include administrative simplification of the				
50	Medicaid program through any necessary waiver(s) and/or State Plan authorization under				
51	Titles XIX and XXI of the Social Security Act and outline agreed upon parameters and				
52	metrics to provide maximum flexibility and expedited ability to develop and implement				
53	pilot programs to test innovative models that (i) leverage innovations and variations in				
54	regional delivery systems; (ii) link payment and reimbursement to quality and cost				
55	containment outcomes; or (iii) encourage innovations that improve service quality and				
56	yield cost savings to the Commonwealth. Upon federal approval, the department shall				
57	have authority to implement such pilot programs prior to the completion of the regulatory				
58	process.				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	4. In the third phase of reform, the Department of Medical Assistance Services shall seek				
2	reforms to include all remaining Medicaid populations and services, including long-term care				
3	and home- and community-based waiver services into cost-effective, managed and				
4	coordinated delivery systems. The department shall begin designing the process and obtaining				
5	federal authority to transition all remaining Medicaid beneficiaries into a coordinated delivery				
6	system.				
7	5. The Department of Medical Assistance Services shall provide a report to the Medicaid				
8	Innovation and Reform Commission on the specific waiver and/or State Plan changes that				
9	have been approved and status of implementing such changes, and associated cost savings or				
10	cost avoidance to Medicaid/FAMIS expenditures.				
	<b>I VETO THIS ITEM WHICH IS UNCONSTITUTIONAL. /s/ Terence R. McAuliffe (6/21/14) (Vetoed item is enclosed in brackets.)</b>				
11	6.a. The Department shall seek the approval of the Medicaid Innovation and Reform				
12	Commission to amend the State Plan for Medicaid Assistance under Title XIX of the Social				
13	Security Act, and any waivers thereof, to implement coverage for newly eligible individuals				
14	pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act.				
15	If the Medicaid Innovation and Reform Commission determines that the conditions in				
16	paragraphs 2, 3, 4, and 5 have been met, then the Commission shall approve implementation				
17	of coverage for newly eligible individuals pursuant to 42 U.S.C. § 1396d(y)(1)[2010] of the				
18	Patient Protection and Affordable Care Act.				
19	b. Upon approval by the Medicaid Innovation and Reform Commission, the department shall				
20	implement the provisions in paragraph 6.a. of this item by July 1, 2014, or as soon as feasible				
21	thereafter.				
22	7.a. Contingent upon the expansion of eligibility in paragraph 6.a., there is hereby created in				
23	the state treasury a special nonreverting fund to be known as the Virginia Health Reform and				
24	Innovation Fund, hereafter referred to as the "Fund." The Fund shall be established on the				
25	books of the Comptroller and any moneys remaining in the Fund at the end of each fiscal year				
26	shall not revert to the general fund but shall remain in the Fund. For purposes of the				
27	Comptroller's preliminary and final annual reports required by § 2.2-813, however, all				
28	deposits to and disbursements from the Fund shall be accounted for as part of the general fund				
29	of the state treasury.				
30	b. The Director of the Department of Medical Assistance Services, in consultation with the				
31	Director of the Department of Planning and Budget, shall annually identify projected general				
32	fund savings attributable to enrollment of newly eligible individuals included in 42 U.S.C. §				
33	1396d(y)(1)[2010] of the PPACA, including behavioral health services, inmate health care,				
34	and indigent care. Beginning with development of the fiscal year 2015 budget, these projected				
35	savings shall be reflected in reduced appropriations to the affected agencies and the amounts				
36	deposited into the Fund net of any appropriation increases necessary to meet resulting				
37	programmatic requirements of the Department of Medical Assistance Services. Beginning in				
38	fiscal year 2015, funding to support health innovations described in Paragraph 3 shall be				
39	appropriated from the Fund not to exceed \$3.5 million annually. Funding shall be distributed				
40	through health innovation grants to private and public entities in order to reduce the annual				
41	rate of growth in health care spending or improve the delivery of health care in the				
42	Commonwealth. When the department, in consultation with the Department of Planning and				
43	Budget, determines that the general fund expenses incurred from coverage of newly eligible				
44	individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA exceed any associated				
45	savings, a percentage of the principle of the Fund as determined necessary by the department				
46	and the Department of Planning and Budget to cover the cost of the newly eligible population				
47	shall be reallocated to the general fund and appropriated to the department to offset the cost of				
48	this population. Principle shall be allocated on an annual basis for as long as funding is				
49	available.				
50	8. In the event that the increased federal medical assistance percentages for newly eligible				
51	individuals included in 42 U.S.C. § 1396d(y)(1)[2010] of the PPACA is modified through				
52	federal law or regulation from the methodology in effect on January 1, 2014, resulting in a				
53	reduction in federal medical assistance as determined by the department in consultation with				
54	the Department of Planning and Budget, the Department of Medical Assistance Services shall				
55	disenroll and eliminate coverage for individuals who obtained coverage through 42 U.S.C. §				
56	1396d(y)(1) [2010] of the PPACA. The disenrollment process shall include written				
57	notification to affected Medicaid beneficiaries, Medicaid managed care plans, and other				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	providers that coverage will cease as soon as allowable under federal law from the date the				
2	department is notified of a reduction in Federal Medical Assistance Percentage.				
3	9. That notwithstanding any other provision of this act, or any other law, no general or				
4	nongeneral funds shall be appropriated or expended for such costs as may be incurred to				
5	implement coverage for newly eligible individuals pursuant to 42 U.S.C. §				
6	1396d(y)(1)[2010] of the Patient Protection and Affordable Care Act, unless included in				
7	an appropriation bill adopted by the General Assembly on or after July 1, 2014.				
8	UUU.1. The Director of the Department of Medical Assistance Services shall continue to				
9	make improvements in the provision of health and long-term care services under				
10	Medicaid/FAMIS that are consistent with evidence-based practices and delivered in a cost				
11	effective manner to eligible individuals.				
12	2. In order to effect such improvements and ensure that reform efforts are cost effective				
13	relative to current forecasted Medicaid/FAMIS expenditure levels, the Department of				
14	Medical Assistance Services shall (i) develop a five-year consensus forecast of				
15	expenditures and savings associated with the Virginia Medicaid/FAMIS reform efforts by				
16	November 15 of each year in conjunction with the Department of Planning and Budget,				
17	and with input from the House Appropriations and Senate Finance Committees, and (ii)				
18	engage stakeholder involvement in meeting annual targets for quality and cost-				
19	effectiveness.				
20	VVV. Effective July 1, 2014, the Department of Medical Assistance Services shall replace				
21	the AP-DRG grouper with the APR-DRG grouper for hospital inpatient reimbursement.				
22	The department shall develop budget neutral case rates and Virginia-specific weights for				
23	the APR-DRG grouper based on the FY 2011 base year. The department shall phase in the				
24	APR-DRG weights by blending in 50 percent of the full APR-DRG weights with 50				
25	percent of FY 2014 AP-DRG weights in the first year and 75 percent of the full APR-				
26	DRG weights with 25 percent of the FY 2014 AP-DRG weights in the second year for				
27	each APR-DRG group and severity. FY 2014 AP-DRG weights shall be calculated as a				
28	weighted average FY 2014 AP-DRG weight for all claims in the base year that group to				
29	each APR-DRG group and severity. Full APR-DRG weights shall be used in the third year				
30	and succeeding years for each APR-DRG group and severity. The department shall have				
31	the authority to implement these reimbursement changes effective July 1, 2014, and prior				
32	to completion of any regulatory process in order to effect such changes.				
33	WWW.1. Effective July 1, 2014, the Department of Medical Assistance Services shall				
34	replace the current Disproportionate Share Hospital (DSH) methodology with the				
35	following methodology:				
36	a) DSH eligible hospitals must have a total Medicaid Inpatient Utilization Rate equal to 14				
37	percent or higher in the base year using Medicaid days eligible for Medicare DSH or a				
38	Low Income Utilization Rate in excess of 25 percent and meet other federal requirements.				
39	Eligibility for out of state cost reporting hospitals shall be based on total Medicaid				
40	utilization or on total Medicaid NICU utilization equal to 14 percent or higher.				
41	b) Each hospital's DSH payment shall be equal to the DSH per diem multiplied by each				
42	hospital's eligible DSH days in a base year. Days reported in provider fiscal years in state				
43	FY 2011 will be the base year for FY 2015 prospective DSH payments. DSH will be				
44	recalculated annually with an updated base year. DSH payments are subject to applicable				
45	federal limits.				
46	c) Eligible DSH days are the sum of all Medicaid inpatient acute, psychiatric and				
47	rehabilitation days above 14 percent for each DSH hospital subject to special rules for out				
48	of state cost reporting hospitals. Eligible DSH days for out of state cost reporting hospitals				
49	shall be the higher of the number of eligible days based on the calculation in the first				
50	sentence times Virginia Medicaid utilization (Virginia Medicaid days as a percent of total				
51	Medicaid days) or the Medicaid NICU days above 14 percent times Virginia NICU				
52	Medicaid utilization (Virginia NICU Medicaid days as a percent of total NICU Medicaid				
53	days). Eligible DSH days for out of state cost reporting hospitals who qualify for DSH but				
54	who have less than 12 percent Virginia Medicaid utilization shall be 50 percent of the days				
55	that would have otherwise been eligible DSH days.				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	d) Additional eligible DSH days are days that exceed 28 percent Medicaid utilization for				
2	Virginia Type Two hospitals (excluding Children's Hospital of the Kings Daughters).				
3	e) The DSH per diem shall be calculated in the following manner:				
4	a. The DSH per diem for Type Two hospitals is calculated by dividing the total Type Two				
5	DSH allocation by the sum of eligible DSH days for all Type Two DSH hospitals. For				
6	purposes of DSH, Type Two hospitals do not include Children's Hospital of the Kings				
7	Daughters (CHKD) or any hospital whose reimbursement exceeds its federal uncompensated				
8	care cost limit. The Type Two Hospital DSH allocation shall equal the amount of DSH paid to				
9	Type Two hospitals in state FY 2014 increased annually by the percent change in the federal				
10	allotment, including any reductions as a result of the Affordable Care Act, adjusted for the				
11	state fiscal year.				
12	b. The DSH per diem for State Inpatient Psychiatric Hospitals is calculated by dividing the				
13	total State Inpatient Psychiatric Hospital DSH allocation by the sum of eligible DSH days.				
14	The State Inpatient Psychiatric Hospital DSH allocation shall equal the amount of DSH paid				
15	in state FY 2013 increased annually by the percent change in the federal allotment, including				
16	any reductions as a result of the Affordable Care Act, adjusted for the state fiscal year.				
17	c. The DSH per diem for CHKD shall be three times the DSH per diem for Type Two				
18	hospitals.				
19	d. The DSH per diem for Type One hospitals shall be 17 times the DSH per diem for Type				
20	Two hospitals.				
21	2. Each year, the department shall determine how much Type Two DSH has been reduced as				
22	a result of the Affordable Care Act and adjust the percent of cost reimbursed for outpatient				
23	hospital reimbursement.				
24	3. The department shall convene the Hospital Payment Policy Advisory Council at least once				
25	a year to consider additional changes to the DSH methodology.				
26	4. The department shall have the authority to implement these reimbursement changes				
27	effective July 1, 2014, and prior to completion of any regulatory process in order to effect				
28	such changes.				
29	XXX. The Department of Medical Assistance Services shall amend the State Plan for Medical				
30	Assistance to pay rates for Durable Medical Equipment items subject to the Medicare				
31	competitive bidding program equal to the lower of the current DMERC minus 10 percent or				
32	the average of the Medicare competitive bid rates in Virginia markets. The department shall				
33	have the authority to implement these reimbursement changes effective July 1, 2014, and				
34	prior to completion of any regulatory process in order to effect such changes.				
35	YYY. The Department of Medical Assistance Services shall have authority to amend the State				
36	Plans for Medical Assistance under Titles XIX and XXI of the Social Security Act, and any				
37	waivers thereof, to implement requirements of the federal Patient Protection and Affordable				
38	Care Act (PPACA), P.L. 111-148, as it pertains to implementation of Medicaid and CHIP				
39	eligibility determination and case management standards and practices, including the				
40	Modified Adjusted Gross Income (MAGI) methodology and, notwithstanding the				
41	requirements of Code of Virginia §2.2-4000, et seq., the process for administrative appeals of				
42	MAGI-related eligibility determinations. The department shall have authority to implement				
43	such standards and practices upon federal approval and prior to the completion of any				
44	regulatory process undertaken in order to effect such changes.				
45	ZZZ. The Department of Medical Assistance Services (DMAS) shall not change the unit of				
46	service or rate of reimbursement for Mental Health Skill-Building Services (MHSS) until the				
47	2015 General Assembly has reviewed the impact of the December 1, 2013 emergency				
48	regulations that changed the eligibility and service description for Mental Health Skill-				
49	Building Services. DMAS and the Department of Behavioral Health and Developmental				
50	Services shall jointly prepare a report to be delivered by November 1, 2014 to the Chairmen				
51	of the House Appropriations and Senate Finance Committees. The report shall document the				
52	impact of the MHSS regulations implemented on December 1, 2013 and shall include an				
53	assessment of the fiscal impact, consumer and family impact, service delivery impact, and				
54	impact upon other agencies and facilities in Virginia.				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	AAAA. The Department of Medical Assistance Services shall have the authority to				
2	contract with other public and private entities to conduct the required screening process				
3	for the Individual and Family Developmental Disabilities Support waiver. The department				
4	shall have authority to implement necessary changes upon federal approval and prior to				
5	the completion of any regulatory process undertaken in order to effect such changes.				
6	BBBB. The Department of Medical Assistance Services shall have authority to amend its				
7	regulations, subject to the federal Centers for Medicare and Medicaid Services approval,				
8	to strengthen all program requirements and policies of the consumer-directed services				
9	programs to ensure the health, safety and welfare of Medicaid home- and community-				
10	based waiver enrollees. The department shall submit a detailed report on proposed				
11	regulatory changes to the consumer-directed services programs and the issues and				
12	problems the department is attempting to resolve. The department shall submit the report				
13	to the Director, Department of Planning and Budget and the Chairmen of the House				
14	Appropriations and Senate Finance Committees at least 30 days prior to beginning the				
15	regulatory process.				
16	CCCC. Effective July 1, 2014, the Department of Medical Assistance Services shall				
17	amend the State Plan for Medical Assistance to reduce clinical laboratory fees by 12				
18	percent. The department shall have the authority to implement these reimbursement				
19	changes effective July 1, 2014, and prior to completion of any regulatory process in order				
20	to effect such changes.				
21	DDDD.1. There is hereby appropriated sum-sufficient nongeneral funds for the				
22	Department of Medical Assistance Services (DMAS) to pay the state share of				
23	supplemental payments for qualifying private hospital partners of Type One hospitals				
24	(consisting of state-owned teaching hospitals) as provided in the State Plan for Medical				
25	Assistance Services. Qualifying private hospitals shall consist of any hospital currently				
26	enrolled as a Virginia Medicaid provider and owned or operated by a private entity in				
27	which a Type One hospital has a non-majority interest. The supplemental payments shall				
28	be based upon the reimbursement methodology established for such payments in				
29	Attachments 4.19-A and 4.19-B of the State Plan for Medical Assistance Services. DMAS				
30	shall enter into a transfer agreement with any Type One hospital whose private hospital				
31	partner qualifies for such supplemental payments, under which the Type One hospital				
32	shall provide the state share in order to match federal Medicaid funds for the supplemental				
33	payments to the private hospital partner. The department shall have the authority to				
34	implement these reimbursement changes consistent with the effective date in the State				
35	Plan amendment approved by CMS and prior to completion of any regulatory process in				
36	order to effect such changes.				
37	2.a. The Department of Medical Assistance Services shall promulgate regulations to make				
38	supplemental payments to Medicaid physician providers with a medical school located in				
39	Eastern Virginia that is a political subdivision of the Commonwealth. The amount of the				
40	supplemental payment shall be based on the difference between the average commercial				
41	rate approved by the Centers for Medicare and Medicaid Services (CMS) and the				
42	payments otherwise made to physicians. The department shall have the authority to				
43	implement these reimbursement changes consistent with the effective date in the State				
44	Plan amendment approved by CMS and prior to completion of any regulatory process in				
45	order to effect such changes.				
46	b. The department shall increase payments to Medicaid managed care organizations for				
47	the purpose of securing access to Medicaid physician services in Eastern Virginia, through				
48	higher rates to physicians affiliated with a medical school located in Eastern Virginia that				
49	is a political subdivision of the Commonwealth subject to applicable limits. The				
50	department shall revise its contracts with managed care organizations to incorporate these				
51	supplemental capitation payments, and provider payment requirements, subject to				
52	approval by CMS. No payment shall be made without approval from CMS.				
53	c. Funding for the state share for these Medicaid payments is authorized in Item 243.				
54	3. The Department of Medical Assistance Services (DMAS) shall have the authority to				
55	amend the State Plan for Medical Assistance Services (State Plan) to implement a				
56	supplemental Medicaid payment for local government-owned nursing homes. The total				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	supplemental Medicaid payment for local government-owned nursing homes shall be based				
2	on the difference between the Upper Payment Limit of 42 CFR §447.272 as approved by				
3	CMS and all other Medicaid payments subject to such limit made to such nursing homes.				
4	There is hereby appropriated sum-sufficient funds for DMAS to pay the state share of the				
5	supplemental Medicaid payment hereunder. However, DMAS shall not submit such State				
6	Plan amendment to CMS until it has entered into an intergovernmental agreement with				
7	eligible local government-owned nursing homes or the local government itself which requires				
8	them to transfer funds to DMAS for use as the state share for the supplemental Medicaid				
9	payment each nursing home is entitled to and to represent that each has the authority to				
10	transfer funds to DMAS and that the funds used will comply with federal law for use as the				
11	state share for the supplemental Medicaid payment. If a local government-owned nursing				
12	home or the local government itself is unable to comply with the intergovernmental				
13	agreement, DMAS shall have the authority to modify the State Plan. The department shall				
14	have the authority to implement the reimbursement change consistent with the effective date				
15	in the State Plan amendment approved by CMS and prior to the completion of any regulatory				
16	process undertaken in order to effect such change.				
17	4. The Department of Medical Assistance Services shall have the authority to amend the State				
18	Plan for Medical Assistance Services to implement a supplemental payment for clinic services				
19	furnished by the Virginia Department of Health (VDH) effective July 1, 2015. The total				
20	supplemental Medicaid payment shall be based on the Upper Payment Limit approved by the				
21	Centers for Medicare and Medicaid Services and all other Medicaid payments. VDH is				
22	required to transfer funds to the department funds already appropriated to VDH to cover the				
23	non-federal share of the Medicaid payments. The department shall have the authority to				
24	implement the reimbursement change effective July 1, 2015, and prior to the completion of				
25	any regulatory process undertaken in order to effect such changes.				
26	EEEE. The Department of Medical Assistance Services shall amend the State Plan for				
27	Medical Assistance to provide coverage for cessation services for tobacco users, including				
28	pharmacology, group and individual counseling, and other treatment services including the				
29	most current version of or an official update to the Clinical Health Guideline "Treating				
30	Tobacco Use and Dependence" published by the Public Health Service of the U.S.				
31	Department of Health and Human Services. These services shall be subject to copayment				
32	requirements. The department shall have authority to implement this reimbursement change				
33	effective July 1, 2014 and prior to the completion of any regulatory process undertaken in				
34	order to effect such changes.				
35	FFFF. The Department of Medical Assistance Services shall have the authority to amend the				
36	1915 (c) home- and community-based Elderly or Consumer-Direction (EDCD) waiver,				
37	Individual and Family Developmental Disabilities (DD) Support Waiver, Intellectual				
38	Disabilities (ID) waiver and Technology-Assisted (TECH) waiver, and associated regulations,				
39	to specify that transition services includes the first month's rent for qualified housing as an				
40	allowable cost. The department shall have authority to implement this reimbursement change				
41	effective July 1, 2014 and prior to the completion of any regulatory process undertaken in				
42	order to effect such changes.				
43	GGGG. The Department of Medical Assistance Services shall have the authority to				
44	implement Section 1902(a)(10)(A)(i)(IX) of the federal Social Security Act to provide				
45	Medicaid benefits up until the age of 26 to individuals who are or were in foster care at least				
46	until the age of 18 in any state.				
47	HHHH. Effective July 1, 2014 the Department of Medical Assistance Services shall amend				
48	the State Plan for Medical Assistance to provide that the reimbursement floor for the nursing				
49	facility FRV "rental rate" shall be 8.0 percent in fiscal year 2015 and fiscal year 2016. The				
50	department shall have the authority to implement these reimbursement changes prior to the				
51	completion of any regulatory process undertaken in order to effect such changes.				
52	IIII. The Department of Medical Assistance Services shall amend the State Plan for Medical				
53	Assistance to eliminate nursing facility inflation for fiscal year 2016. This shall apply to				
54	nursing facility operating rates. The department shall have the authority to implement these				
55	reimbursement changes prior to the completion of any regulatory process undertaken in order				
56	to effect such changes.				
57	JJJJ. The Department of Medical Assistance Services shall amend the State Plan for Medical				



ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Assistance to eliminate inflation for outpatient rehabilitation agencies and home health				
2	agencies for FY 2015 and FY 2016. The department shall have the authority to implement				
3	these reimbursement changes effective July 1, 2014, and prior to the completion of any				
4	regulatory process in order to effect such changes.				
5	KKKK. The Department of Medical Assistance Services shall assess and report on the				
6	impact of the requirement that nurses providing private duty nursing services to				
7	individuals receiving services through the Technology Assisted Waiver program to have				
8	six months of work experience in order to be reimbursed through the Medicaid program.				
9	The assessment shall examine access to qualified nurses by individuals eligible for waiver				
10	services as well as hiring, turnover, and retention of nurses providing private duty nursing				
11	services through the waiver. The department shall provide a report on its findings by				
12	November 1, 2014, to the Chairmen of the House Appropriations and Senate Finance				
13	Committees.				
14	LLLL.1. The Department of Medical Assistance Services shall amend the Medicaid				
15	demonstration project (Project Number 11-W-00297/3) to modify eligibility provided				
16	through the project to individuals with serious mental illness to be effective July 1, 2015.				
17	Income eligibility shall be modified to limit services to seriously mentally ill adults with				
18	effective household incomes up to 60 percent of the federal poverty level (FPL). All				
19	individuals enrolled in this Medicaid demonstration project with incomes between 61%				
20	and 100% of the Federal Poverty Level as of May 15, 2015 who continue to meet other				
21	program eligibility rules, shall maintain enrollment in the demonstration until their next				
22	eligibility renewal period or July 1, 2016, whichever comes first. Benefits shall include the				
23	following services: (i) primary care office visits including diagnostic and treatment				
24	services performed in the physician's office, (ii) outpatient specialty care, consultation,				
25	and treatment, (iii) outpatient hospital including observation and ambulatory diagnostic				
26	procedures, (iv) outpatient laboratory, (v) outpatient pharmacy, (vi) outpatient				
27	telemedicine, (vii) medical equipment and supplies for diabetic treatment, (viii) outpatient				
28	psychiatric treatment, (ix) mental health case management, (x) psychosocial rehabilitation				
29	assessment and psychosocial rehabilitation services, (xi) mental health crisis intervention,				
30	(xii) mental health crisis stabilization, (xiii) therapeutic or diagnostic injection, (xiv)				
31	behavioral telemedicine, (xv) outpatient substance abuse treatment services, and (xvi)				
32	intensive outpatient substance abuse treatment services. Care coordination, Recovery				
33	Navigation (peer supports), crisis line and prior authorization for services shall be				
34	provided through the agency's Behavioral Health Services Administrator. The department				
35	shall have authority to implement necessary changes upon federal approval and prior to				
36	the completion of any regulatory process undertaken in order to effect such changes.				
37	2. The Department of Medical Assistance Services is authorized to amend the State Plan				
38	under Title XIX of the Social Security Act to add coverage for comprehensive dental				
39	services to pregnant women receiving services under the Medicaid program to include: (i)				
40	diagnostic, (ii) preventive, (iii) restorative, (iv) endodontics, (v) periodontics, (vi)				
41	prosthodontics both removable and fixed, (vii) oral surgery, and (viii) adjunctive general				
42	services.				
43	3. The Department of Medical Assistance Services is authorized to amend the FAMIS				
44	MOMS and FAMIS Select demonstration waiver (No. 21-W-00058/3) for FAMIS MOMS				
45	enrollees to add coverage for dental services to align with pregnant women's coverage				
46	under Medicaid.				
47	4. The Department of Medical Assistance Services is authorized to amend the State Plan				
48	under Title XXI of the Social Security Act to plan to allow enrollment for dependent				
49	children of state employees who are otherwise eligible for coverage.				
50	5. The department shall have authority to implement necessary changes upon federal				
51	approval and prior to the completion of any regulatory process undertaken in order to				
52	effect such changes.				
53	MMMM. Out of this appropriation, \$8,179,904 from the general fund and \$8,179,904				
54	from nongeneral funds the second year shall be used to increase rates by two percent for				
55	congregate residential services (except sponsored placement), 5.5 percent for in-home				
56	residential services, two percent for day support services and prevocational services, 10				
57	percent for therapeutic consultation services, 15.7 percent for skilled nursing services in				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	the Intellectual Disability and IFDDS waivers and six percent for EPSDT nursing to be equal				
2	to the private duty nursing rates in the Technology Assisted Waiver effective July 1, 2015.				
3	2. The Department of Medical Assistance Services, in collaboration with the Department of				
4	Behavioral Health and Developmental Services, shall report on plans to redesign the Medicaid				
5	comprehensive Intellectual and Developmental Disability waivers prior to the submission of a				
6	request to the Centers for Medicare and Medicaid Services to amend the waivers. In				
7	developing the report, the departments shall include plans for the list of services to be				
8	included in each waiver; service limitations, provider qualifications, and proposed licensing				
9	regulatory changes; and proposed changes to the rate structure for services and the cost to				
10	implement such changes. In addition, the Department of Medical Assistance Services, in				
11	collaboration with the Department of Behavioral Health and Developmental Services, shall				
12	report on how the individuals currently served in the existing waivers and those expected to				
13	transition to the community will be served in the redesigned waivers based on their expected				
14	level of need for services. The departments shall complete their work and submit the report to				
15	the Governor and the Chairmen of the House Appropriations and Senate Finance Committees				
16	by November 1, 2015.				
17	NNNN. The Department of Medical Assistance Services shall increase the rates for agency				
18	and consumer-directed personal and respite care services by two percent, effective July 1,				
19	2015.				
20	OOOO. The Department of Medical Assistance Services shall amend the State Plan for				
21	Medical Assistance Services to eliminate the requirement for pending, reviewing and				
22	reducing fees for emergency room claims for 99283 codes. The department shall have the				
23	authority to implement this reimbursement change effective July 1, 2015, and prior to the				
24	completion of any regulatory process undertaken in order to effect such change.				
25	PPPP. The Department of Medical Assistance Services shall amend the State Plan for Medical				
26	Assistance to increase the supplemental physician payments for practice plans affiliated with				
27	a freestanding children's hospital with more than 50 percent Medicaid inpatient utilization in				
28	fiscal year 2009 to the maximum allowed by the Centers for Medicare and Medicaid Services.				
29	The department shall have the authority to implement these reimbursement changes effective				
30	July 1, 2015, and prior to completion of any regulatory process undertaken in order to effect				
31	such change.				
32	QQQQ.1. Notwithstanding § 32.1-330 of the Code of Virginia, the Department of Medical				
33	Assistance Services shall improve the preadmission screening process for individuals who				
34	will be eligible for long-term care services, as defined in the state plan for medical assistance.				
35	The community-based screening team shall consist of a licensed health care professional and				
36	a social worker who are employees or contractors of the Department of Health or the local				
37	department of social services, or other assessors contracted by the department. The				
38	department shall not contract with any entity for whom there exists a conflict of interest. For				
39	community-based screening for children, the screening shall be performed by an individual or				
40	entity with whom the department has entered into a contract for the performance of such				
41	screenings.				
42	2. The department shall track and monitor all requests for screenings and report on those				
43	screenings that have not been completed within 30 days of an individual's request for				
44	screening. The screening teams and contracted entities shall use the reimbursement and				
45	tracking mechanisms established by the department.				
46	3. The department shall report on the progress of meeting the requirements for completion of				
47	preadmission screenings within 30 days of an individual's request for screening, the				
48	implementation of the contract for screening children, and make recommendations for				
49	changes to improve the process to the Chairmen of the House Appropriations and Senate				
50	Finance Committees by December 1, 2015.				
51	4. The Department of Medical Assistance Services shall promulgate regulations to implement				
52	these provisions to be effective within 280 days of its enactment. The department may				
53	implement any changes necessary to implement these provisions prior to the promulgation of				
54	regulations undertaken in order to effect such changes.				
55	RRRR.1. The Department of Medical Assistance Services (DMAS) shall provide quarterly				

ITEM 301.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	reports beginning on July 1, 2015, to the Chairmen of the House Appropriations and				
2	Senate Finance Committees on the implementation of the Commonwealth Coordinated				
3	Care program, including information on program enrollment, the ability of Medicare and				
4	Medicaid Managed Care Plans to ensure a robust provider network, resolution of provider				
5	concerns regarding the cost and technical difficulties in participating in the program,				
6	quality of care, and progress in resolving issues related to federal Medicare requirements				
7	which impede the efficient and effective delivery of care.				
8	2. The Department of Medical Assistance Services (DMAS) shall require providers to use				
9	a National Provider Identifier number, effective July 1, 2015, in order to participate in the				
10	Commonwealth Coordinated Care program.				
11	SSSS. The Department of Medical Assistance Services (DMAS) shall amend its July 1,				
12	2016, managed care contracts in order to conform to the requirement pursuant to House				
13	Bill 1942 / Senate Bill 1262, passed during the 2015 Regular Session, for prior				
14	authorization of drug benefits. The Department shall report the necessary amendments to				
15	the Chairmen of the House Appropriations and Senate Finance Committees by December				
16	1, 2015.				
17	TTTT. Notwithstanding 12VAC30-120-1600 et seq., a resident of a "safe, secure				
18	environment" as defined in 22VAC40-72-10 shall be deemed to have met the				
19	requirements of 12VAC30-120-1610 B for the purposes of the Alzheimer's Assisted				
20	Living Waiver.				
21	302. Not set out.				
22	303. Medical Assistance Services for Low Income				
23	Children (46600).....			\$132,223,833	<del>\$136,969,363</del>
24					\$129,189,052
25	Reimbursements for Medical Services Provided to				
26	Low-Income Children (46601).....	\$132,223,833	<del>\$136,969,363</del>		
27			\$129,189,052		
28	Fund Sources: General.....	\$46,278,049	<del>\$24,312,062</del>		
29			\$22,931,057		
30	Federal Trust.....	\$85,945,784	<del>\$112,657,301</del>		
31			\$106,257,995		
32	Authority: Title 32.1, Chapters 9, 10 and 13, Code of Virginia; P.L. 89-97, as amended,				
33	Titles XIX and XXI, Social Security Act, Federal Code.				
34	To the extent that appropriations in this Item are insufficient, the Director, Department of				
35	Planning and Budget shall transfer general fund appropriation from Items 300 and 301, if				
36	available, into this Item, to be used as state match for federal Title XXI funds.				
37	304. Administrative and Support Services (49900).....			\$143,769,927	<del>\$160,659,411</del>
38					\$166,656,557
39	General Management and Direction (49901).....	\$126,518,315	<del>\$143,045,034</del>		
40			\$148,867,180		
41	Information Technology Services (49902).....	\$14,532,855	\$14,895,620		
42	Administrative Support for the Family Access to				
43	Medical Insurance Security Plan (49932).....	\$2,718,757	<del>\$2,718,757</del>		
44			\$2,893,757		
45	Fund Sources: General.....	\$49,524,364	<del>\$53,475,433</del>		
46			\$55,752,006		
47	Special.....	\$1,565,000	\$1,565,000		
48	Federal Trust.....	\$92,680,563	<del>\$105,618,978</del>		
49			\$109,339,551		
50	Authority: Title 32.1, Chapters 9 and 10, Code of Virginia; P.L. 89-97, as amended, Titles				
51	XIX and XXI, Social Security Act, Federal Code.				
52	A. By November 15 of each year, the Department of Planning and Budget, in cooperation				
53	with the Department of Medical Assistance Services, shall prepare and submit a forecast				
54	of Medicaid expenditures, upon which the Governor's budget recommendations will be				
55	based, for the current and subsequent two years to the Chairmen of the House				

ITEM 304.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Appropriations and Senate Finance Committees.				
2	B. The Department of Medical Assistance Services shall submit expenditure reports of the				
3	Medicaid program to the Department of Planning and Budget and the Chairmen of the House				
4	Appropriations and Senate Finance Committees. These reports shall be submitted on a				
5	quarterly basis.				
6	C. Out of this appropriation, \$50,000 the first year and \$50,000 the second year from the				
7	special fund is appropriated to the Department of Medical Assistance Services for the				
8	administration of the disbursement of civil money penalties levied against and collected from				
9	Medicaid nursing facilities for violations of rules identified during survey and certification as				
10	required by federal law and regulation. Based on the nature and seriousness of the deficiency,				
11	the Agency or the Centers for Medicare and Medicaid Services may impose a civil money				
12	penalty, consistent with the severity of the violations, for the number of days a facility is not				
13	in substantial compliance with the facility's Medicaid participation agreement. Civil money				
14	penalties collected by the Commonwealth must be applied to the protection of the health or				
15	property of residents of nursing facilities found to be deficient. Penalties collected are to be				
16	used for (1) the payment of costs incurred by the Commonwealth for relocating residents to				
17	other facilities; (2) payment of costs incurred by the Commonwealth related to operation of				
18	the facility pending correction of the deficiency or closure of the facility; and (3)				
19	reimbursement of residents for personal funds or property lost at a facility as a result of				
20	actions by the facility or individuals used by the facility to provide services to residents.				
21	These funds are to be administered in accordance with the revised federal regulations and law,				
22	42 CFR 488.400 and the Social Security Act § 1919(h), for Enforcement of Compliance for				
23	Long-Term Care Facilities with Deficiencies. Any special fund revenue received for this				
24	purpose, but unexpended at the end of the fiscal year, shall remain in the fund for use in				
25	accordance with this provision.				
26	D. The Department of Medical Assistance Services, to the extent permissible under federal				
27	law, shall enter into an agreement with the Department of Behavioral Health and				
28	Developmental Services to share Medicaid claims and expenditure data on all Medicaid-				
29	reimbursed mental health, intellectual disability and substance abuse services, and any new or				
30	expanded mental health, intellectual disability retardation and substance abuse services that				
31	are covered by the State Plan for Medical Assistance. The information shall be used to				
32	increase the effective and efficient delivery of publicly funded mental health, intellectual				
33	disability and substance abuse services.				
34	E. In addition to any regional offices that may be located across the Commonwealth, any				
35	statewide, centralized call center facility that operates in conjunction with a brokerage				
36	transportation program for persons enrolled in Medicaid or the Family Access to Medical				
37	Insurance Security plan shall be located in Norton, Virginia.				
38	F. The Department of Planning and Budget, is authorized to transfer amounts, as needed, from				
39	Medicaid Program Services (45600), Medical Assistance Services for Low Income Children				
40	(46600) and Children's Health Insurance Program Delivery (44600), to Administrative and				
41	Support Services (49900), to fund administrative expenditures associated with contracts				
42	between the department and companies providing dental benefit services, consumer-directed				
43	payroll services, claims processing, behavioral health management services and disease state /				
44	chronic care programs for Medicaid and FAMIS recipients.				
45	G. The Department of Medical Assistance Services shall, to the extent possible, require web-				
46	-based electronic submission of provider enrollment applications, revalidations and other				
47	related documents necessary for participation in the fee-for-service program under the State				
48	Plans for Title XIX and XXI of the Social Security Act.				
49	H. The Department of Medical Assistance Services shall report on efforts to ensure validation				
50	of meaningful and reliable encounter data for the purposes of rate setting, program				
51	monitoring, providing data to policy makers and the general public, and detection of fraud,				
52	waste and abuse. The department shall submit the report to the Director, Department of				
53	Planning and Budget and the Chairmen of the House Appropriations and Senate Finance				
54	Committees by September 1, 2015.				
55	I. The Department of Medical Assistance Services shall report on the operations and costs of				
56	the Medicaid call center (also known as the Cover Virginia Call Center). This report shall				

ITEM 304.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	include number of calls received on a monthly basis, the purpose of the call, the number of				
2	applications for Medicaid submitted through the call center, and the costs of the contract.				
3	The department shall submit the report for FY 2015 by August 15, 2015, and for FY 2016				
4	by August 15, 2016. The report shall be submitted to the Director, Department of Planning				
5	and Budget and the Chairmen of the House Appropriations and Senate Finance				
6	Committees.				
7	J.1. Out of the this appropriation, \$150,000 the first year and \$150,000 the second year				
8	from the general fund and \$150,000 the first year and \$150,000 the second year from				
9	nongeneral funds shall be provided for Medicaid's share of the costs of participating in the				
10	Commonwealth's Health Information Exchange (ConnectVirginia).This appropriation is				
11	contingent on approval by the federal Centers for Medicare and Medicaid Services of				
12	federal financial participation for these costs.				
13	2. Out of this appropriation \$100,000 the first year and \$100,000 the second year from the				
14	general fund and \$900,000 the first year and \$900,000 the second year from nongeneral				
15	funds shall be provided to assist in the costs of onboarding Medicaid providers to the				
16	Commonwealth's Health Information Exchange (ConnectVirginia).				
17	K. Out of this appropriation, \$100,000 the second year from the general fund shall be				
18	provided to contract with the Virginia Center for Health Innovation for research,				
19	development and tracking of innovative approaches to healthcare delivery.				
20	L. The Department of Medical Assistance Services shall report on the implementation of				
21	provisions in Chapter 196, 2014 Acts of Assembly, which authorizes the agency to				
22	provide payments or transfers to the Virginia Retirement System's deferred compensation				
23	plan for dentist or oral and maxillofacial surgeons who are independent contractors that				
24	provide services for the Medicaid program. The department shall provide a report to the				
25	Chairmen of the House Appropriations and Senate Finance Committees by July 1, 2015.				
26	M. Out of this appropriation, \$3,283,004 the second year from the general fund and				
27	\$9,839,000 the second year from nongeneral funds is provided for the enhanced operation				
28	of the Cover Virginia Call Center as a centralized eligibility processing unit (CPU) that				
29	shall be limited to processing Medicaid applications received from the Federally				
30	Facilitated Marketplace, telephonic applications through the call center, or electronically				
31	submitted Medicaid-only applications. The enhancement to the Cover Virginia Call Center				
32	contract to operate as a CPU is limited to fiscal year 2016. The department shall report the				
33	number of applications processed on a monthly basis and payments made to the contractor				
34	to the Director, Department of Planning and Budget and the Chairman of the House				
35	Appropriations and Senate Finance Committees. The report shall be submitted no later				
36	than 30 days after the end of each quarter of the fiscal year.				
37	Total for Department of Medical Assistance				
38	Services.....			\$8,633,799,062	<del>\$9,036,684,655</del>
39					\$9,340,422,927
40	General Fund Positions.....	210.37	225.02		
41	Nongeneral Fund Positions.....	216.63	234.98		
42	Position Level.....	427.00	460.00		
43	Fund Sources: General.....	\$3,846,847,641	<del>\$4,099,194,548</del>		
44			\$4,266,731,052		
45	Special.....	\$1,565,000	\$1,565,000		
46	Dedicated Special Revenue.....	\$444,354,054	\$360,954,259		
47	Federal Trust.....	\$4,341,032,367	<del>\$4,574,970,848</del>		
48			\$4,711,172,616		
49	<b>§ 1-16. DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (720)</b>				
50	305. Not set out.				
51	306. Not set out.				
52	307. Not set out.				

ITEM 307.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>Grants to Localities (790)</b>			
<b>2</b>	308.	Financial Assistance for Health Services (44500).....	\$349,012,156	\$378,756,136
<b>3</b>				\$379,715,193
<b>4</b>		Community Substance Abuse Services (44501).....	\$96,277,019	\$96,277,019
<b>5</b>		Community Mental Health Services (44506).....	\$204,606,666	\$222,621,646
<b>6</b>		Community Developmental Disability Services		
<b>7</b>		(44507).....	\$48,128,471	<del>\$59,857,471</del>
<b>8</b>				\$60,816,528
<b>9</b>		Fund Sources: General.....	\$287,332,709	<del>\$317,076,689</del>
<b>10</b>				\$318,035,746
<b>11</b>		Federal Trust.....	\$61,679,447	\$61,679,447
<b>12</b>	Authority: Title 37.2, Chapters 5 and 6; Title 2.2, Chapter 53, Code of Virginia.			
<b>13</b>	A. It is the intent of the General Assembly that community mental health, intellectual			
<b>14</b>	disability and substance abuse services are to be improved throughout the state. Funds			
<b>15</b>	provided in this Item shall not be used to supplant the funding effort provided by localities for			
<b>16</b>	services existing as of June 30, 1996.			
<b>17</b>	B. Further, it is the intent of the General Assembly that funds appropriated for this Item may			
<b>18</b>	be used by Community Services Boards to purchase, develop, lease, or otherwise obtain, in			
<b>19</b>	accordance with §§ 37.2-504 and 37.2-605, Code of Virginia, real property necessary to the			
<b>20</b>	provision of residential services funded by this Item.			
<b>21</b>	C. Out of the appropriation for this Item, funds are provided to Community Services Boards			
<b>22</b>	in an amount sufficient to reimburse the Virginia Housing Development Authority for			
<b>23</b>	principal and interest payments on residential projects for the mentally disabled financed by			
<b>24</b>	the Housing Authority.			
<b>25</b>	D. The Department of Behavioral Health and Developmental Services shall make payments to			
<b>26</b>	the Community Services Boards from this Item in twenty-four equal semimonthly			
<b>27</b>	installments, except for necessary budget revisions or the operational phase-in of new			
<b>28</b>	programs.			
<b>29</b>	E. Failure of a board to participate in Medicaid covered services and to meet all requirements			
<b>30</b>	for provider participation shall result in the termination of a like amount of state grant			
<b>31</b>	support.			
<b>32</b>	F. Community Services Boards may establish a line of credit loan for up to three months'			
<b>33</b>	operating expenses to assure adequate cash flow.			
<b>34</b>	G. Out of this appropriation \$190,000 the first year and \$190,000 the second year from the			
<b>35</b>	general fund shall be provided to Virginia Commonwealth University for the continued			
<b>36</b>	operation and expansion of the Virginia Autism Resource Center.			
<b>37</b>	H.1. Out of this appropriation, \$13,203,366 the first year and \$13,808,366 the second year			
<b>38</b>	from the general fund shall be provided for Virginia's Part C Early Intervention System for			
<b>39</b>	infants and toddlers with disabilities.			
<b>40</b>	2. By November 15 of each year, the department shall report to the Chairmen of the House			
<b>41</b>	Appropriations and Senate Finance Committees on the (a) total revenues used to support Part			
<b>42</b>	C services, (b) total expenses for all Part C services, (c) total number of infants, toddlers and			
<b>43</b>	families served using all Part C revenues, and (d) services provided to those infants, toddlers,			
<b>44</b>	and families.			
<b>45</b>	I. Out of this appropriation \$6,148,128 the first year and \$6,148,128 the second year from the			
<b>46</b>	general fund shall be provided for mental health services for children and adolescents with			
<b>47</b>	serious emotional disturbances and related disorders, with priority placed on those children			
<b>48</b>	who, absent services, are at-risk for custody relinquishment, as determined by the Family and			
<b>49</b>	Assessment Planning Team of the locality. The Department of Behavioral Health and			
<b>50</b>	Developmental Services shall provide these funds to Community Services Boards through the			
<b>51</b>	annual Performance Contract. These funds shall be used exclusively for children and			
<b>52</b>	adolescents, not mandated for services under the Comprehensive Services Act for At-Risk			

ITEM 308.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Youth, who are identified and assessed through the Family and Assessment Planning				
2	Teams and approved by the Community Policy and Management Teams of the localities.				
3	The department shall provide these funds to the Community Services Boards based on an				
4	individualized plan of care methodology.				
5	J. The Commissioner, Department of Behavioral Health and Developmental Services shall				
6	allocate \$1,000,000 the first year and \$1,000,000 the second year from the federal				
7	Community Mental Health Services Block Grant for two specialized geriatric mental				
8	health services programs. One program shall be located in Health Planning Region II and				
9	one shall be located in Health Planning Region V. The programs shall serve elderly				
10	populations with mental illness who are transitioning from state mental health geriatric				
11	units to the community or who are at risk of admission to state mental health geriatric				
12	units. The commissioner is authorized to reduce the allocation in each year in an amount				
13	proportionate to any reduction in the federal Community Mental Health Services Block				
14	Grant funds awarded to the Commonwealth.				
15	K. The Commissioner, Department of Behavioral Health and Developmental Services				
16	shall allocate \$750,000 the first year and \$750,000 the second year from the federal				
17	Community Mental Health Services Block Grant for consumer-directed programs offering				
18	specialized mental health services that promote wellness, recovery and improved self-				
19	management. The commissioner is authorized to reduce the allocation in each year in an				
20	amount proportionate to any reduction in the federal Community Mental Health Services				
21	Block Grant funds awarded to the Commonwealth.				
22	L. Out of this appropriation, \$2,197,050 the first year and \$2,197,050 the second year				
23	from the general fund shall be used for jail diversion and reentry services. Funds shall be				
24	distributed to community-based contractors based on need and community preparedness				
25	as determined by the commissioner.				
26	M. Out of this appropriation, \$2,400,000 the first year and \$2,400,000 the second year				
27	from the general fund shall be used for treatment and support services for substance use				
28	disorders, including individuals with acquired brain injury and co-occurring substance use				
29	disorders. Funded services shall focus on recovery models and the use of best practices.				
30	N. Out of this appropriation, \$2,780,645 the first year and \$2,780,645 the second year				
31	from the general fund shall be used to provide outpatient clinician services to children				
32	with mental health needs. Each Community Services Board shall receive funding as				
33	determined by the commissioner to increase the availability of specialized mental health				
34	services for children. The department shall require that each Community Services Board				
35	receiving these funds agree to cooperate with Court Service Units in their catchment areas				
36	to provide services to mandated and nonmandated children, in their communities, who				
37	have been brought before Juvenile and Domestic Relations Courts and for whom				
38	treatment services are needed to reduce the risk these children pose to themselves and				
39	their communities or who have been referred for services through family assessment and				
40	planning teams through the Comprehensive Services Act for At-Risk Youth and Families.				
41	O. Out of this appropriation, \$17,701,997 the first year and \$17,701,997 the second year				
42	from the general fund shall be used to provide emergency services, crisis stabilization				
43	services, case management, and inpatient and outpatient mental health services for				
44	individuals who are in need of emergency mental health services or who meet the criteria				
45	for mental health treatment set forth pursuant to House Bill 559 and Senate Bill 246, 2008				
46	Session of the General Assembly. Funding provided in this item also shall be used to				
47	offset the fiscal impact of (i) establishing and providing mandatory outpatient treatment,				
48	pursuant to House Bill 499 and Senate Bill 246, 2008 Session of the General Assembly;				
49	and (ii) attendance at involuntary commitment hearings by community services board staff				
50	who have completed the prescreening report, pursuant to House Bill 560 and Senate Bill				
51	246, 2008 Session of the General Assembly.				
52	P. Out of this appropriation, \$8,800,000 the first year and \$8,800,000 the second year				
53	from the general fund shall be used to provide community crisis intervention services in				
54	each region for individuals with intellectual or developmental disabilities and co-occurring				
55	mental health or behavioral disorders.				
56	Q. Out of this appropriation, \$1,900,000 the first year and \$1,900,000 the second year				

ITEM 308.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	from the general fund shall be used to expand community-based services in Health Planning				
2	Region V. These funds shall be used for services intended to delay or deter placement, or				
3	provide discharge assistance for patients in a state mental health facility.				
4	R. Out of this appropriation, \$2,000,000 the first year and \$2,000,000 the second year from				
5	the general fund shall be used to expand crisis stabilization and related services statewide				
6	intended to delay or deter placement in a state mental health facility.				
7	S. Out of this appropriation, \$4,150,000 the first year and \$6,650,000 the second year from				
8	the general fund shall be used to provide child psychiatry and children's crisis response				
9	services for children with mental health and behavioral disorders. These funds, divided among				
10	the health planning regions based on the current availability of the services, shall be used to				
11	hire or contract with child psychiatrists who can provide direct clinical services, including				
12	crisis response services, as well as training and consultation with other children's health care				
13	providers in the health planning region such as general practitioners, pediatricians, nurse				
14	practitioners, and community service boards staff, to increase their expertise in the prevention,				
15	diagnosis, and treatment of children with mental health disorders. Funds may also be used to				
16	create new or enhance existing community-based crisis response services in a health planning				
17	region, including mobile crisis teams and crisis stabilization services, with the goal of				
18	diverting children from inpatient psychiatric hospitalization to less restrictive services in or				
19	near their communities. The Department of Behavioral Health and Developmental Services				
20	shall report on the use and impact of this funding to the Chairmen of the House				
21	Appropriations and Senate Finance Committees beginning on October 1, 2014 and each year				
22	thereafter.				
23	T. Out of this appropriation, \$3,300,000 the first year and \$10,500,000 the second year from				
24	the general fund shall be used for up to 32 drop-off centers to provide an alternative to				
25	incarceration for people with serious mental illness and individuals with acquired brain injury				
26	and co-occurring serious mental health illness. Priority for new funding shall be given to				
27	programs that have implemented Crisis Intervention Teams pursuant to § 9.1-102 and § 9.1-				
28	187 et seq. of the Code of Virginia and have undergone planning to implement drop-off				
29	centers.				
30	U. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year from				
31	the general fund shall be used to develop and implement crisis services for children with				
32	intellectual or developmental disabilities.				
33	V. Out of this appropriation, \$1,750,000 the first year and \$2,000,000 the second year from				
34	the general fund shall be used to provide community-based services to individuals residing in				
35	state hospitals who have been determined clinically ready for discharge.				
36	W. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the				
37	general fund shall be used to provide mental health first aid training and certification to				
38	recognize and respond to mental or emotional distress. Funding shall be used to cover the				
39	cost of personnel dedicated to this activity, training and certification, and manuals and				
40	certification for all those receiving the training.				
41	X. Out of this appropriation, \$1,132,620 the first year and \$620,000 the second year from the				
42	general fund shall be used to expand access to telepsychiatry services.				
43	Y. Out of this appropriation, \$950,000 the first year and \$6,800,000 the second year from the				
44	general fund shall be used to implement seven new Programs of Assertive Community				
45	Treatment (PACT).				
46	Z. Out of this appropriation, \$3,500,000 the first year and \$4,000,000 the second year from				
47	the general fund shall be used to increase availability of community-based mental health				
48	outpatient services for youth and young adults.				
49	AA. Out of this appropriation, \$2,750,000 the first year from the general fund shall be used				
50	for the provision of services for individuals transitioning out of Northern Virginia Training				
51	Center into community settings.				
52	BB. Out of this appropriation, \$250,000 the first year and \$500,000 the second year from the				
53	general fund shall be used to increase mental health inpatient treatment purchased in				
54	community hospitals. Priority shall be given to regions that exhaust available resources				



ITEM 308.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	before the end of the year in order to ensure treatment is provided in the community and				
2	do not result in more restrictive placements.				
3	CC. Out of this appropriation, \$2,127,600 the second year from the general fund is				
4	provided for permanent supportive housing to support rental subsidies and services to be				
5	administered by community services boards or private entities to provide stable,				
6	supportive housing for persons with serious mental illness.				
7	DD. Out of this appropriation, \$250,000 the second year from the general fund is provided				
8	to contract with the ARC of Greater Prince William for assistance with construction or				
9	acquisition of appropriate accessible housing and appropriate clinical services to support				
10	individuals transitioning out of the Northern Virginia Training Center into the community.				
11	This funding is one-time to provide necessary support until the transition to the new				
12	redesigned Intellectual and Developmental Disability waivers with more appropriate				
13	services and an improved rate structure is complete. The ARC of Greater Prince William				
14	shall report on the use of this funding to support needs of individuals transitioning from				
15	the Northern Virginia Training Center. The report shall be submitted to the Chairmen of				
16	the House Appropriations and Senate Finance Committees by September 1, 2015.				
17	Total for Grants to Localities.....			\$349,012,156	\$378,756,136
18					\$379,715,193
19	Fund Sources: General.....	\$287,332,709	\$317,076,689		
20			\$318,035,746		
21	Federal Trust.....	\$61,679,447	\$61,679,447		
22	<b>Mental Health Treatment Centers (792)</b>				
23	309. Not set out.				
24	310. Not set out.				
25	311. Not set out.				
26	312. State Health Services (43000).....			\$213,986,268	\$211,621,250
27					\$212,139,912
28	Geriatric Care Services (43006).....	\$41,194,118	\$45,948,674		
29			\$42,034,736		
30	Inpatient Medical Services (43007).....	\$20,401,600	\$9,444,593		
31	State Mental Health Facility Services (43014).....	\$152,390,550	\$156,227,983		
32			\$160,660,583		
33	Fund Sources: General.....	\$152,233,330	\$161,646,947		
34			\$162,165,609		
35	Special.....	\$61,752,938	\$49,974,303		
36	Authority: Title 37.2, Chapters 1 through 11, Code of Virginia.				
37	A. Out of this appropriation, \$700,000 the first year and \$700,000 the second year from				
38	the general fund shall be used to continue operating up to 13 beds at Northern Virginia				
39	Mental Health Institute (NVMHI) that had been scheduled for closure in fiscal year 2013.				
40	The Commissioner of the Department of Behavioral Health and Developmental Services				
41	shall ensure continued operation of at least 123 beds.				
42	B.1. Out of this appropriation, \$4,070,663 the first year and \$4,070,663 the second year				
43	from the general fund shall be used to provide additional inpatient bed capacity at				
44	Southwestern Mental Health Institute, Northern Virginia Mental Health Institute, and				
45	Hiram Davis Medical Center.				
46	2. Out of this appropriation, \$375,000 the first year from the general fund shall be used for				
47	capital costs at Hiram Davis Medical Center to ensure sufficient medical capacity is				
48	available to serve patients with medical needs when the state becomes the facility of last				
49	resort.				
50	313. Not set out.				
51	314. Not set out.				

ITEM 314.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1		Total for Mental Health Treatment Centers.....			\$341,295,555	\$335,939,416
2						\$336,458,078
3		General Fund Positions.....	4,197.00	4,216.00		
4		Nongeneral Fund Positions.....	665.00	665.00		
5		Position Level.....	4,862.00	4,881.00		
6		Fund Sources: General.....	\$250,498,607	\$259,711,672		
7				\$260,230,334		
8		Special.....	\$90,596,948	\$76,027,744		
9		Federal Trust.....	\$200,000	\$200,000		
10	315.	Not set out.				
11	316.	Not set out.				
12	317.	Not set out.				
13	318.	Not set out.				
14	319.	Not set out.				
15	320.	Not set out.				
16	321.	Not set out.				
17	322.	Not set out.				
18	323.	Not set out.				
19	324.	Not set out.				
20		Grand Total for Department of Behavioral Health				
21		and Developmental Services.....			\$1,006,748,428	\$1,051,041,498
22						\$1,052,519,217
23		General Fund Positions.....	6,344.35	6,370.35		
24		Nongeneral Fund Positions.....	1,895.40	1,895.40		
25		Position Level.....	8,239.75	8,265.75		
26		Fund Sources: General.....	\$656,398,773	\$700,024,671		
27				\$701,502,390		
28		Special.....	\$277,407,775	\$276,544,809		
29		Federal Trust.....	\$72,941,880	\$74,472,018		
30	325.	Not set out.				
31	326.	Not set out.				
32	327.	Not set out.				
33	328.	Not set out.				
34	329.	Not set out.				
35	330.	Not set out.				
36	331.	Not set out.				
37	332.	Not set out.				
38	333.	Not set out.				
39		§ 1-17. DEPARTMENT OF SOCIAL SERVICES (765)				
40	334.	Program Management Services (45100).....			\$37,069,533	\$36,943,718
41						\$36,529,530
42		Training and Assistance to Local Staff (45101).....	\$4,203,926	\$4,203,926		
43				\$4,156,641		

ITEM 334.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Central Administration and Quality Assurance for				
2	Benefit Programs (45102).....	\$12,819,703	<del>\$12,819,703</del>		
3			\$12,544,662		
4	Central Administration and Quality Assurance for				
5	Family Services (45103).....	\$7,647,037	<del>\$7,521,222</del>		
6			\$7,370,916		
7	Central Administration and Quality Assurance for				
8	Community Programs (45105).....	\$8,232,153	<del>\$8,232,153</del>		
9			\$8,270,690		
10	Central Administration and Quality Assurance for				
11	Child Care Activities (45107).....	\$4,166,714	<del>\$4,166,714</del>		
12			\$4,186,621		
13	Fund Sources: General.....	\$15,594,758	<del>\$15,478,926</del>		
14			\$15,044,973		
15	Special.....	\$100,000	\$100,000		
16	Federal Trust.....	\$21,374,775	<del>\$21,364,792</del>		
17			\$21,384,557		
18	Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 2 and 21, Code of Virginia; Title VI,				
19	Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended,				
20	Federal Code.				
21	A. The Department of Social Services, in collaboration with the Office of Comprehensive				
22	Services, shall provide training to local staff serving on Family Assessment and Planning				
23	Teams and Community Policy and Management Teams. Training shall include, but need				
24	not be limited to, the federal and state requirements pertaining to the provision of the				
25	foster care services funded under § 2.2-5211, Code of Virginia. The training shall also				
26	include written guidance concerning which services remain the financial responsibility of				
27	the local departments of social services. Training shall be provided on a regional basis at				
28	least once per year. Written guidance shall be updated and provided to local				
29	Comprehensive Services Act teams whenever there is a change in allowable expenses				
30	under federal or state guidelines. In addition, the Department of Social Services shall				
31	provide ongoing local oversight of its federal and state requirements related to the				
32	provision of services funded under § 2.2-5211, Code of Virginia.				
33	B. By November 1 of each year, the Department of Planning and Budget, in cooperation				
34	with the Department of Social Services, shall prepare and submit a forecast of				
35	expenditures for cash assistance provided through the Temporary Assistance for Needy				
36	Families (TANF) program, mandatory child day care services under TANF, foster care				
37	maintenance and adoption subsidy payments, upon which the Governor's budget				
38	recommendations will be based, for the current and subsequent two years to the Chairmen				
39	of the House Appropriations and Senate Finance Committees.				
40	C. The Department of Social Services shall provide administrative support and technical				
41	assistance to the Family and Children's Trust Fund (FACT) Board of Trustees established				
42	in Sections 63.2-2100 through 63.2-2103, Code of Virginia.				
43	D. Out of this appropriation, \$1,829,111 the first year and \$1,829,111 the second year				
44	from the general fund and \$1,829,111 the first year and \$1,829,111 the second year from				
45	nongeneral funds shall be provided to fund the Supplemental Nutrition Assistance				
46	Program (SNAP) Electronic Benefit Transfer (EBT) contract cost.				
47	E. The Department of Social Services may revise the current schedule for the issuance of				
48	federal Supplemental Nutrition Assistance Program (SNAP) benefits over a two-month				
49	conversion period while minimizing the impact on current recipients, provided that no				
50	general fund dollars are required to implement the conversion. If the department				
51	determines that there are any general fund costs required to implement the conversion, the				
52	department may revise the current schedule for the issuance of federal Supplemental				
53	Nutrition Assistance Program (SNAP) benefits for new enrollees only. The department				
54	may spread out the issuance of SNAP benefits over nine calendar days with payments				
55	occurring on the first, fourth, seventh, and ninth day of the month.				
56	F.1. Out of this appropriation, ten positions and the associated funding shall be dedicated				
57	to providing on-going financial oversight of foster care services. Each of the ten				

ITEM 334.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	positions, with two working out of each regional office, shall assess and review all foster care				
2	spending to ensure that state and federal standards are met. None of these positions shall be				
3	used for quality, information technology, or clerical functions.				
4	2. By September 1 of each year, the department shall report to the Governor, the Chairmen of				
5	the House Appropriations and Senate Finance Committees, and the Director, Department of				
6	Planning and Budget regarding the foster care program's statewide spending, error rates and				
7	compliance with state and federal reviews.				
8	G. Out of this appropriation, \$100,000 the first year from the general fund shall be used to				
9	contract with a private entity, with expertise in government systems, finance, and child				
10	welfare services, to develop a plan for implementing the provisions of the federal Foster				
11	Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351; P.L. 111-148).				
12	This plan shall 1) include a six year projection of the fiscal impact associated with the				
13	Department of Social Services (DSS), the Comprehensive Services Act, and local departments				
14	of social services; 2) review of all necessary statutory, regulatory and administrative changes				
15	that are required by the federal law; 3) include a draft of any necessary legislative and				
16	regulatory changes; 4) include a draft of any necessary amendments to the Title IV-E state				
17	plan; 5) outline the impact on other child welfare services; and 6) assess any impact on				
18	children and families. The final implementation plan must be approved by the Commissioner,				
19	DSS and Director, Office of Comprehensive Services. By October 15, 2014, DSS shall				
20	provide this plan to the Governor, Chairmen of the House Appropriations and Senate Finance				
21	Committees, Secretary of Health and Human Resources, and the Director, Department of				
22	Planning and Budget.				
23	335. Financial Assistance for Self-Sufficiency Programs				
24	and Services (45200).....			\$254,884,230	\$260,952,028
25					\$268,490,853
26	Temporary Assistance for Needy Families (TANF)				
27	Cash Assistance (45201).....	\$85,937,952	\$86,294,138		
28			\$82,268,689		
29	Temporary Assistance for Needy Families (TANF)				
30	Employment Services (45212).....	\$19,657,832	\$19,657,832		
31	Supplemental Nutrition Assistance Program				
32	Employment and Training (SNAPET) Services				
33	(45213).....	\$1,017,742	\$1,017,742		
34			\$3,931,744		
35	Temporary Assistance for Needy Families (TANF)				
36	Child Care Subsidies (45214).....	\$57,722,640	\$59,823,670		
37			\$64,062,303		
38	At-Risk Child Care Subsidies (45215).....	\$82,033,895	\$85,644,477		
39			\$90,056,116		
40	Unemployed Parents Cash Assistance (45216).....	\$8,514,169	\$8,514,169		
41	Fund Sources: General.....	\$82,675,388	\$82,765,121		
42	Federal Trust.....	\$172,208,842	\$178,186,907		
43			\$185,725,732		
44	Authority: Title 2.2, Chapter 54; Title 63.2, Chapters 1 through 7, Code of Virginia; Title VI,				
45	Subtitle B, P.L. 97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended,				
46	Federal Code.				
47	A. It is hereby acknowledged that as of June 30, 2013 there existed with the federal				
48	government an unexpended balance of \$39,078,902 in federal Temporary Assistance for				
49	Needy Families (TANF) block grant funds which are available to the Commonwealth of				
50	Virginia to reimburse expenditures incurred in accordance with the adopted State Plan for the				
51	TANF program. Based on projected spending levels and appropriations in this act, the				
52	Commonwealth's accumulated balance for authorized federal TANF block grant funds is				
53	estimated at \$47,528,489 on June 30, 2014; <del>\$39,226,072</del> \$72,735,005 on June 30, 2015; and				
54	<del>\$27,164,943</del> \$63,378,512 on June 30, 2016.				
55	B. No less than 30 days prior to submitting any amendment to the federal government related				
56	to the State Plan for the Temporary Assistance for Needy Families program, the				
57	Commissioner of the Department of Social Services shall provide the Chairmen of the House				
58	Appropriations and Senate Finance Committees as well as the Director, Department of				

ITEM 335.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Planning and Budget written documentation detailing the proposed policy changes. This				
2	documentation shall include an estimate of the fiscal impact of the proposed changes and				
3	information summarizing public comment that was received on the proposed changes.				
4	C. Notwithstanding any other provision of state law, the Department of Social Services				
5	shall maintain a separate state program, as that term is defined by federal regulations				
6	governing the Temporary Assistance for Needy Families (TANF) program, 45 C.F.R. §				
7	260.30, for the purpose of providing welfare cash assistance payments to able-bodied two-				
8	parent families. The separate state program shall be funded by state funds and operated				
9	outside of the TANF program. Able-bodied two-parent families shall not be eligible for				
10	TANF cash assistance as defined at 45 C.F.R. § 260.31 (a)(1), but shall receive benefits				
11	under the separate state program provided for in this paragraph. Although various				
12	conditions and eligibility requirements may be different under the separate state program,				
13	the basic benefit payment for which two-parent families are eligible under the separate				
14	state program shall not be less than what they would have received under TANF. The				
15	Department of Social Services shall establish regulations to govern this separate state				
16	program.				
17	D. As a condition of this appropriation, the Department of Social Services shall disregard				
18	the value of one motor vehicle per assistance unit in determining eligibility for cash				
19	assistance in the Temporary Assistance for Needy Families (TANF) program and in the				
20	separate state program for able-bodied two-parent families.				
21	E. The Department of Social Services, in collaboration with local departments of social				
22	services, shall maintain minimum performance standards for all local departments of				
23	social services participating in the Virginia Initiative for Employment, Not Welfare				
24	(VIEW) program. The department shall allocate VIEW funds to local departments of				
25	social services based on these performance standards and VIEW caseloads. The allocation				
26	formula shall be developed and revised in cooperation with the local social services				
27	departments and the Department of Planning and Budget.				
28	F. A participant whose Temporary Assistance for Needy Families (TANF) financial				
29	assistance is terminated due to the receipt of 24 months of assistance as specified in §				
30	<a href="#">63.2-612</a> , Code of Virginia, or due to the closure of the TANF case prior to the completion				
31	of 24 months of TANF assistance, excluding cases closed with a sanction for				
32	noncompliance with the Virginia Initiative for Employment Not Welfare program, shall be				
33	eligible to receive employment and training assistance for up to 12 months after				
34	termination, if needed, in addition to other transitional services provided pursuant to §				
35	<a href="#">63.2-611</a> , Code of Virginia.				
36	G. The Department of Social Services, in conjunction with the Department of Correctional				
37	Education, shall identify and apply for federal, private and faith-based grants for pre-				
38	release parenting programs for non-custodial incarcerated parent offenders committed to				
39	the Department of Corrections, including but not limited to the following grant programs:				
40	Promoting Responsible Fatherhood and Healthy Marriages, State Child Access and				
41	Visitation Block Grant, Serious and Violent Offender Reentry Initiative Collaboration,				
42	Special Improvement Projects, § 1115 Social Security Demonstration Grants, and any new				
43	grant programs authorized under the federal Temporary Assistance for Needy Families				
44	(TANF) block grant program.				
45	H.1. Out of this appropriation, \$6,500,000 the first year and \$6,500,000 the second year				
46	from nongeneral funds is included for Head Start wraparound child care services.				
47	2. Included in this Item is funding to carry out the former responsibilities of the Virginia				
48	Council on Child Day Care and Early Childhood Programs. Nongeneral fund				
49	appropriations allocated for uses associated with the Head Start program shall not be				
50	transferred for any other use until eligible Head Start families have been fully served. Any				
51	remaining funds may be used to provide services to enrolled low-income families in				
52	accordance with federal and state requirements. Families, who are working or in education				
53	and training programs, with income at or below the poverty level, whose children are				
54	enrolled in Head Start wraparound programs paid for with the federal block grant funding				
55	in this Item shall not be required to pay fees for these wraparound services.				
56	I. Out of this appropriation, \$2,647,305 the second year from the general fund and				

ITEM 335.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	\$64,781,649 the first year and \$57,260,335 the second year from federal funds shall be				
2	provided to support state child care programs which will be administered on a sliding scale				
3	basis to income eligible families. The sliding fee scale and eligibility criteria are to be set				
4	according to the rules and regulations of the State Board of Social Services, except that the				
5	income eligibility thresholds for child care assistance shall account for variations in the local				
6	cost of living index by metropolitan statistical areas. The Department of Social Services shall				
7	report on the sliding fee scale and eligibility criteria adopted by the Board of Social Services				
8	by December 15 of each year. The Department of Social Services shall make the necessary				
9	amendments to the Child Care and Development Funds Plan to accomplish this intent. Funds				
10	shall be targeted to families who are most in need of assistance with child care costs.				
11	Localities may exceed the standards established by the state by supplementing state funds				
12	with local funds.				
13	J. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from				
14	nongeneral funds shall be used to provide scholarships to students in early childhood				
15	education and related majors who plan to work in the field, or already are working in the field,				
16	whether in public schools, child care or other early childhood programs, and who enroll in a				
17	state community college or a state supported senior institution of higher education.				
18	K. Out of this appropriation, \$505,000 the first year and \$505,000 the second year from				
19	nongeneral funds shall be used to provide training of individuals in the field of early				
20	childhood education.				
21	L. Out of this appropriation, \$300,000 the first year and \$300,000 the second year from				
22	nongeneral funds shall be used to provide child care assistance for children in homeless and				
23	domestic violence shelters.				
24	M. The Department of Social Services shall increase Temporary Assistance for Needy				
25	Families (TANF) cash benefits by 2.5 percent on January 1, 2016.				
26	336. Financial Assistance for Local Social Services Staff				
27	(46000).....			\$411,764,571	\$418,157,879
28					\$424,499,840
29	Local Staff and Operations (46010).....	\$411,764,571	<del>\$418,157,879</del>		
30			\$424,499,840		
31	Fund Sources: General.....	\$112,125,468	\$114,372,395		
32	Dedicated Special Revenue.....	\$3,000,000	\$3,000,000		
33	Federal Trust.....	\$296,639,103	<del>\$300,785,484</del>		
34			\$307,127,445		
35	Authority: Title 63.2, Chapters 1 through 7 and 9 through 16, Code of Virginia; P.L. 104-193,				
36	Titles IV A, XIX, and XXI, Social Security Act, Federal Code, as amended.				
37	A. The amounts in this Item shall be expended under regulations of the Board of Social				
38	Services to reimburse county and city welfare/social services boards pursuant to § 63.2-401,				
39	Code of Virginia, and subject to the same percentage limitations for other administrative				
40	services performed by county and city public welfare/social services boards and				
41	superintendents of public welfare/social services pursuant to other provisions of the Code of				
42	Virginia, as amended.				
43	B. Pursuant to the provisions of §§ 63.2-403, 63.2-406, 63.2-407, 63.2-408, and 63.2-615				
44	Code of Virginia, all moneys deducted from funds otherwise payable out of the state treasury				
45	to the counties and cities pursuant to the provisions of § 63.2-408, Code of Virginia, shall be				
46	credited to the applicable general fund account.				
47	C. Included in this appropriation are funds to reimburse local social service agencies for				
48	eligibility workers who interview applicants to determine qualification for public assistance				
49	benefits which include but are not limited to: Temporary Assistance for Needy Families				
50	(TANF); Supplemental Nutrition Assistance Program (SNAP); and Medicaid.				
51	D. Included in this appropriation are funds to reimburse local social service agencies for				
52	social workers who deliver program services which include but are not limited to: child and				
53	adult protective services complaint investigations; foster care and adoption services; and adult				
54	services.				

ITEM 336.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	E. Out of the federal fund appropriation for local social services staff, amounts estimated				
2	at \$55,000,000 the first year and \$55,000,000 the second year shall be set aside for				
3	allowable local costs which exceed available general fund reimbursement and amounts				
4	estimated at \$16,000,000 the first year and \$16,000,000 the second year shall be set aside				
5	to reimburse local governments for allowable costs incurred in administering public				
6	assistance programs.				
7	F. Out of this appropriation, \$439,338 the first year and \$439,338 the second year from the				
8	general fund and \$422,109 the first year and \$422,109 the second year from nongeneral				
9	funds is provided to cover the cost of the health insurance credit for retired local social				
10	services employees.				
11	337. Child Support Enforcement Services (46300).....			\$769,061,898	<del>\$769,061,898</del>
12					\$770,108,474
13	Support Enforcement and Collection Services				
14	(46301).....	\$98,863,727	<del>\$98,863,727</del>		
15			\$105,202,165		
16	Public Assistance Child Support Payments (46302)				
17		\$11,000,000	\$11,000,000		
18	Non-Public Assistance Child Support Payments				
19	(46303).....	\$659,198,171	<del>\$659,198,171</del>		
20			\$653,906,309		
21	Fund Sources: General.....	\$12,539,322	<del>\$12,039,322</del>		
22			\$12,513,126		
23	Special.....	\$694,397,989	\$694,897,989		
24	Federal Trust.....	\$62,124,587	<del>\$62,124,587</del>		
25			\$62,697,359		
26	Authority: Title 20, Chapters 2 through 3.1 and 4.1 through 9; Title 63.2, Chapter 19,				
27	Code of Virginia; P.L. 104-193, as amended; P.L. 105-200, P.L. 106-113, Federal Code.				
28	A. Any net revenue from child support enforcement collections, after all disbursements				
29	are made in accordance with state and federal statutes and regulations, and after the state's				
30	share of the cost of administering the program is paid, shall be estimated and deposited				
31	into the general fund by June 30 of the fiscal year in which it is collected. Any additional				
32	moneys determined to be available upon final determination of a fiscal year's costs of				
33	administering the program shall be deposited to the general fund by September 1 of the				
34	subsequent fiscal year in which it is collected.				
35	B. In determining eligibility and amounts for cash assistance, pursuant to the Personal				
36	Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193,				
37	the department shall continue to disregard up to \$100 per month in child support payments				
38	and return to recipients of cash assistance up to \$100 per month in child support payments				
39	collected on their behalf.				
40	C. The state share of amounts disbursed to recipients of cash assistance pursuant to				
41	paragraph B of this Item shall be considered part of the Commonwealth's required				
42	Maintenance of Effort spending for the federal Temporary Assistance for Needy Families				
43	program established by the Social Security Act.				
44	D. The department shall expand collections of child support payments through contracts				
45	with private vendors. However, the Department of Social Services and the Office of the				
46	Attorney General shall not contract with any private collection agency, private attorney, or				
47	other private entity for any child support enforcement activity until the State Board of				
48	Social Services has made a written determination that the activity shall be performed				
49	under a proposed contract at a lower cost than if performed by employees of the				
50	Commonwealth.				
51	E. The Division of Child Support Enforcement, in cooperation with the Department of				
52	Medical Assistance Services, shall identify cases for which there is a medical support				
53	order requiring a noncustodial parent to contribute to the medical cost of caring for a child				
54	who is enrolled in the Medicaid or Family Access to Medical Insurance Security (FAMIS)				
55	Programs. Once identified, the division shall work with the Department of Medical				
56	Assistance Services to take appropriate enforcement actions to obtain medical support or				

ITEM 337.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	repayments for the Medicaid program.				
2	338. Not set out.				
3	339. Child Welfare Services (46900).....			\$181,856,821	<del>\$181,882,938</del>
4					\$190,092,155
5	Foster Care Payments (46901).....	\$40,473,220	<del>\$40,515,548</del>		
6			\$47,812,184		
7	Supplemental Child Welfare Activities (46902).....	\$26,545,518	\$26,545,518		
8	Adoption Subsidy Payments (46903).....	\$114,838,083	<del>\$114,821,872</del>		
9			\$115,734,453		
10	Fund Sources: General.....	\$96,360,229	<del>\$96,365,182</del>		
11			\$98,041,701		
12	Special.....	\$325,030	\$325,030		
13	Dedicated Special Revenue.....	\$235,265	\$235,265		
14	Federal Trust.....	\$84,936,297	<del>\$84,957,461</del>		
15			\$91,490,159		
16	Authority: Title 63.2, Chapters 1, 2, 4 and 8 through 15, Code of Virginia; P.L. 100-294, P.L.				
17	101-126, P.L. 101-226, P.L. 105-89, P.L. 110-351, P.L. 111-320, as amended, Federal Code.				
18	A. Expenditures meeting the criteria of Title IV-E of the Social Security Act shall be fully				
19	reimbursed except that expenditures otherwise subject to a standard local matching share				
20	under applicable state policy, including local staffing, shall continue to require local match.				
21	The commissioner shall ensure that local social service boards obtain reimbursement for all				
22	children eligible for Title IV-E coverage.				
23	B. The commissioner, in cooperation with the Department of Planning and Budget, shall				
24	establish a reasonable, automatic adjustment for inflation each year to be applied to the room				
25	and board maximum rates paid to foster parents. However, this provision shall apply only in				
26	fiscal years following a fiscal year in which salary increases are provided for state employees.				
27	C. Out of this appropriation, \$500,000 the first year and \$500,000 the second year from the				
28	general fund shall be provided for the purchase of services for victims child abuse and neglect				
29	prevention activities as stated in § 63.2-1502, Code of Virginia, in accordance with				
30	regulations promulgated by the Board of Social Services.				
31	D. Out of this appropriation, \$180,200 the first year and \$180,200 the second year from the				
32	general fund and \$99,800 the first year and \$99,800 the second year from nongeneral funds				
33	shall be provided to continue respite care for foster parents.				
34	E. Notwithstanding the provisions of §§ 63.2-1300 through 63.2-1303, Code of Virginia,				
35	adoption assistance subsidies and supportive services shall not be available for children				
36	adopted through parental placements. This restriction does not apply to existing adoption				
37	assistance agreements.				
38	F.1. Out of this appropriation, \$1,500,000 the first year from federal funds and \$1,500,000 the				
39	second year from the general fund shall be provided to implement pilot programs that increase				
40	the number of foster care children adopted.				
41	2. Beginning October 1, 2013, the department shall provide a quarterly report, within 30 days				
42	of quarter end, on the use and effectiveness of this funding including, but not limited to, the				
43	additional number of special needs children adopted from foster care as a result of this effort				
44	and the types of ongoing supportive services provided, to the Governor, Chairmen of House				
45	Appropriations and Senate Finance Committees, and the Director, Department of Planning				
46	and Budget.				
47	G. Out of this appropriation, \$33,207,631 the first year and <del>\$33,985,779</del> \$34,774,377 the				
48	second year from the general fund and \$7,000,000 the first year and \$7,000,000 the second				
49	year from nongeneral funds shall be provided for special needs adoptions.				
50	H. Out of this appropriation \$37,603,764 the first year and <del>\$38,835,831</del> \$40,488,144 the				
51	second year from the general fund and \$37,603,764 the first year and <del>\$38,835,831</del>				
52	\$40,488,144 the second year from nongeneral funds shall be provided for Title IV-E adoption				
53	subsidies.				



ITEM 339.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	I. The Commissioner, Department of Social Services, shall ensure that local departments				
2	that provide independent living services to persons between 18 and 21 years of age make				
3	certain information about and counseling regarding the availability of independent living				
4	services is provided to any person who chooses to leave foster care or who chooses to				
5	terminate independent living services before his twenty-first birthday. Information shall				
6	include the option for restoration of independent living services following termination of				
7	independent living services, and the processes whereby independent living services may				
8	be restored should he choose to seek restoration of such services in accordance with §				
9	<a href="#">63.2-905.1</a> of the Code of Virginia.				
10	J. Notwithstanding the provisions of § <a href="#">63.2-1302</a> , Code of Virginia, the Department of				
11	Social Services shall negotiate all adoption assistance agreements with both existing and				
12	prospective adoptive parents on behalf of local departments of social services. This				
13	provision shall not alter the legal responsibilities of the local departments of social				
14	services set out in Chapter 13 of Title 63.2, Code of Virginia, nor alter the rights of the				
15	adoptive parents to appeal.				
16	2. Out of this appropriation, \$358,246 the first year and \$342,414 the second year from the				
17	general fund and \$225,883 the first year and \$215,900 the second year from nongeneral				
18	funds shall be provided for five positions to execute these negotiations.				
19	K. The Commissioner, Department of Social Services, shall report on all efforts				
20	undertaken by the agency to increase adoptions of children from foster care. The report				
21	shall include the number, ages and other appropriate demographic data of children in				
22	foster care who are eligible for adoption, available information on the number who have				
23	special needs, and barriers to adoption of children in foster care. In addition, the report				
24	shall include information on current efforts to help foster care children who age out of the				
25	system transition to adulthood and options to improve that transition. The report shall				
26	include current trends for this population as compared to the general population related to				
27	employment, secondary and post-secondary educational attainment, living arrangements,				
28	dependence on public assistance, early parenthood and family situations, health care				
29	access, and involvement with the criminal justice system to the extent data are available.				
30	Furthermore, the department shall analyze the adequacy of independent living services				
31	and other current efforts to assist foster care youth with the transition to independence and				
32	provide recommendations to modify the appropriate services and programs in order to				
33	improve outcomes for this population in their transition to adulthood. The department				
34	shall engage other appropriate state agencies and stakeholders as necessary to develop the				
35	report. The department shall submit the report to the Governor and Chairmen of the House				
36	Appropriations and Senate Finance Committees by November 1, 2015.				
37	340. Not set out.				
38	341. Financial Assistance to Community Human				
39	Services Organizations (49200).....			\$25,700,789	\$26,475,789
40					\$27,613,410
41	Community Action Agencies (49201).....	\$13,388,048	<del>\$14,388,048</del>		
42			\$14,573,773		
43	Volunteer Services (49202).....	\$3,866,340	\$3,866,340		
44	Other Payments to Human Services Organizations				
45	(49203).....	\$8,446,401	<del>\$8,221,401</del>		
46			\$9,173,297		
47	Fund Sources: General.....	\$4,098,621	\$3,848,621		
48	Federal Trust.....	\$21,602,168	<del>\$22,627,168</del>		
49			\$23,764,789		
50	Authority: Title 2.2, Chapter 54; Title 63.2, Code of Virginia; Title VI, Subtitle B, P.L.				
51	97-35, as amended; P.L. 103-252, as amended; P.L. 104-193, as amended, Federal Code.				
52	A.1. All increased state or federal funds distributed to Community Action Agencies shall				
53	be distributed as follows: The funds shall be distributed to all local Community Action				
54	Agencies according to the Department of Social Services funding formula (75 percent				
55	based on low-income population, 20 percent based on number of jurisdictions served, and				
56	five percent based on square mileage served), adjusted to ensure that no agency receives				

ITEM 341.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	less than 1.5 percent of any increase.				
2	2. Out of this appropriation, \$185,725 the first year from the general fund and \$185,725 the				
3	second year from the Temporary Assistance for Needy Families (TANF) block grant shall be				
4	provided to contract with the Virginia Community Action Partnership to provide outreach,				
5	education and tax preparation services via the Virginia Earned Income Tax Coalition and				
6	other community non-profit organizations to citizens who may be eligible for the federal				
7	Earned Income Tax Credit. The contract shall require the Virginia Community Action				
8	Partnership to report on its efforts to expand the number of Virginians who are able to claim				
9	the federal EITC, including the number of individuals identified who could benefit from the				
10	credit, the number of individuals counseled on the availability of federal EITC, and the				
11	number of individuals assisted with tax preparation to claim the federal EITC. The annual				
12	report from the Virginia Community Action Partnership shall also detail actual expenditures				
13	for the program including the sub-contractors that were utilized. This report shall be provided				
14	to the Governor and the Chairmen of the House Appropriations and Senate Finance				
15	Committees by December 1 each year.				
16	3. Out of this appropriation, \$1,000,000 the first year and \$2,000,000 the second year from				
17	the Temporary Assistance for Needy Families (TANF) block grant shall be provided to				
18	contract with local Community Action Agencies to provide an array of services designed to				
19	meet the needs of low-income individuals and families, including the elderly and migrant				
20	workers. Services may include, but are not limited to, child care, community and economic				
21	development, education, employment, health and nutrition, housing, and transportation.				
22	B. The department shall continue to fund from this Item all organizations recognized by the				
23	Commonwealth as community action agencies as defined in §2.2-540 et seq.				
24	C. Out of this appropriation, \$4,285,501 the first year and \$4,285,501 the second year from				
25	the Temporary Assistance for Needy Families (TANF) block grant shall be provided to				
26	contract with programs that follow the evidence-based Healthy Families America home				
27	visiting model that promotes positive parenting, improves child health and development, and				
28	reduces child abuse and neglect. The Department of Social Services shall use a portion of the				
29	funds from this item to contract with the statewide office of Prevent Child Abuse Virginia for				
30	providing the coordination, technical support, quality assurance, training and evaluation of the				
31	Virginia Healthy Families programs.				
32	D. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from				
33	nongeneral funds shall be provided for Volunteer Emergency Families for Children to expand				
34	its shelter care network for abused, neglected, runaway, homeless, and at-risk children				
35	throughout Virginia.				
36	E. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from				
37	nongeneral funds shall be provided for the Child Abuse Prevention Play (the play)				
38	administered by Virginia Repertory Theatre. The contract shall include production and live				
39	performances of the play that teach child safety awareness to prevent child abuse.				
40	F. Out of this appropriation, \$70,000 the first year and \$70,000 the second year from the				
41	general fund shall be provided to contract with the Virginia Alzheimer's Association Chapters				
42	to provide dementia-specific training to long-term care workers in licensed nursing facilities,				
43	assisted living facilities and adult day care centers who deal with Alzheimer's disease and				
44	related disorders.				
45	G. Out of this appropriation, \$200,000 the first year and \$200,000 the second year from the				
46	general fund shall be provided to contract with Northern Virginia Family Services (NVFS) to				
47	provide supportive services that address the basic needs of families in crisis, including the				
48	provision of food, financial assistance to prevent homelessness, and access to health services.				
49	The contract shall require NVFS to provide an intake process that identifies the needs and				
50	appropriate services for those in crisis. Outcomes will be measured utilizing surveys provided				
51	to those who receive services and NVFS will report quarterly on survey results.				
52	H. Out of this appropriation, \$931,000 the first year and \$931,000 the second year from the				
53	general fund shall be provided to contract with child advocacy centers (CAC) to provide a				
54	comprehensive, multidisciplinary team response to allegations of child abuse in a dedicated,				
55	child-friendly setting. The contracts shall require CACs to provide forensic interviews, victim				

ITEM 341.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	support and advocacy services, medical evaluations, and mental health services to victims				
2	of child abuse and neglect with the expected outcome of reducing child abuse and neglect.				
3	The department shall allocate four percent to Children's Advocacy Centers of Virginia				
4	(CACVA), the recognized chapter of the National Children's Alliance for Virginia's Child				
5	Advocacy Centers, for the purpose of assisting and supporting the development,				
6	continuation, and sustainability of community-coordinated, child-focused services				
7	delivered by children's advocacy centers (CACs). Of the remaining 96 percent, (i) 65				
8	percent shall be distributed to a baseline allocation determined by the accreditation status				
9	of the CAC: (a) developing and associate centers 100 percent of base; (b) accredited				
10	centers 150 percent of base; and (c) accredited centers with satellite facilities 175 percent				
11	of base; and (ii) 35 percent shall be allocated according to established criteria to include:				
12	(a) 25 percent determined by the rate of child abuse per 1,000; (b) 25 percent determined				
13	by child population; and (c) 50 percent determined by the number of counties and				
14	independent cities serviced.				
15	I. Out of this appropriation, \$100,000 the first year and \$100,000 the second year from the				
16	general fund shall be provided to contract with Youth for Tomorrow (YFT) to provide				
17	comprehensive residential, education and counseling services to at-risk youth of the				
18	Commonwealth of Virginia who have been sexually exploited, including victims of sex				
19	trafficking. The contract shall require YFT to provide individual assessments/individual				
20	service planning; individual and group counseling; room and board; coordination of				
21	medical and mental health services and referrals; independent living services for youth				
22	transitioning out of foster care; active supervision; education; and family and family				
23	reunification services. Youth for Tomorrow shall submit monthly progress reports on				
24	activities conducted and progress achieved on outputs, outcomes and other				
25	functions/activities during the reporting period. On October 1 of each year, YFT shall				
26	provide an annual report to the Governor and the Chairmen of the Senate Finance and				
27	House Appropriations Committees that details program services, outputs and outcomes.				
28	J. Out of this appropriation, \$25,000 the first year and \$25,000 the second year from the				
29	federal Temporary Assistance For Needy Families (TANF) block grant shall be provided				
30	to contract with the Visions of Truth Community Development Corporation (Visions of				
31	Truth) to support self-sufficiency programs for at-risk youth by improving education				
32	performance. The contract shall require Visions of Truth Community Development				
33	Corporation to provide at-risk students in grades 7-12 with a personalized learning				
34	program including standards of learning preparation and homework assistance from				
35	certified teachers and college students. Visions of Truth shall report expenditures and				
36	performance on a quarterly basis and shall provide an annual report with detailed program				
37	results.				
38	K.1. Out of this appropriation, \$1,250,000 the first year and \$1,250,000 the second year				
39	from the general fund shall be provided to contract with the Virginia Early Childhood				
40	Foundation (VECF) to support the health and school readiness of Virginia's young				
41	children prior to school entry. These funds shall be matched with local public and private				
42	resources with a goal of leveraging a dollar for each state dollar provided.				
43	2. Of the amounts in paragraph K.1. above, \$1,250,000 the first year and \$1,250,000 the				
44	second year from the general fund shall be used to provide information and assistance to				
45	parents and families and to facilitate partnerships with both public and private providers of				
46	early childhood services. VECF will track and report statewide and local progress on a				
47	biennial basis. The Foundation shall account for the expenditure of these funds by				
48	providing the Governor, Secretary of Health and Human Resources, and the Chairmen of				
49	the House Appropriations and Senate Finance Committees with a certified audit and full				
50	report on Foundation initiatives and results not later than October 1 of each year for the				
51	preceding fiscal year ending June 30.				
52	3. On or before October 1 of each year, the foundation shall submit to the Governor and				
53	the Chairmen of the House Appropriations and Senate Finance Committees a report on the				
54	actual amount, by fiscal year, of private and local government funds received by the				
55	foundation.				
56	L. Out of this appropriation, \$250,000 the first year from the general fund shall be used to				
57	contract with Elevate Early Education for the purpose of developing a pilot program for a				

ITEM 341.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	kindergarten readiness assessment. The contract with Elevate Early Education to administer				
2	this program shall require the submission of a final report from the organization detailing the				
3	assessment method(s) utilized, actual expenditures for the program, and outcome analysis and				
4	evaluation. This report shall be submitted to the Governor, Chairmen of the House				
5	Appropriations and Senate Finance Committees, and the Secretaries of Health and Human				
6	Resources and Education no later than January 1, 2015. Prior to the receipt of any state				
7	funding for this purpose, Elevate Early Education must provide evidence of private matching				
8	funds secured for this purpose.				
9	M. Out of this appropriation, \$25,000 the second year from the federal Temporary Assistance				
10	to Needy Families block grant shall be provided to Zion Innovative Opportunities Network.				
11	342. Regulation of Public Facilities and Services (56100)..			\$16,378,167	<del>\$33,602,272</del>
12					\$25,460,980
13	Regulation of Adult and Child Welfare Facilities				
14	(56101).....	\$14,506,540	<del>\$31,730,645</del>		
15			\$23,173,304		
16	Interdepartmental Licensure and Certification				
17	(56106).....	\$1,871,627	<del>\$1,871,627</del>		
18			\$2,287,676		
19	Fund Sources: General.....	\$4,031,782	<del>\$4,031,782</del>		
20			\$3,831,782		
21	Special.....	\$1,869,187	<del>\$1,869,187</del>		
22			\$2,274,446		
23	Federal Trust.....	\$10,477,198	<del>\$27,701,303</del>		
24			\$19,354,752		
25	Authority: Title 63.2, Chapters 17 and 18, Code of Virginia.				
26	A. The state nongeneral fund amounts collected and paid into the state treasury pursuant to				
27	the provisions of § 63.2-1700, Code of Virginia, shall be used for the development and				
28	delivery of training for operators and staff of assisted living facilities, adult day care centers,				
29	and child welfare agencies.				
30	B. As a condition of this appropriation, the Department of Social Services shall (i) promptly				
31	fill all position vacancies that occur in licensing offices so that positions shall not remain				
32	vacant for longer than 120 days and (ii) hire sufficient child care licensing specialists to				
33	ensure that all child care facilities receive, at a minimum, the two visits per year mandated by				
34	§ 63.2-1706, Code of Virginia, and that facilities with compliance problems receive additional				
35	inspection visits as necessary to ensure compliance with state laws and regulations.				
36	C. As a condition of this appropriation, the Department of Social Services shall utilize a risk				
37	assessment instrument for child and adult care enforcement. This instrument shall include				
38	criteria for determining when the following sanctions may be used: (i) the imposition of				
39	intermediate sanctions, (ii) the denial of licensure renewal or revocation of license of a				
40	licensed facility, (iii) injunctive relief against a child care provider, and (iv) additional				
41	inspections and intensive oversight of a facility by the Department of Social Services.				
42	D. Out of this appropriation, the Department of Social Services shall implement training for				
43	new assisted living facility owners and managers to focus on health and safety issues, and				
44	resident rights as they pertain to adult care residences.				
45	E. Out of this appropriation, \$17,224,105 from the federal Child Care and Development Fund				
46	(CCDF) and 79 positions the second year are provided to handle the workload associated with				
47	licensing, inspecting and monitoring family day homes, pursuant to legislation passed during				
48	the 2015 Regular Session of the General Assembly. On July 1, 2015, the Director of the				
49	Department of Planning and Budget (DPB) shall unallot \$12,918,078 of this appropriation. At				
50	such time as the department demonstrates a sufficient increase in family day home licensure,				
51	inspection and monitoring activity to necessitate additional staff, the Director of DPB may				
52	allot additional resources. The Department of Social Services shall provide a quarterly report				
53	on the implementation of House Bill 1570 / Senate Bill 1168 to the Director, Department of				
54	Planning and Budget and the Chairmen of the House Appropriations and Senate Finance				
55	Committees.				

ITEM 342.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	F. The Department of Social Services shall work with localities that currently inspect child				
2	day care centers and family day homes to minimize duplication and overlap of inspections				
3	pursuant to the implementation of House Bill 1570 / Senate Bill 1168, passed during the				
4	2015 Regular Session.”				
5	<i>G. No child day center, family day home, or family day system licensed in accordance</i>				
6	<i>with Chapter 17, Title 63.2; child day center exempt from licensure pursuant to § 63.2-</i>				
7	<i>1716; registered family day home; family day home approved by a family day system; or</i>				
8	<i>any child day center or family day home that enters into a contract with the Department of</i>				
9	<i>Social Services or a local department of social services to provide child care services</i>				
10	<i>funded by the Child Care and Development Block Grant shall employ; continue to</i>				
11	<i>employ; or permit to serve as a volunteer who will be alone with, in control of, or</i>				
12	<i>supervising children any person who has an offense as defined in § 63.2-1719. All</i>				
13	<i>employees and volunteers shall undergo the following background check by July 1, 2017</i>				
14	<i>and every 5 years thereafter, as required by the federal Child Care and Development</i>				
15	<i>Block Grant Act of 2014 (CCDBG).</i>				
16	343. Administrative and Support Services (49900).....			\$147,618,208	\$104,477,260
17					\$131,608,873
18	General Management and Direction (49901).....	\$3,304,093	<del>\$3,486,423</del>		
19			\$3,347,861		
20	Information Technology Services (49902).....	\$127,857,769	<del>\$84,534,491</del>		
21			\$108,377,067		
22	Accounting and Budgeting Services (49903).....	\$7,517,002	<del>\$7,517,002</del>		
23			\$8,377,915		
24	Human Resources Services (49914).....	\$2,673,989	<del>\$2,673,989</del>		
25			\$2,917,789		
26	Planning and Evaluation Services (49916).....	\$1,144,000	<del>\$1,144,000</del>		
27			\$3,420,715		
28	Procurement and Distribution Services (49918).....	\$2,653,051	<del>\$2,653,051</del>		
29			\$2,723,440		
30	Public Information Services (49919).....	\$2,151,451	<del>\$2,151,451</del>		
31			\$2,115,718		
32	Financial and Operational Audits (49929).....	\$316,853	<del>\$316,853</del>		
33			\$328,368		
34	Fund Sources: General.....	\$41,670,532	<del>\$40,713,111</del>		
35			\$48,478,136		
36	Special.....	\$175,000	\$175,000		
37	Federal Trust.....	\$105,772,676	<del>\$63,589,149</del>		
38			\$82,955,737		
39	Authority: Title 63.2, Chapter 1; § 2.2-4000 et seq., Code of Virginia; P.L. 98-502, P.L.				
40	104-156, P.L. 104-193, P.L. 104-327, P.L. 105-33, as amended, P.L. 105-89, Federal				
41	Code; Titles IV-A, IV-B, IV-D, IV-E, XIX, XX, XXI of the federal Social Security Act,				
42	as amended.				
43	A. The Department of Social Services shall require localities to report all expenditures on				
44	designated social services, regardless of reimbursement from state and federal sources.				
45	The Department of Social Services is authorized to include eligible costs in its claim for				
46	Temporary Assistance for Needy Families Maintenance of Effort requirements.				
47	B. It is the intent of the General Assembly that the Commissioner, Department of Social				
48	Services shall work with localities that seek to voluntarily merge and consolidate their				
49	respective local departments of social services. No funds appropriated under this act shall				
50	be used to require a locality to merge or consolidate local departments of social services.				
51	C. The Commissioner, Department of Social Services, in consultation with relevant state				
52	and local agencies, shall develop proposed criteria for assessing funding requests for				
53	addressing space needs among local departments of social services, as well as proposed				
54	consolidated human services buildings. The criteria shall include but not be limited to				
55	compliance with the Americans with Disabilities Act, access to public transportation, life				
56	safety issues, condition of current space and related major building systems, impact on				
57	service delivery, and other factors as may be appropriate. The department shall use the				
58	criteria to prioritize local requests for increased state reimbursement for renovating				

ITEM 343.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	existing space, relocating or constructing new space. For those jurisdictions that, when				
2	applying such criteria, achieve high priority ranking for increased state reimbursement, yet				
3	initiate local funding actions to address critical space needs or to consolidate human services,				
4	they shall nevertheless retain their ranking on the prioritized list of projects for increased state				
5	reimbursement for renovating existing space, relocating or constructing new space. The				
6	department shall forward a prioritized list of projects to the Secretary of Health and Human				
7	Resources and the Department of Planning and Budget by November 1 of each year for				
8	consideration by the Governor in the development of the budget. The department shall also				
9	submit a copy of the list of prioritized projects by November 1 of each year, to the Chairmen				
10	of the House Appropriations and Senate Finance Committees.				
11	D.1. Out of this appropriation, \$473,844 the first year and \$473,844 the second year from the				
12	general fund and \$781,791 the first year and \$781,791 the second year from nongeneral funds				
13	shall be provided to support the statewide 2-1-1 Information and Referral System which				
14	provides resource and referral information on many of the specialized health and human				
15	resource services available in the Commonwealth, including child day care availability and				
16	providers in localities throughout the state, and publish consumer-oriented materials for those				
17	interested in learning the location of child day care providers.				
18	2. The Department of Social Services shall request that all state and local child-serving				
19	agencies within the Commonwealth be included in the Virginia Statewide Information and				
20	Referral System as well as any agency or entity that receives state general fund dollars and				
21	provides services to families and youth. The Secretary of Health and Human Resources, the				
22	Secretary of Education and Workforce, and the Secretary of Public Safety and Homeland				
23	Security shall assist in this effort by requesting all affected agencies within their secretariats				
24	to submit information to the statewide Information and Referral System and ensure that such				
25	information is accurate and updated annually. Agencies shall also notify the Virginia				
26	Information and Referral System of any changes in services that may occur throughout the				
27	year.				
28	3. The Department of Social Services shall communicate with child-serving agencies within				
29	the Commonwealth about the availability of the statewide Information and Referral System.				
30	This information shall also be communicated via the Department of Social Services' broadcast				
31	system on their agency-wide Intranet so that all local and regional offices can be better				
32	informed about the Statewide Information and Referral System. Information on the Statewide				
33	Information and Referral System shall also be included within the department's electronic				
34	mailings to all local and regional offices at least biannually.				
35	E.1. Out of this appropriation, \$4,100,000 the first year and <del>\$5,005,061</del> \$7,131,072 the second				
36	year from the general fund and \$50,727,496 the first year and <del>\$10,172,218</del> \$18,949,130 the				
37	second year from nongeneral funds shall be provided to complete the base contract to				
38	modernize the eligibility determination systems in the Department of Social Services. If any				
39	additional funding is needed, the department shall complete modernization efforts within				
40	existing resources.				
41	2. Within 30 days of awarding a contract related to the eligibility project, the Department of				
42	Social Services shall provide the Chairmen of House Appropriations and Senate Finance				
43	Committees, and Director, Department of Planning and Budget with a copy of the contract				
44	including costs.				
45	3. Beginning July 1, 2012, the Department of Social Services shall also provide semi-annual				
46	progress reports that must include a current project summary, implementation status,				
47	accounting of project expenditures and future milestones. All reports shall be submitted to the				
48	Chairmen of House Appropriations and Senate Finance Committees, and Director,				
49	Department of Planning and Budget.				
50	F. Out of this appropriation, \$522,286 the first year and \$522,286 the second year from the				
51	general fund and \$1,924,019 the first year and \$1,924,019 the second year from nongeneral				
52	funds shall be provided to supplement management and programmatic support of the agency's				
53	eligibility systems modernization effort. In addition, eight positions are added in FY 2013.				
54	These resources shall be dedicated to the modernization project until its completion or the end				
55	of FY 2017, whichever comes first.				
56	344. Not set out.				

ITEM 344.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	345.	Not set out.				
2		Total for Department of Social Services.....			\$1,961,552,836	\$1,949,872,401
3						\$1,992,722,734
4		General Fund Positions.....	559.21	615.21		
5		Nongeneral Fund Positions.....	1,162.29	1,213.29		
6		Position Level.....	1,721.50	1,828.50		
7		Fund Sources: General.....	\$392,352,241	\$393,970,601		
8				\$403,251,996		
9		Special.....	\$696,867,206	\$697,367,206		
10				\$697,772,465		
11		Dedicated Special Revenue.....	\$3,235,265	\$3,235,265		
12		Federal Trust.....	\$869,098,124	\$855,299,329		
13				\$888,463,008		
14	346.	Not set out.				
15	347.	Not set out.				
16		<b>§ 1-18. DEPARTMENT FOR THE BLIND AND VISION IMPAIRED (702)</b>				
17	348.	Not set out.				
18	349.	Not set out.				
19	350.	Not set out.				
20	351.	Not set out.				
21	352.	Rehabilitative Industries (81000).....			\$31,489,478	\$31,489,478
22						\$45,757,928
23		Manufacturing, Retail, and Contract Operations				
24		(81003).....	\$31,489,478	\$31,489,478		
25				\$45,757,928		
26		Fund Sources: Enterprise.....	\$31,489,478	\$31,489,478		
27				\$45,757,928		
28		Authority: § 51.5-72, Code of Virginia; P.L. 92-29 and P.L. 93-112, Federal Code.				
29		The Industry Production Workers with the Virginia Industries for the Blind shall not be				
30		counted in the classified employment levels of the Department for the Blind and Vision				
31		Impaired.				
32	353.	Not set out.				
33		Total for Department for the Blind and Vision			\$49,754,735	\$49,325,014
34		Impaired.....				\$63,593,464
35						
36		General Fund Positions.....	62.60	62.60		
37		Nongeneral Fund Positions.....	84.40	84.40		
38		Position Level.....	147.00	147.00		
39		Fund Sources: General.....	\$6,564,461	\$6,116,691		
40		Special.....	\$983,589	\$983,589		
41		Enterprise.....	\$32,261,293	\$32,261,293		
42				\$46,529,743		
43		Trust and Agency.....	\$205,000	\$205,000		
44		Federal Trust.....	\$9,740,392	\$9,758,441		
45	354.	Not set out.				
46	355.	Not set out.				

ITEM 355.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Grand Total for Department for the Blind and Vision				
2	Impaired.....			\$52,352,241	\$51,922,562
3					\$66,191,012
4	General Fund Positions.....	62.60	62.60		
5	Nongeneral Fund Positions.....	110.40	110.40		
6	Position Level.....	173.00	173.00		
7	Fund Sources: General.....	\$6,732,344	\$6,284,616		
8	Special.....	\$1,002,589	\$1,002,589		
9	Enterprise.....	\$32,261,293	<del>\$32,261,293</del>		
10			\$46,529,743		
11	Trust and Agency.....	\$205,000	\$205,000		
12	Federal Trust.....	\$12,151,015	\$12,169,064		
13	TOTAL FOR OFFICE OF HEALTH AND HUMAN				
14	RESOURCES.....			\$12,856,730,246	\$13,294,939,428
15					\$13,675,378,708
16	General Fund Positions.....	8,815.45	8,915.10		
17	Nongeneral Fund Positions.....	6,998.80	<del>7,072.15</del>		
18			7,073.15		
19	Position Level.....	15,814.25	<del>15,987.25</del>		
20			15,988.25		
21	Fund Sources: General.....	\$5,340,526,203	<del>\$5,645,227,245</del>		
22			\$5,841,604,914		
23	Special.....	\$1,155,749,488	<del>\$1,150,550,621</del>		
24			\$1,150,955,880		
25	Enterprise.....	\$32,261,293	<del>\$32,261,293</del>		
26			\$46,529,743		
27	Trust and Agency.....	\$993,798	\$993,798		
28	Dedicated Special Revenue.....	\$582,075,554	\$499,159,602		
29	Federal Trust.....	\$5,745,123,910	<del>\$5,966,746,869</del>		
30			\$6,136,134,771		



ITEM 356.			Item Details(\$)		Appropriations(\$)	
			First Year	Second Year	First Year	Second Year
			FY2015	FY2016	FY2015	FY2016
1	OFFICE OF NATURAL RESOURCES					
2	356.	Not set out.				
3	357.	Not set out.				
4	358.	Not set out.				
5	359.	Not set out.				
6	360.	Not set out.				
7	361.	Not set out.				
8	362.	Not set out.				
9	363.	Not set out.				
10	364.	Not set out.				
11	365.	Not set out.				
12	366.	Not set out.				
13	367.	Not set out.				
14	368.	Not set out.				
15	§ 1-19. DEPARTMENT OF HISTORIC RESOURCES (423)					
16	369.	Historic and Commemorative Attraction				
17		Management (50200).....			\$6,647,495	\$7,624,575
18						\$7,692,215
19		Financial Assistance for Historic Preservation				
20		(50204).....	\$2,044,194	\$3,144,339		
21				\$3,211,979		
22		Historic Resource Management (50205).....	\$4,603,301	\$4,480,236		
23		Fund Sources: General.....	\$4,539,332	\$5,516,309		
24				\$5,583,949		
25		Special.....	\$671,584	\$671,687		
26		Commonwealth Transportation.....	\$100,000	\$100,000		
27		Federal Trust.....	\$1,336,579	\$1,336,579		
28	Authority: Title 10.1, Chapters 22 and 23, Code of Virginia.					
29	A. General fund appropriations for historic and commemorative attractions not identified					
30	in § 10.1-2211 or § 10.1-2211.1, Code of Virginia, shall be matched by local or private					
31	sources, either in cash or in-kind, in amounts at least equal to the appropriation and which					
32	are deemed to be acceptable to the department.					
33	B. In emergency situations which shall be defined as those posing a threat to life, safety or					
34	property, § 10.1-2213, Code of Virginia, shall not apply.					
35	C.1. Out of the amounts for Financial Assistance for Historic Preservation shall be paid					
36	from the general fund grants to the following organization for the purposes prescribed in §					
37	10.1-2211, Code of Virginia:					
38	ORGANIZATION		FY 2015		FY 2016	
39	United Daughters of the Confederacy		\$82,585		\$82,585	
40	Notwithstanding the cited Code section, the United Daughters of the Confederacy shall					
41	make disbursements to the treasurers of Confederate memorial associations and chapters					
42	of the United Daughters of the Confederacy for the purposes stated in that section. By					
43	November 1 of each year, the United Daughters of the Confederacy shall submit to the					
44	Director, Department of Historic Resources a report documenting the disbursement of					
45	these funds for their specified purpose.					

ITEM 369.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	2. As disbursements are made to the treasurers of Confederate memorial associations and				
2	chapters of the United Daughters of the Confederacy by the United Daughters of the				
3	Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to				
4	\$7,500 each year shall be distributed to the Ladies Memorial Association of Petersburg.				
5	3. As disbursements are made to the treasurers of Confederate memorial associations and				
6	chapters of the United Daughters of the Confederacy by the United Daughters of the				
7	Confederacy for the purposes stated in § 10.1-2211, Code of Virginia, an amount equal to \$90				
8	the first year and \$90 the second year shall be distributed to the Town of Coeburn Municipal				
9	Graveyard.				
10	D. Notwithstanding the requirements of § 10.1-2211.1, Code of Virginia, \$2,850 the first year				
11	and \$2,850 the second year from the general fund shall be disbursed to the Sons of the				
12	American Revolution for the care of Revolutionary War graves and cemeteries.				
13	E. Included in this appropriation is \$100,000 the first year and \$100,000 the second year in				
14	nongeneral funds from the Highway Maintenance and Operating Fund to support the				
15	Department of Historic Resources' required reviews of transportation projects.				
16	F. The Department of Historic Resources is authorized to accept a devise of certain real				
17	property under the will of Elizabeth Rust Williams known as Clermont Farm located on Route				
18	7 east of the town of Berryville in Clarke County. If, after due consideration of options, the				
19	department determines that the property should be sold or leased to a different public or				
20	private entity, and notwithstanding the provisions of § 2.2-1156, Code of Virginia, then the				
21	department is further authorized to sell or lease such property, provided such sale or lease is				
22	not in conflict with the terms of the will. The proceeds of any such sale or lease shall be				
23	deposited to the Historic Resources Fund established under § 10.1-2202.1, Code of Virginia.				
24	G.± Notwithstanding the requirements of § 10.1-2213.1, Code of Virginia, \$459,382 the first				
25	year and \$459,382 \$527,022 the second year from the general fund is provided as a matching				
26	grant for charitable contributions received by the Montpelier Foundation on or after July 1,				
27	2003, that were actually spent in the material restoration of Montpelier between July 1, 2003,				
28	and September 30, 2009. <i>This appropriation meets the provisions of § 10.1-2213.1, Code of</i>				
29	<i>Virginia.</i>				
30	<del>2: It is the intent of the General Assembly that over the remaining term of the grant authorized</del>				
31	<del>by § 10.1-2213.1, Code of Virginia; Montpelier shall receive the full amount of matching</del>				
32	<del>funds provided by the Code of Virginia. In order to meet this provision, level funding will be</del>				
33	<del>provided for the remainder of the grant.</del>				
34	H. The Department of Historic Resources shall follow and provide input on federal legislation				
35	designed to establish a new national system of recognizing and funding Presidential Libraries				
36	for those entities that are not included in the 1955 Presidential Library Act.				
37	I. Included in this appropriation is \$1,000,000 the first year and \$2,000,000 the second year				
38	from the general fund to be deposited into the Civil War Historic Site Preservation Fund for				
39	grants to be made in accordance with § 10.1-2202.4, Code of Virginia. Any moneys				
40	remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert				
41	to the general fund but shall remain in the Fund. This appropriation shall be deemed sufficient				
42	to meet the provisions of § 2.2-1509.4, Code of Virginia.				
43	J. The Department of Historic Resources is authorized to require applicants for tax credits for				
44	historic rehabilitation projects under § 58.1-339.2, Code of Virginia, to provide an audit by a				
45	certified public accountant licensed in Virginia, in accordance with guidelines developed by				
46	the department in consultation with the Auditor of Public Accounts. The department is also				
47	authorized to contract with tax, financial, and other professionals to assist the department with				
48	the oversight of historic rehabilitation projects for which tax credits are anticipated.				
49	K. Included in this appropriation is \$100,000 the second year from the general fund to support				
50	Appomattox County's efforts and activities surrounding the Sesquicentennial Celebration of				
51	the surrender of Confederate Robert E. Lee to Union General Ulysses S. Grant at Appomattox				
52	Court House National Historic Park.				
53	370. Not set out.				

ITEM 370.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Total for Department of Historic Resources.....			\$7,375,140	\$8,353,150
2					\$8,420,790
3	General Fund Positions.....	29.00	29.00		
4	Nongeneral Fund Positions.....	18.00	18.00		
5	Position Level.....	47.00	47.00		
6	Fund Sources: General.....	\$5,058,342	\$6,036,249		
7			\$6,103,889		
8	Special.....	\$703,584	\$703,687		
9	Commonwealth Transportation.....	\$100,000	\$100,000		
10	Federal Trust.....	\$1,513,214	\$1,513,214		
11	<b>§ 1-20. MARINE RESOURCES COMMISSION (402)</b>				
12	371. Not set out.				
13	372. Coastal Lands Surveying and Mapping (51000).....			\$1,899,881	\$1,882,881
14					\$1,905,881
15	Coastal Lands and Bottomlands Management				
16	(51001).....	\$1,391,408	\$1,374,408		
17			\$1,397,408		
18	Marine Resources Surveying and Mapping				
19	(51002).....	\$508,473	\$508,473		
20	Fund Sources: General.....	\$941,778	\$924,778		
21			\$947,778		
22	Dedicated Special Revenue.....	\$776,103	\$776,103		
23	Federal Trust.....	\$182,000	\$182,000		
24	Authority: Title 28.2, Chapters 12, 13, 14, 15 and 16; Title 62.1, Chapters 16 and 19, Code				
25	of Virginia.				
26	Out of this appropriation, \$23,000 the first year and <del>\$6,000</del> \$29,000 the second year from				
27	the general fund is designated for Virginia's share of an Army Corps of Engineers project				
28	to construct a seawall to preserve the harbor on Tangier Island.				
29	373. Not set out.				
30	374. Not set out.				
31	Total for Marine Resources Commission.....			\$22,613,067	\$22,847,572
32					\$22,870,572
33	General Fund Positions.....	128.50	128.50		
34	Nongeneral Fund Positions.....	30.00	33.00		
35	Position Level.....	158.50	161.50		
36	Fund Sources: General.....	\$11,694,600	\$11,558,369		
37			\$11,581,369		
38	Special.....	\$6,182,582	\$6,187,518		
39	Commonwealth Transportation.....	\$313,768	\$313,768		
40	Dedicated Special Revenue.....	\$1,357,117	\$1,357,117		
41	Federal Trust.....	\$3,065,000	\$3,430,800		
42	375. Not set out.				
43	TOTAL FOR OFFICE OF NATURAL				
44	RESOURCES.....			\$396,734,638	\$409,122,481
45					\$409,213,121
46	General Fund Positions.....	1,022.50	1,022.50		
47	Nongeneral Fund Positions.....	1,157.50	1,160.50		
48	Position Level.....	2,180.00	2,183.00		
49	Fund Sources: General.....	\$134,874,293	\$123,354,364		
50			\$123,445,004		

ITEM 375.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Special.....	\$41,551,250	\$41,302,539		
2	Commonwealth Transportation.....	\$413,768	\$413,768		
3	Enterprise.....	\$12,359,321	\$12,359,321		
4	Trust and Agency.....	\$37,120,570	\$37,120,570		
5	Debt Service.....	\$236,144	\$236,144		
6	Dedicated Special Revenue.....	\$91,297,683	\$115,088,366		
7	Federal Trust.....	\$78,881,609	\$79,247,409		

ITEM 376.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY</b>			
<b>2</b>	376.	Not set out.		
<b>3</b>	376.05	Not set out.		
<b>4</b>	377.	Not set out.		
<b>5</b>	<b>§ 1-21. DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (999)</b>			
<b>6</b>	378.	Not set out.		
<b>7</b>	379.	Alcoholic Beverage Merchandising (80100).....	\$579,604,844	\$633,548,848
<b>8</b>				\$633,859,848
<b>9</b>		Administrative Services (80101).....	\$38,782,199	\$56,387,237
<b>10</b>				\$56,478,237
<b>11</b>		Alcoholic Beverage Control Retail Store		
<b>12</b>		Operations (80102).....	\$91,455,422	\$94,446,672
<b>13</b>		Alcoholic Beverage Purchasing, Warehousing and		
<b>14</b>		Distribution (80103).....	\$449,367,223	\$482,714,939
<b>15</b>				\$482,934,939
<b>16</b>		Fund Sources: Enterprise.....	\$579,604,844	\$633,548,848
<b>17</b>				\$633,859,848
<b>18</b>	Authority: §§ 4-1 through 4-118.2, Code of Virginia and Item 643, Chapter 966 of the			
<b>19</b>	1994 Acts of Assembly.			
<b>20</b>	A. The Secretary of Finance shall chair an advisory committee to review the progress of			
<b>21</b>	the Department of Alcoholic Beverage Control in planning, financing, procuring, and			
<b>22</b>	implementing the information technology systems necessary to sustain the department's			
<b>23</b>	business enterprise. Members of this committee shall include the Secretary of Public			
<b>24</b>	Safety and Homeland Security; the Director, Department of Planning and Budget; the			
<b>25</b>	Director, Department of Accounts; the Chief Information Officer of the Commonwealth;			
<b>26</b>	the Auditor of Public Accounts; and the Staff Directors of the House Appropriations and			
<b>27</b>	Senate Finance Committees and/or their designees.			
<b>28</b>	B. Funds appropriated for services related to state lottery operations shall be used solely			
<b>29</b>	for lottery ticket purchases and prize payouts.			
<b>30</b>	C. The Alcoholic Beverage Control Board shall open additional stores in locations deemed			
<b>31</b>	to have the greatest potential for total increased sales in order to maximize profitability.			
<b>32</b>	Total for Department of Alcoholic Beverage			
<b>33</b>	Control.....		\$598,031,789	\$651,975,793
<b>34</b>				\$652,286,793
<b>35</b>	Nongeneral Fund Positions.....		1,141.00	1,167.00
<b>36</b>	Position Level.....		1,141.00	1,167.00
<b>37</b>	Fund Sources: Enterprise.....		\$597,331,789	\$651,275,793
<b>38</b>				\$651,586,793
<b>39</b>	Federal Trust.....		\$700,000	\$700,000
<b>40</b>	<b>§ 1-22. DEPARTMENT OF CORRECTIONS (799)</b>			
<b>41</b>	380.	Not set out.		
<b>42</b>	381.	Not set out.		
<b>43</b>	382.	Not set out.		
<b>44</b>	383.	Not set out.		
<b>45</b>	384.	Operation of Secure Correctional Facilities		
<b>46</b>		(39800).....	\$909,096,240	\$935,217,673
<b>47</b>				\$935,975,882

ITEM 384.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Supervision and Management of Inmates (39802).....	\$457,374,733	\$467,605,728		
2			\$467,913,024		
3	Rehabilitation and Treatment Services - Prisons				
4	(39803).....	\$40,035,628	\$40,035,628		
5	Prison Management (39805).....	\$68,124,755	\$68,124,755		
6	Food Services - Prisons (39807).....	\$42,646,568	\$42,646,568		
7	Medical and Clinical Services - Prisons (39810).....	\$167,741,121	\$183,530,328		
8			\$183,981,241		
9	Agribusiness (39811).....	\$9,424,651	\$9,424,651		
10	Correctional Enterprises (39812).....	\$54,680,835	\$54,680,835		
11	Physical Plant Services - Prisons (39815).....	\$69,067,949	\$69,169,180		
12	Fund Sources: General.....	\$849,774,318	\$875,895,751		
13			\$876,653,960		
14	Special.....	\$57,410,835	\$57,410,835		
15	Dedicated Special Revenue.....	\$990,047	\$990,047		
16	Federal Trust.....	\$921,040	\$921,040		
17	Authority: §§ 53.1-1, 53.1-5, 53.1-8, and 53.1-10, Code of Virginia.				
18	A. Included in this appropriation is \$1,005,000 in the first year and \$1,005,000 the second				
19	year from nongeneral funds for the purposes listed below. The source of the funds is				
20	commissions generated by prison commissary operations:				
21	1. \$170,000 the first year and \$170,000 the second year for Assisting Families of Inmates,				
22	Inc., to provide transportation for family members to visit offenders in prison and other				
23	ancillary services to family members;				
24	2. \$780,000 the first year and \$780,000 the second year for distribution to organizations that				
25	work to enhance faith-based services to inmates; and				
26	3. \$75,000 the first year and \$75,000 the second year for the "Pen Pals" program.				
27	B.1. The Department of Corrections is authorized to contract with other governmental entities				
28	to house male and female prisoners from those jurisdictions in facilities operated by the				
29	department.				
30	2. The State Comptroller shall continue the Contract Prisoners Special Revenue Fund on the				
31	Commonwealth Accounting and Reporting System to reflect the activities of contracts				
32	between the Commonwealth of Virginia and other governmental entities for the housing of				
33	prisoners in facilities operated by the Virginia Department of Corrections.				
34	3. The Department of Corrections shall determine whether it may be possible to contract to				
35	house additional federal inmates or inmates from other states in space available within state				
36	correctional facilities. The department may, subject to the approval of the Governor, enter				
37	into such contracts, to the extent that sufficient bedspace may become available in state				
38	facilities for this purpose.				
39	C. The Department of Corrections may enter into agreements with local and regional jails to				
40	house state-responsible offenders in such facilities and to effect transfers of convicted state				
41	felons between and among such jails. Such agreements shall be governed by the provisions of				
42	Item 67 of this act.				
43	D. To the extent that the Department of Corrections privatizes food services, the department				
44	shall also seek to maximize agribusiness operations.				
45	E. Notwithstanding the provisions of § 53.1-45, Code of Virginia, the Department of				
46	Corrections is authorized to sell on the open market and through the Virginia Farmers' Market				
47	Network any dairy, animal, or farm products of which the Commonwealth imports more than				
48	it exports.				
49	F. It is the intention of the General Assembly that § 53.1-47, the Code of Virginia,				
50	concerning articles and services produced or manufactured by persons confined in state				
51	correctional facilities, shall be construed such that the term "manufactured" articles shall				
52	include "remanufactured" articles.				

ITEM 384.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	G. Out of this appropriation, \$921,040 the first year and \$921,040 the second year from				
2	nongeneral funds is included for inmate medical costs. The sources of the nongeneral				
3	funds are an award from the State Criminal Alien Assistance Program, administered by				
4	the U.S. Department of Justice.				
5	H.1. The Department of Corrections, in coordination with the Virginia Supreme Court,				
6	shall continue to operate a behavioral correction program. Offenders eligible for such a				
7	program shall be those offenders: (i) who have never been convicted of a violent felony as				
8	defined in § 17.1-805 of the Code of Virginia and who have never been convicted of a				
9	felony violation of §§ 18.2-248 and 18.2-248.1 of the Code of Virginia; (ii) for whom the				
10	sentencing guidelines developed by the Virginia Criminal Sentencing Commission would				
11	recommend a sentence of three years or more in facilities operated by the Department of				
12	Corrections; and (iii) whom the court determines require treatment for drug or alcohol				
13	substance abuse. For any such offender, the court may impose the appropriate sentence				
14	with the stipulation that the Department of Corrections place the offender in an intensive				
15	therapeutic community-style substance abuse treatment program as soon as possible after				
16	receiving the offender. Upon certification by the Department of Corrections that the				
17	offender has successfully completed such a program of a duration of 24 months or longer,				
18	the court may suspend the remainder of the sentence imposed by the court and order the				
19	offender released to supervised probation for a period specified by the court.				
20	2. If an offender assigned to the program voluntarily withdraws from the program, is				
21	removed from the program by the Department of Corrections for intractable behavior, fails				
22	to participate in program activities, or fails to comply with the terms and conditions of the				
23	program, the Department of Corrections shall notify the court, outlining specific reasons				
24	for the removal and shall reassign the defendant to another incarceration assignment as				
25	appropriate. Under such terms, the offender shall serve out the balance of the sentence				
26	imposed by the court, as provided by law.				
27	3. The Department of Corrections shall collect the data and develop the framework and				
28	processes that will enable it to conduct an in-depth evaluation of the program three years				
29	after it has been in operation. The department shall submit a report periodically on the				
30	program to the Chief Justice as he may require and shall submit a report on the				
31	implementation of the program and its usage to the Secretary of Public Safety and				
32	Homeland Security and the Chairmen of the House Appropriations and Senate Finance				
33	Committees by June 30 of each year.				
34	I. Included in the appropriation for this Item is \$250,000 the first year and \$250,000 the				
35	second year from nongeneral funds for a culinary arts program in which inmates are				
36	trained to operate food service activities serving agency staff and the general public. The				
37	source of the funds shall be revenues generated by the program. Any revenues so				
38	generated by the program shall not be subject to § 4-2.02 of this act and shall be used by				
39	the agency for the costs of operating the program. The State Comptroller shall continue				
40	the Inmate Culinary Arts Training Program Fund in the Commonwealth Accounting and				
41	Reporting System to reflect the revenue and expenditures of this program.				
42	J.1. The Department of Corrections shall continue to coordinate with the Department of				
43	Medical Assistance Services and the Department of Social Services to enroll eligible				
44	inmates in Medicaid. To the extent possible, the Department of Corrections shall work to				
45	identify potentially eligible inmates on a proactive basis, prior to the time inpatient				
46	hospitalization occurs. Procedures shall also include provisions for medical providers to				
47	bill the Department of Medical Assistance Services, rather than the Department of				
48	Corrections, for eligible inmate inpatient medical expenses. Due to the multiple payor				
49	sources associated with inpatient and outpatient health care services, the Department of				
50	Corrections and the Department of Medical Assistance Services shall consult with the				
51	applicable provider community to ensure that administrative burdens are minimized and				
52	payment for health care services is rendered in a prompt manner. The Departments of				
53	Medical Assistance Services and Corrections shall provide a joint report on the				
54	implementation of this initiative and the expected cost savings to the Commonwealth.				
55	Copies of this report shall be provided to the Secretaries of Health and Human Services				
56	and Public Safety, and to the Chairmen of the House Appropriations and Senate Finance				
57	Committees, by October 1, 2014.				

ITEM 384.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	2. The Department of Medical Assistance Services shall modify state regulations and the				
2	state plan for medical assistance, if necessary, to permit the director of the Department of				
3	Corrections, or his designee, to sign the Medicaid application form for any inmate who				
4	refuses, or is unable, to sign for the purposes of Medicaid reimbursement for eligible inmates.				
5	The Department of Medical Assistance Services shall have the authority to implement these				
6	changes prior to the completion of any regulatory process undertaken to effect such change.				
7	K. Federal funds received by the Department of Corrections from the federal Residential				
8	Substance Abuse Treatment Program shall be exempt from payment of statewide and agency				
9	indirect cost recoveries into the general fund.				
10	L. Included in the appropriation for this item is funding for the first year and the second year				
11	from the general fund for six medical contract monitors. The persons filling these positions				
12	shall have the responsibility of closely monitoring the adequacy and quality of inmate medical				
13	services in those correctional facilities for which the department has contracted with a private				
14	vendor to provide inmate medical services.				
15	M. The Department of Corrections shall continue to operate a separate program for inmates				
16	under 18 years old who have been tried and convicted as adults and committed to the				
17	Department of Corrections. This separation of these offenders from the general prison				
18	population is required by the requirements of the federal Prison Rape Elimination Act.				
19	N. The property known as the Culpeper Juvenile Correctional Center shall be transferred to				
20	the Department of Corrections for operation as an adult correctional facility. The transfer				
21	shall be made in a form approved by the Attorney General. The appropriate officials of the				
22	Commonwealth shall prepare, execute, and deliver such documents as may be necessary to				
23	accomplish the transfer.				
24	O. The amounts paid into the Corrections Special Reserve Fund established pursuant to § 30-				
25	19.1:4, Code of Virginia, shall be used in the first year to offset a portion of the budgeted				
26	amounts for the operation of secure correctional facilities.				
27	P.1. The Department of Corrections shall develop and issue a Request for Information for the				
28	comprehensive management and provision of health care services for (i) all inmates confined				
29	at facilities not covered by the August 4, 2014, solicitation for health care management				
30	services, and (ii) all inmates confined at Department facilities statewide. This request for				
31	information shall focus on identifying health care management models that use the best				
32	practices and cost containment methods employed by Medicaid managed care organizations				
33	in delivering provider-managed and outcome-based comprehensive health care services.				
34	These services shall include consolidated management and operational responsibility for				
35	delivering all primary and specialty care, nursing, x-ray, dialysis, dental, medical supplies,				
36	laboratory services, and pharmaceuticals, as well as all off-site care, case management, and				
37	related services. Specific information shall be sought on 1) how existing state-funded				
38	managed care networks can be leveraged; 2) federal health care funding opportunities; 3)				
39	identifying state-of-the-art practices in care coordination and utilization review; and 4)				
40	identifying innovative correctional health care management systems being used or developed				
41	in other states. A report summarizing the responses to the Request for Information and				
42	estimating the potential long-term savings from the approaches identified in the responses				
43	shall be provided to the Chairmen of the House Appropriations and Senate Finance				
44	Committees, the Secretary of Public Safety and Homeland Security, and the Department of				
45	Planning and Budget no later than October 1, 2015.				
46	2. The Department shall provide to the Secretary of Public Safety and Homeland Security, the				
47	Directors of the Departments of Planning and Budget and Human Resources Management,				
48	and the Chairmen of the House Appropriations and Senate Finance Committees by July 1,				
49	2016, a report assessing:				
50	a. The costs, benefits, and administrative actions required to eliminate the Department's				
51	reliance on a private contractor for the delivery of inmate health care at multiple facilities, and				
52	to provide the same services internally using either state employees or individual contract				
53	medical personnel.				
54	b. The costs, benefits, and administrative actions required to transition to a statewide health				
55	care management model that uses best practices and cost containment methods employed by				



ITEM 384.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	prison health care management and Medicaid managed care organizations to deliver				
2	provider-managed and outcome-based comprehensive health care services through a				
3	single statewide contract for all of the Department's adult correctional centers.				
4	c. A review of the Department's actual cost experience comparing the previous				
5	arrangement in which the contractor assumed full financial risk for the payment of off-site				
6	inpatient and outpatient services, and the current and proposed arrangement in which the				
7	Department assumes that risk and also receives any Medicaid reimbursement for such off-				
8	site expenses. For purposes of analyzing the first arrangement, it is assumed that the				
9	benefit of any Medicaid or other third-party reimbursement for hospital or other services				
10	would accrue to the contractor. This review shall also compare cost trends experienced by				
11	other states which have adopted these two arrangements.				
12	d. A comparison of the costs and benefits of the Department's current management of				
13	inmate health care, including the model envisioned in its August 2014 Request for				
14	Proposals, to the alternative models the Department is directed to assess in subsections a,				
15	b, and c above.				
16	e. The Department of Human Resources Management, the Department of Planning and				
17	Budget and other executive branch agencies shall provide technical assistance to the				
18	Department as needed.				
19	Q. Out of the amounts appropriated for this item, \$6,939,908 the second year from the				
20	general fund is provided for a \$1,000 increase in the salaries for all correctional officers				
21	and all correctional officers senior who are employed at Department of Corrections				
22	facilities statewide, effective August 10, 2015. The \$1,000 salary increase shall not be				
23	included for the purposes of calculating the two percent salary increase authorized in Item				
24	467 of this act.				
25	385. Administrative and Support Services (39900).....			\$100,506,587	<del>\$101,568,441</del>
26					\$102,001,774
27	General Management and Direction (39901).....	\$17,433,744	<del>\$17,533,744</del>		
28			\$18,267,077		
29	Information Technology Services (39902).....	\$34,884,230	\$35,187,353		
30	Accounting and Budgeting Services (39903).....	\$4,131,747	\$4,244,940		
31	Architectural and Engineering Services (39904).....	\$8,033,463	\$8,066,848		
32	Human Resources Services (39914).....	\$5,351,339	<del>\$5,751,339</del>		
33			\$5,451,339		
34	Planning and Evaluation Services (39916).....	\$658,701	\$658,701		
35	Procurement and Distribution Services (39918).....	\$13,733,838	\$13,845,991		
36	Training Academy (39929).....	\$7,237,908	\$7,237,908		
37	Offender Classification and Time Computation				
38	Services (39930).....	\$9,041,617	\$9,041,617		
39	Fund Sources: General.....	\$91,496,708	<del>\$93,129,648</del>		
40			\$93,562,981		
41	Special.....	\$8,859,879	\$8,288,793		
42	Dedicated Special Revenue.....	\$150,000	\$150,000		
43	Authority: §§ 53.1-1 and 53.1-10, Code of Virginia.				
44	A.1. Any plan to modernize and integrate the automated systems of the Department of				
45	Corrections shall be based on developing the integrated system in phases, or modules.				
46	Furthermore, any such integrated system shall be designed to provide the department the				
47	data needed to evaluate its programs, including that data needed to measure recidivism.				
48	2. The appropriation in this Item includes \$5,509,879 the first year and \$4,938,793 the				
49	second year from the Contract Prisoners Special Revenue Fund to defray a portion of the				
50	costs of maintaining and enhancing the offender management system, including the				
51	development of an electronic health records system. In addition to any general fund				
52	appropriations, the Department of Corrections may, subject to the authorization of the				
53	Director, Department of Planning and Budget, utilize additional revenue deposited in the				
54	Contract Prisoners Special Revenue Fund to support the development of the offender				
55	management system.				

ITEM 385.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	B. Included in this appropriation is \$550,000 the first year and \$550,000 the second year from				
2	nongeneral funds to be used for installation and operating expenses of the telemedicine				
3	program operated by the Department of Corrections. The source of the funds is revenue from				
4	inmate fees collected for medical services.				
5	C. Included in this appropriation is \$2,800,000 the first year and \$2,800,000 the second year				
6	from nongeneral funds to be used by the Department of Corrections for the operations of its				
7	Corrections Construction Unit. The State Comptroller shall continue the Corrections				
8	Construction Unit Special Operating Fund on the Commonwealth Accounting and Reporting				
9	System to reflect the activities of contracts between the Corrections Construction Unit and (i)				
10	institutions within the Department of Corrections for work not related to a capital project and				
11	(ii) agencies without the Department of Corrections for work performed for those agencies.				
12	D. Notwithstanding the provisions of § 53.1-20 A. and B., Code of Virginia, the Director,				
13	Department of Corrections, shall receive offenders into the state correctional system from				
14	local and regional jails at such time as he determines that sufficient, secure and appropriate				
15	housing is available, placing a priority on receiving inmates diagnosed and being treated for				
16	HIV, mental illnesses requiring medication, or Hepatitis C. The director shall maximize,				
17	consistent with inmate and staff safety, the use of bed space in the state correctional system.				
18	The director shall report monthly to the Secretary of Public Safety and Homeland Security				
19	and the Department of Planning and Budget on the number of inmates housed in the state				
20	correctional system, the number of inmate beds available, and the number of offenders housed				
21	in local and regional jails that meet the criteria set out in § 53.1-20 A. and B.				
22	E. The Department of Corrections is exempted from the approval requirements of Chapter 11				
23	of the Construction and Professional Services Manual as issued by the Division of				
24	Engineering and Buildings. The Department of Corrections may authorize and initiate design-				
25	build contracts as deemed appropriate by the Director, Department of Corrections, in				
26	accordance with §§ 2.2-4301 and 2.2-4306, Code of Virginia.				
27	F. Notwithstanding any requirement to the contrary, any building, fixture, or structure to be				
28	placed, erected or constructed on, or removed or demolished from the property of the				
29	Commonwealth of Virginia under the control of the Department of Corrections shall not be				
30	subject to review and approval by the Art and Architectural Review Board as contemplated by				
31	§ 2.2-2402, Code of Virginia. However, if the Department of Corrections seeks to construct a				
32	facility that is not a secure correctional facility or a structure located on the property of a				
33	secure correctional facility, then the Department of Corrections shall submit that structure to				
34	the Art and Architectural Review Board for review and approval by that board. Such other				
35	structures could include probation and parole district offices or regional offices.				
36	G. The Commonwealth of Virginia shall convey 45 acres (more or less) of property, being a				
37	portion of Culpeper County Tax Map No. 75, parcel 32, lying in the Cedar Mountain				
38	Magisterial District of Culpeper County, Virginia, in consideration of the County's				
39	construction of water capacity and service line(s) adequate to serve the needs of the				
40	Department of Corrections' Coffeewood Facility and the Department of Juvenile Justice's				
41	Culpeper Juvenile Correctional Facility (hereinafter "the facilities"). The cost of the water				
42	improvements necessary to serve the facilities, including an eight-inch water service line, and				
43	including engineering and land/easement acquisition costs, shall be paid by the				
44	Commonwealth, less and except (i) the value of the property for the jail conveyed by the				
45	Commonwealth to the County (\$150,382, based on valuation by the Culpeper County				
46	Assessor), and (ii) the cost of increasing the size of the water service line from eight inches to				
47	twelve inches, in order to accommodate planned county needs.				
48	H. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of				
49	Corrections shall be exempt from the payment of service charges levied in lieu of taxes by				
50	any county, city, or town.				
51	I. The Department of Corrections shall serve as the Federal Bonding Coordinator and shall				
52	work with the Virginia Community College System and its workforce development programs				
53	and services to provide fidelity bonds to those offenders released from jails or state				
54	correctional centers who are required to provide fidelity bonds as a condition of employment.				
55	The department is authorized to use funds from the Contract Prisoners Special Revenue Fund				
56	to pay the costs of this activity.				

ITEM 385.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	J. In the event the Department of Corrections closes a correctional facility for which it has				
2	entered into an agreement with any locality to pay a proportionate share of the debt service				
3	for the establishment of utilities to serve the facility, the department shall continue to pay				
4	its agreed upon share of the debt service, subject to the schedule previously agreed upon.				
5	K. Included in the appropriation for this Item is \$566,663 the first year from the general				
6	fund for the estimated net increase in the operating cost of adult correctional facilities				
7	resulting from the enactment of sentencing legislation as listed below. This amount shall				
8	be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4,				
9	Code of Virginia.				
10	a. Senate Bill 14.....\$50,000				
11	b. Senate Bill 65 and				
12	House Bill 810.....\$50,000				
13	c. Senate Bill 454 and				
14	House Bill 235.....\$50,000				
15	d. Senate Bill 476.....\$50,000				
16	e. Senate Bill 594 and				
17	House Bill 1112.....\$66,663				
18	f. House Bill 567.....\$50,000				
19	g. House Bill 575.....\$50,000				
20	h. House Bill 708.....\$50,000				
21	i. House Bill 972.....\$50,000				
22	j. House Bill 976 \$50,000				
23	k. House Bill 1251.....\$50,000.				
24	L. Out of the appropriation for this Item, \$142,644 the first year and \$142,644 the second				
25	year from the general fund is continued for the ongoing financing costs of purchasing a				
26	generator for Deep Meadow Correctional Center through the state's master equipment				
27	lease purchase program.				
28	M. From the appropriation in this Item, \$500,000 the first year and \$500,000 the second				
29	year from the general fund shall be used to present seminars on overcoming obstacles to				
30	re-entry and to promote family integration in the correctional centers designated for				
31	intensive re-entry programs. The department shall submit a report by October 15 of each				
32	year to the chairmen of the House Appropriations and Senate Finance Committees, the				
33	Secretary of Public Safety and Homeland Security, and the Department of Planning and				
34	Budget on the use of this funding.				
35	N. Included in the appropriation for this Item is \$500,000 the second year from the general				
36	fund and six positions to enable the agency to bolster its recruitment efforts of medical				
37	professionals and to strengthen the coordination and administration of medical services for				
38	inmates.				
39	O. Included in the appropriation for this Item is \$600,000 the second year from the general				
40	fund for the estimated net increase in the operating cost of adult correctional facilities				
41	resulting from the enactment of sentencing legislation as listed below. This amount shall				
42	be paid into the Corrections Special Reserve Fund, established pursuant to § 30-19.1:4,				
43	Code of Virginia.				
44	1. House Bill 1493 -- \$50,000				
45	2. House Bill 1702 -- \$50,000				

ITEM 385.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	3. House Bill 1807 and Senate Bill 1231 -- \$50,000				
2	4. House Bill 1839 -- \$50,000				
3	5. House Bill 1964 and Senate Bill 1188 -- \$200,000				
4	6. House Bill 2040 -- \$50,000				
5	7. House Bill 2070 and Senate Bill 1424 -- \$50,000				
6	8. House Bill 2385 -- \$50,000				
7	9. Senate Bill 1056 -- \$50,000				
8	P. No funding appropriated in this act for the Department of Corrections shall be used to				
9	distribute or make available to prisoners incarcerated in state correctional facilities obscene				
10	materials, as defined in Article 5 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2.				
11	Q. The Department of Corrections is authorized to use funds from the amounts paid into the				
12	Corrections Special Reserve Fund pursuant to paragraph O. of Item 385 to conduct a				
13	preplanning study relating to replacement of the Powhatan Correctional Center.				
14	R. Included in the appropriation for this Item is \$833,333 the second year from the general				
15	fund for the cost of security technology and hardware for the inmate telephone system.				
16	Total for Department of Corrections.....			\$1,145,584,240	\$1,172,974,239
17					\$1,174,165,781
18	General Fund Positions.....	12,607.50	<del>12,623.50</del>		
19			12,648.50		
20	Nongeneral Fund Positions.....	240.50	240.50		
21	Position Level.....	12,848.00	<del>12,864.00</del>		
22			12,889.00		
23	Fund Sources: General.....	\$1,073,216,829	<del>\$1,101,177,914</del>		
24			\$1,102,369,456		
25	Special.....	\$68,055,714	\$67,484,628		
26	Dedicated Special Revenue.....	\$2,480,379	\$2,480,379		
27	Federal Trust.....	\$1,831,318	\$1,831,318		
28	<b>§ 1-23. DEPARTMENT OF CRIMINAL JUSTICE SERVICES (140)</b>				
29	386. Not set out.				
30	387. Not set out.				
31	388. Not set out.				
32	389. Financial Assistance for Administration of Justice				
33	Services (39000).....			\$79,010,071	<del>\$79,060,071</del>
34					\$79,088,711
35	Financial Assistance for Administration of Justice				
36	Services (39001).....	\$79,010,071	<del>\$79,060,071</del>		
37			\$79,088,711		
38	Fund Sources: General.....	\$35,922,292	<del>\$35,972,292</del>		
39			\$36,000,932		
40	Special.....	\$100,000	\$100,000		
41	Trust and Agency.....	\$10,000,000	\$10,000,000		
42	Dedicated Special Revenue.....	\$11,487,779	\$11,487,779		
43	Federal Trust.....	\$21,500,000	\$21,500,000		
44	Authority: Title 9.1, Chapter 1, Code of Virginia.				
45	A.1. This appropriation includes an estimated \$12,000,000 the first year and an estimated				
46	\$12,000,000 the second year from federal funds pursuant to the Omnibus Crime Control Act				
47	of 1968, as amended. Of these amounts, nine percent is available for administration, and the				

ITEM 389.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	remainder is available for grants to state agencies and local units of government. The				
2	remaining federal funds are to be passed through as grants to localities, with a required 25				
3	percent local match. Also included in this appropriation is \$729,930 the first year and				
4	\$729,930 the second year from the general fund for the required matching funds for state				
5	agencies.				
6	2. The Department of Criminal Justice Services shall provide a summary report on federal				
7	anti-crime and related grants which will require state general funds for matching purposes				
8	during FY 2013 and beyond. The report shall include a list of each grant and grantee, the				
9	purpose of the grant, and the amount of federal and state funds recommended, organized				
10	by topical area and fiscal period. The report shall indicate whether each grant represents a				
11	new program or a renewal of an existing grant. Copies of this report shall be provided to				
12	the Chairmen of the Senate Finance and House Appropriations Committees by January 1				
13	of each year.				
14	B. The Department of Criminal Justice Services is authorized to make grants and provide				
15	technical assistance out of this appropriation to state agencies, local governments,				
16	regional, and nonprofit organizations for the establishment and operation of programs for				
17	the following purposes and up to the amounts specified:				
18	1.a. Regional training academies for criminal justice training, \$496,546 the first year and				
19	\$496,546 the second year from the general fund and an estimated \$1,649,315 the first year				
20	and an estimated \$1,649,315 the second year from nongeneral funds. The Criminal Justice				
21	Services Board shall adopt such rules as may reasonably be required for the distribution of				
22	funds and for the establishment, operation and service boundaries of state-supported				
23	regional criminal justice training academies.				
24	b. The Board of Criminal Justice Services, consistent with § 9.1-102, Code of Virginia,				
25	and § 6VAC-20-20-61 of the Administrative Code, shall not approve or provide funding				
26	for the establishment of any new criminal justice training academy from July 1, 2014,				
27	through June 30, 2016.				
28	2. Virginia Crime Victim-Witness Fund, \$5,124,059 the first year and \$5,124,059 the				
29	second year from dedicated special revenue, and \$2,635,000 the first year and \$2,635,000				
30	the second year from the general fund. The Department of Criminal Justice Services shall				
31	provide a report on the current and projected status of federal, state and local funding for				
32	victim-witness programs supported by the Fund. Copies of the report shall be provided				
33	annually to the Secretary of Public Safety and Homeland Security, the Department of				
34	Planning and Budget, and the Chairmen of the Senate Finance and House Appropriations				
35	Committees by October 16 of each year.				
36	3.a. Court Appointed Special Advocate (CASA) programs, \$1,176,179 the first year and				
37	\$1,176,179 the second year from the general fund.				
38	b. In the event that the federal government reduces or removes support for the CASA				
39	programs, the Governor is authorized to provide offsetting funding for those impacted				
40	programs out of the unappropriated balances in this Act.				
41	4. Domestic Violence Fund, \$3,000,000 the first year and \$3,000,000 the second year				
42	from the dedicated special revenue fund to provide grants to local programs and				
43	prosecutors that provide services to victims of domestic violence.				
44	5. Offender Reentry and Transition Services (ORTS), \$2,286,144 the first year and				
45	\$2,286,144 the second year from general fund to support pre and post incarceration				
46	professional services and guidance that increase the opportunity for, and the likelihood of,				
47	successful reintegration into the community by adult offenders upon release from prisons				
48	and jails.				
49	6. To the Department of Behavioral Health and Developmental Services for the following				
50	activities and programs: (i) a partnership program between a local community services				
51	board and the district probation and parole office for a jail diversion program; (ii) forensic				
52	discharge planners; (iii) advanced training on veterans' issues to local crisis intervention				
53	teams; and (iv) cross systems mapping targeting juvenile justice and behavioral health.				
54	7. To the Department of Corrections for the following activities and programs: (i)				

ITEM 389.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	community residential re-entry programs for female offenders; (ii) establishment of a pilot				
2	day reporting center; and (iii) establishment of a pilot program whereby non-violent state				
3	offenders would be housed in a local or regional jail, rather than a prison or other state				
4	correctional facility, with rehabilitative services provided by the jail.				
5	8. To Drive to Work, \$75,000 the first year and \$75,000 the second year from such federal				
6	funds as may be available to provide assistance to low income and previously incarcerated				
7	persons to restore their driving privileges so they can drive to work and keep a job.				
8	C.1. Out of this appropriation, \$23,817,037 the first year and \$23,817,037 the second year				
9	from the general fund is authorized to make discretionary grants and to provide technical				
10	assistance to cities, counties or combinations thereof to develop, implement, operate and				
11	evaluate programs, services and facilities established pursuant to the Comprehensive				
12	Community Corrections Act for Local-Responsible Offenders (§ 53.1-182.1, Code of				
13	Virginia) and the Pretrial Services Act (§ 19.2-152.4, Code of Virginia). Out of these				
14	amounts, the Director, Department of Criminal Justice Services, is authorized to expend no				
15	more than five percent per year for state administration of these programs.				
16	2. The Department of Criminal Justice Services, in conjunction with the Office of the				
17	Executive Secretary of the Supreme Court and the Virginia Criminal Sentencing Commission,				
18	shall conduct information and training sessions for judges and other judicial officials on the				
19	programs, services and facilities available through the Pretrial Services Act and the				
20	Comprehensive Community Corrections Act for Local-Responsible Offenders.				
21	D.1. Out of this appropriation, \$225,000 the first year and \$225,000 the second year from the				
22	general fund is provided for Comprehensive Community Corrections and Pretrial Services				
23	Programs for localities that belong to the Central Virginia Regional Jail Authority. These				
24	amounts are seventy-five percent of the costs projected in the community-based corrections				
25	plan submitted by the Authority. The localities shall provide the remaining twenty-five				
26	percent as a condition of receiving these funds.				
27	2. Out of this appropriation, \$600,000 the first year and \$600,000 the second year from the				
28	general fund is provided for Comprehensive Community Corrections and Pretrial Services				
29	Programs for localities that belong to the Southwest Virginia Regional Jail Authority. These				
30	amounts are seventy-five percent of the costs projected in the community-based corrections				
31	plan submitted by the Authority. The localities shall provide the remaining twenty-five				
32	percent as a condition of receiving these funds.				
33	E. In the event the federal government should make available additional funds pursuant to the				
34	Violence Against Women Act, the department shall set aside 33 percent of such funds for				
35	competitive grants to programs providing services to domestic violence and sexual assault				
36	victims.				
37	F.1. Out of this appropriation, \$1,700,000 the first year and \$1,700,000 the second year from				
38	the general fund and \$1,710,000 the first year and \$1,710,000 the second year from such				
39	federal funds as are available shall be deposited to the School Resource Officer Incentive				
40	Grants Fund established pursuant to § 9.1-110, Code of Virginia.				
41	2. The Director, Department of Criminal Justice Services, is authorized to expend \$357,285				
42	the first year and \$357,285 the second year from the School Resource Officer Incentive				
43	Grants Fund to operate the Virginia Center for School Safety, pursuant to § 9.1-110, Code of				
44	Virginia.				
45	3. Subject to the development of criteria for the distribution of grants from the fund,				
46	including procedures for the application process and the determination of the actual amount of				
47	any grant issued by the department, the department shall award grants to either local law-				
48	enforcement agencies, where such local law-enforcement agencies and local school boards				
49	have established a collaborative agreement for the employment of school resource officers, as				
50	such positions are defined in § 9.1-101, Code of Virginia, for the employment of school				
51	resource officers, or to local school divisions for the employment of school security officers,				
52	as such positions are defined in § 9.1-101, Code of Virginia, for the employment of school				
53	security officers in any public school. The application process shall provide for the selection				
54	of either school resource officers, school security officers, or both by localities. The				
55	department shall give priority to localities requesting school resource officers, school security				



ITEM 389.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	officers, or both where no such personnel are currently in place. Localities shall match				
2	these funds based on the composite index of local ability-to-pay.				
3	4. Pursuant to the adoption of House Bills 2344 and 2345 by the 2013 Session of the				
4	General Assembly, included in this appropriation is \$202,300 the first year and \$202,300				
5	the second year from the general fund for the development of a model critical incident				
6	response training program for public school personnel and others providing services to				
7	public schools, and the development of a model policy for the establishment of threat				
8	assessment teams for each public school, including procedures for the assessment of and				
9	intervention with students whose behavior poses a threat to the safety of public school				
10	staff or other students.				
11	G. Included in the amounts appropriated in this Item is \$382,500 the first year and				
12	\$382,500 the second year from the general fund for grants to local sexual assault crisis				
13	centers (SACCs) to provide core and comprehensive services to victims of sexual				
14	violence.				
15	H.1. Out of the amounts appropriated for this Item, \$1,100,000 the first year and				
16	\$1,100,000 the second year from nongeneral funds is provided, to be distributed as				
17	follows: for the Southern Virginia Internet Crimes Against Children Task Force, \$600,000				
18	the first year and \$600,000 the second year; and, for the creation of a grant program to law				
19	enforcement agencies for the prevention of internet crimes against children, \$500,000 the				
20	first year and \$500,000 the second year.				
21	2. The Southern Virginia and Northern Virginia Internet Crimes Against Children Task				
22	Forces shall each provide an annual report, in a format specified by the Department of				
23	Criminal Justice Services, on their actual expenditures and performance results. Copies of				
24	these reports shall be provided to the Secretary of Public Safety and Homeland Security,				
25	the Chairmen of the Senate Finance and House Appropriations Committees, and Director,				
26	Department of Planning and Budget prior to the distribution of these funds each year.				
27	3. Subject to compliance with the reports and distribution thereof as required in paragraph				
28	2 above and notwithstanding the provisions of paragraph AA. of § 3-1.01 in Part 3 of this				
29	act, the Governor shall allocate all additional funding, not to exceed actual collections, for				
30	the prevention of Internet Crimes Against Children as contained in this item; paragraph E.				
31	of Item 339 of this act; and, Item 414 of this act, pursuant to § 17.1-275.12, Code of				
32	Virginia.				
33	I. The Department of Criminal Justice Services shall publish and disseminate a model				
34	policy for law-enforcement personnel involved in criminal investigations or assigned to				
35	vehicle or street patrol duties to ensure that law-enforcement personnel are aware of				
36	human trafficking offenses and the identification of victims of human trafficking.				
37	J. Out of the amounts appropriated for this item, \$50,000 the second year from the general				
38	fund is provided for training to local law enforcement to aid in their identifying and				
39	interacting with individuals suffering from Alzheimer's and/or dementia.				
40	390. Not set out.				
41	391. Not set out.				
42	392. Not set out.				
43	Total for Department of Criminal Justice Services...			\$265,164,553	\$265,295,930
44					\$265,324,570
45	General Fund Positions.....	48.50	48.50		
46	Nongeneral Fund Positions.....	68.50	68.50		
47	Position Level.....	117.00	117.00		
48	Fund Sources: General.....	\$211,603,531	\$211,713,192		
49			\$211,741,832		
50	Special.....	\$10,572,592	\$10,587,783		
51	Trust and Agency.....	\$10,000,000	\$10,000,000		
52	Dedicated Special Revenue.....	\$11,487,779	\$11,487,779		

ITEM 392.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1		Federal Trust.....	\$21,500,651	\$21,507,176		
2	393.	Not set out.				
3	394.	Not set out.				
4	395.	Not set out.				
5	396.	Not set out.				
6	397.	Not set out.				
7	<b>§ 1-24. DEPARTMENT OF FIRE PROGRAMS (960)</b>					
8	398.	Fire Training and Technical Support Services				
9		(74400).....			\$7,507,398	<del>\$7,507,398</del>
10						\$7,622,733
11		Fire Services Management and Coordination (74401)				
12			\$2,698,093	<del>\$2,698,093</del>		
13				\$2,813,428		
14		Virginia Fire Services Research (74402).....	\$302,274	\$302,274		
15		Fire Services Training and Professional				
16		Development (74403).....	\$2,173,775	\$2,173,775		
17		Technical Assistance and Consultation Services				
18		(74404).....	\$2,128,643	\$2,128,643		
19		Emergency Operational Response Services (74405)....	\$15,000	\$15,000		
20		Public Fire and Life Safety Educational Services				
21		(74406).....	\$189,613	\$189,613		
22		Fund Sources: Special.....	\$7,507,398	<del>\$7,507,398</del>		
23				\$7,622,733		
24		Authority: Title 9.1, Chapter 2 and § 38.2-401, Code of Virginia.				
25		Notwithstanding the provisions of § 38.2-401, Code of Virginia, up to 25 percent of the				
26		revenue available from the Fire Programs Fund, after making the distributions set out in §				
27		38.2-401 D, Code of Virginia, may be used by the Department of Fire Programs to pay for the				
28		administrative costs of all activities assigned to it by law.				
29	399.	Not set out.				
30	400.	Regulation of Structure Safety (56200).....			\$2,910,209	<del>\$2,930,222</del>
31						\$3,007,112
32		State Fire Prevention Code Administration (56203)....	\$2,910,209	<del>\$2,930,222</del>		
33				\$3,007,112		
34		Fund Sources: General.....	\$2,368,475	<del>\$2,370,100</del>		
35				\$2,446,990		
36		Special.....	\$541,734	\$560,122		
37		Authority: §§ 9.1-201, 9.1-206, and 27-94 through 27-99, Code of Virginia.				
38		The State Fire Marshal may charge no fee for any permits or inspections of any school,				
39		whether it be public or private.				
40		Total for Department of Fire Programs.....			\$40,242,607	<del>\$40,262,620</del>
41						\$40,454,845
42		General Fund Positions.....	29.00	29.00		
43		Nongeneral Fund Positions.....	43.00	43.00		
44		Position Level.....	72.00	72.00		
45		Fund Sources: General.....	\$2,368,475	<del>\$2,370,100</del>		
46				\$2,446,990		
47		Special.....	\$37,624,132	<del>\$37,642,520</del>		
48				\$37,757,855		
49		Federal Trust.....	\$250,000	\$250,000		



ITEM 400.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>§ 1-25. DEPARTMENT OF FORENSIC SCIENCE (778)</b>			
<b>2</b>	401. Law Enforcement Scientific Support Services			
<b>3</b>	(30900).....		\$40,822,427	\$41,457,793
<b>4</b>				\$41,732,890
<b>5</b>	Biological Analysis Services (30901).....	\$11,621,964	\$12,041,552	
<b>6</b>			\$12,316,649	
<b>7</b>	Chemical Analysis Services (30902).....	\$11,839,163	\$11,901,323	
<b>8</b>	Physical Evidence Services (30904).....	\$7,549,843	\$7,637,843	
<b>9</b>	Training and Standards Services (30905).....	\$1,564,380	\$1,564,380	
<b>10</b>	Administrative Services (30906).....	\$8,247,077	\$8,312,695	
<b>11</b>	Fund Sources: General.....	\$38,315,431	\$38,950,797	
<b>12</b>			\$39,225,894	
<b>13</b>	Federal Trust.....	\$2,506,996	\$2,506,996	
<b>14</b>	Authority: §§ 9.1-1100 through 9.1-1113, Code of Virginia.			
<b>15</b>	A. Notwithstanding the provisions of § 58.1-3403, Code of Virginia, the Department of			
<b>16</b>	Forensic Science shall be exempt from the payment of service charges levied in lieu of			
<b>17</b>	taxes by any county, city, or town.			
<b>18</b>	B.1. The Forensic Science Board shall ensure that all individuals who were convicted due			
<b>19</b>	to criminal investigations, for which its case files for the years between 1973 and 1988			
<b>20</b>	were found to contain evidence possibly suitable for DNA testing, are informed that such			
<b>21</b>	evidence exists and is available for testing. To effectuate this requirement, the Board shall			
<b>22</b>	prepare two form letters, one sent to each person whose evidence was tested, and one sent			
<b>23</b>	to each person whose evidence was not tested. Copies of each such letter shall be sent to			
<b>24</b>	the Chairman of the Forensic Science Board and to the respective Chairmen of the House			
<b>25</b>	and Senate Committees for Courts of Justice. The Department of Corrections shall assist			
<b>26</b>	the board in effectuating this requirement by providing the addresses for all such persons			
<b>27</b>	to whom letters shall be sent, whether currently incarcerated, on probation, or on parole.			
<b>28</b>	In cases where the current address of the person cannot be ascertained, the Department of			
<b>29</b>	Corrections shall provide the last known address. The Chairman of the Forensic Science			
<b>30</b>	Board shall report on the progress of this notification process at each meeting of the			
<b>31</b>	Forensic Science Board.			
<b>32</b>	2. Upon a request pursuant to the Virginia Freedom of Information Act for a certificate of			
<b>33</b>	analysis that has been issued in connection with the Post Conviction DNA Testing			
<b>34</b>	Program and that reflects that a convicted person's DNA profile was not indicated on			
<b>35</b>	items of evidence tested, the Department of Forensic Science shall make available for			
<b>36</b>	inspection and copying such requested record after all personal and identifying			
<b>37</b>	information about the victims, their family members, and consensual partners has been			
<b>38</b>	redacted, except where disclosure of the information contained therein is expressly			
<b>39</b>	prohibited by law or the Commonwealth's Attorney to whom the certificate was issued			
<b>40</b>	states that the certificate is critical to an ongoing active investigation and that disclosure			
<b>41</b>	jeopardizes the investigation.			
<b>42</b>	Total for Department of Forensic Science.....		\$40,822,427	\$41,457,793
<b>43</b>				\$41,732,890
<b>44</b>	General Fund Positions.....	310.00	310.00	
<b>45</b>	Position Level.....	310.00	310.00	
<b>46</b>	Fund Sources: General.....	\$38,315,431	\$38,950,797	
<b>47</b>			\$39,225,894	
<b>48</b>	Federal Trust.....	\$2,506,996	\$2,506,996	
<b>49</b>	<b>§ 1-26. DEPARTMENT OF JUVENILE JUSTICE (777)</b>			
<b>50</b>	402. Not set out.			
<b>51</b>	403. Not set out.			
<b>52</b>	404. Not set out.			

ITEM 404.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	405.	Not set out.				
2	406.	Operation of Secure Correctional Facilities (39800)....			\$64,237,223	\$64,702,254
3		Juvenile Corrections Center Management (39801).....	\$6,346,582	\$6,346,582		
4		Food Services - Prisons (39807).....	\$6,160,580	\$6,160,580		
5		Medical and Clinical Services - Prisons (39810).....	\$8,469,324	\$8,469,324		
6		Physical Plant Services - Prisons (39815).....	\$7,986,917	\$7,986,917		
7		Offender Classification and Time Computation				
8		Services (39830).....	\$1,357,130	\$1,357,130		
9		Juvenile Supervision and Management Services				
10		(39831).....	\$24,030,587	\$24,495,618		
11		Juvenile Rehabilitation and Treatment Services				
12		(39832).....	\$9,886,103	\$9,886,103		
13		Fund Sources: General.....	\$60,641,799	\$61,106,830		
14		Special.....	\$2,092,691	\$2,092,691		
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				
22		trend of the juvenile population and requirements imposed by the federal government, is				
23		directed to implement the downsizing and repurposing of its juvenile facilities. It is				
24		anticipated that by relocating the juveniles at the Culpeper Juvenile Correctional Center, the				
25		agency will be able to increase the efficiency and effectiveness of its operations and enhance				
26		the services provided to juveniles committed to state facilities in the areas of education, re-				
27		entry, mental health treatment, health services, and various other programmatic areas.				
28		C. Included in the appropriation for this Item is \$3,906,720 and 72 juvenile correctional				
29		officer positions in the second year from the general fund to meet requirements of the Prison				
30		Rape Elimination Act (PREA).				
31		<i>D.1. The Director, Department of Juvenile Justice, (the "Department") shall develop and</i>				
32		<i>implement a transformation plan to provide more effective and efficient services for juveniles,</i>				
33		<i>using data-based decision-making, that improves outcomes and safely reduces the number of</i>				
34		<i>juveniles housed in state-operated juvenile correctional centers. To accomplish these</i>				
35		<i>objectives, the Department will provide, when appropriate, alternative placements and</i>				
36		<i>services for juveniles committed to the Department that offer treatment, supervision and</i>				
37		<i>programs that meet the levels of risk and need, as identified by the Department's risk and</i>				
38		<i>needs assessment instruments, for each juvenile placed in such placements or programs.</i>				
39		<i>2. The Department shall reallocate any savings from the reduced cost of operating state</i>				
40		<i>juvenile correctional centers to support the goals of the transformation plan including, but</i>				
41		<i>not limited to: (a) increasing the number of male and female local placement options, and</i>				
42		<i>post-dispositional treatment programs and services; (b) ensuring that appropriate placements</i>				
43		<i>and treatment programs are available across all regions of the Commonwealth; and (c)</i>				
44		<i>providing appropriate levels of educational, career readiness, rehabilitative, and mental</i>				
45		<i>health services for these juveniles in state, regional, or local programs and facilities,</i>				
46		<i>including but not limited to, community placement programs, independent living programs,</i>				
47		<i>and group homes. The goals of such transformation services shall be to reduce the risks for</i>				
48		<i>reoffending for juveniles supervised or committed to the Department and to improve and</i>				
49		<i>promote the skills and resiliencies necessary for the juveniles to lead successful lives in their</i>				
50		<i>communities.</i>				
51		<i>3. No later than November 1 of each year, the Department of Juvenile Justice shall provide a</i>				
52		<i>report to the Governor, the Chairmen of the House Appropriations and Senate Finance</i>				
53		<i>Committees, the Secretary of Public Safety and Homeland Security and the Director,</i>				
54		<i>Department of Planning and Budget, assessing the impact and results of the transformation</i>				

ITEM 406.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	plan and its related actions. The report shall include, but is not limited to, assessing				
2	juvenile offender recidivism rates, fiscal and operational impact on detention homes;				
3	changes (if any) in commitment orders by the courts; and use of the savings redirected as				
4	a result of transformation, including the amount expended for contracted programs and				
5	treatment services, including the number of juveniles receiving each specific service. The				
6	report should also include the average length of stay for juveniles in each placement				
7	option.				
8	4. The Director, Department of Planning and Budget, is authorized to transfer				
9	appropriations between items and programs within the Department of Juvenile Justice to				
10	reallocate any savings achieved through transformation to accomplish the goals of				
11	transformation.				
12	407. Not set out.				
13	Total for Department of Juvenile Justice.....			\$206,627,222	\$206,924,974
14	General Fund Positions.....	2,149.50	2,149.50		
15	Nongeneral Fund Positions.....	21.00	21.00		
16	Position Level.....	2,170.50	2,170.50		
17	Fund Sources: General.....	\$196,447,317	\$196,743,693		
18	Special.....	\$3,442,366	\$3,443,742		
19	Dedicated Special Revenue.....	\$48,000	\$48,000		
20	Federal Trust.....	\$6,689,539	\$6,689,539		
21	408. Not set out.				
22	409. Not set out.				
23	410. Not set out.				
24	411. Not set out.				
25	412. Not set out.				
26	413. Not set out.				
27	414. Not set out.				
28	415. Not set out.				
29	416. Not set out.				
30	417. Not set out.				
31	TOTAL FOR OFFICE OF PUBLIC SAFETY				
32	AND HOMELAND SECURITY .....			\$2,735,442,327	\$2,816,146,443
33					\$2,818,144,947
34	General Fund Positions.....	17,809.82	<del>17,828.82</del>		
35			17,853.82		
36	Nongeneral Fund Positions.....	2,308.18	2,334.18		
37	Position Level.....	20,118.00	<del>20,163.00</del>		
38			20,188.00		
39	Fund Sources: General.....	\$1,790,976,868	<del>\$1,821,269,030</del>		
40			\$1,822,841,199		
41	Special.....	\$159,521,838	<del>\$156,230,410</del>		
42			\$156,345,745		
43	Commonwealth Transportation.....	\$9,337,444	\$9,337,444		
44	Enterprise.....	\$597,331,789	<del>\$651,275,793</del>		
45			\$651,586,793		
46	Trust and Agency.....	\$10,020,000	\$10,020,000		
47	Dedicated Special Revenue.....	\$27,963,975	\$28,663,975		
48	Federal Trust.....	\$140,290,413	\$139,349,791		

ITEM 418.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>OFFICE OF TECHNOLOGY</b>			
<b>2</b>	418.	Not set out.		
<b>3</b>	419.	Not set out.		
<b>4</b>	<b>§ 1-27. VIRGINIA INFORMATION TECHNOLOGIES AGENCY (136)</b>			
<b>5</b>	420.	Not set out.		
<b>6</b>	421.	Not set out.		
<b>7</b>	422.	Not set out.		
<b>8</b>	423.	Not set out.		
<b>9</b>	424.	Not set out.		
<b>10</b>	425.	Administrative and Support Services (89900).....	\$30,895,672	\$30,124,976
<b>11</b>		General Management and Direction (89901).....	\$19,072,819	\$19,433,483
<b>12</b>		Accounting and Budgeting Services (89903).....	\$6,120,553	\$5,108,442
<b>13</b>		Human Resources Services (89914).....	\$415,737	\$286,047
<b>14</b>		Procurement and Contracting Services (89918).....	\$3,204,240	\$3,216,049
<b>15</b>		Audit Services (89931).....	\$277,948	\$275,948
<b>16</b>		Web Development and Support Services (89940).....	\$1,804,375	\$1,805,007
<b>17</b>		Fund Sources: Special.....	\$7,778,099	\$7,243,005
<b>18</b>		Internal Service.....	\$23,117,573	\$22,881,971
<b>19</b>	Authority: Title 2.2, Chapter 20.1, Code of Virginia.			
<b>20</b>	A.1. Out of this appropriation, \$23,117,573 the first year and \$23,215,967 the second year for			
<b>21</b>	Administrative and Support Services is sum sufficient and amounts shown are estimates from			
<b>22</b>	an internal service fund which shall be paid solely from charges to other programs within this			
<b>23</b>	agency.			
<b>24</b>	2. In accordance with § 2.2-2013 D., Code of Virginia, the surcharge rate used to fund			
<b>25</b>	expenses for operations and staff of services administered by VITA shall be no more than			
<b>26</b>	8.26% the first year and 7.91% the second year.			
<b>27</b>	3. Included in the amounts for Administrative and Support Services are funds from the			
<b>28</b>	Acquisition Services Special Fund which is paid solely from receipts from vendor information			
<b>29</b>	technology contracts. These funds will be used to finance procurement and contracting			
<b>30</b>	activities and costs unallowable for federal fund reimbursement.			
<b>31</b>	B. The provisions of Title 2.2, Chapter 20.1 of the Code of Virginia shall not apply to the			
<b>32</b>	Virginia Port Authority.			
<b>33</b>	C. The requirement that the Department of Behavioral Health and Developmental Services			
<b>34</b>	purchase information technology equipment or services from the Virginia Information			
<b>35</b>	Technologies Agency (VITA) according to the provisions of Chapters 981 and 1021 of the			
<b>36</b>	Acts of Assembly of 2003 shall not adversely impact the provision of services to mentally			
<b>37</b>	disabled clients.			
<b>38</b>	D. The Chief Information Officer and the Secretary of Technology shall provide the Governor			
<b>39</b>	and the Chairmen of the Senate Finance and House Appropriations Committees with a report			
<b>40</b>	detailing any amendments or modifications to the comprehensive infrastructure agreement.			
<b>41</b>	The report shall include statements describing the fiscal impact of such amendments or			
<b>42</b>	modifications and shall be submitted within 30 days following the signing of any amended			
<b>43</b>	agreement.			
<b>44</b>	E. An annual assessment of the VITA organization and in-scope information technology and			
<b>45</b>	telecommunications costs will be provided to the Governor and Chairmen of the House			
<b>46</b>	Appropriations and Senate Finance Committees by September 15 of each year. This			
<b>47</b>	assessment should (i) include a review of agency productivity, efficiency, and effectiveness,			

ITEM 425.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	(ii) identify opportunities to reduce the number of retained employees, (iii) establish and				
2	update standards for hardware, such as the number of printers per employees and using				
3	docking stations instead of laptops and desktops, and (iv) offer options for decreasing				
4	agency overhead costs.				
5	F. The Chief Information Officer shall provide the Governor and the Chairmen of the				
6	Senate Finance and House Appropriations Committees no later than December 1, each				
7	year, an update to the December 1, 2013, assessment of the comprehensive infrastructure				
8	agreement. The updated assessment shall (i) include a detailed overview of all in-scope				
9	agency infrastructure transition timelines and costs, including untransformed agencies; (ii)				
10	describe all efforts undertaken to ensure the market competitiveness of the fees paid by the				
11	Commonwealth to Northrop Grumman; (iii) assess whether the financial and contractual				
12	terms of the comprehensive agreement ensure that the Commonwealth's needs are met,				
13	including whether any modifications thereto are required; and (iv) identify options				
14	available to the Commonwealth at the expiry of the current agreement including any				
15	anticipated steps required to plan for its expiration.				
16	G.1. From the amounts appropriated in this Item, \$1,000,000 the second year from the				
17	internal service fund shall be allocated to develop an information technology (IT) sourcing				
18	strategy for contract transition in preparation for the expiration of the IT contract with				
19	Northrop Grumman.				
20	2. From the amounts appropriated in this Item, \$1,150,235 the first year and \$600,000 the				
21	second year from the Acquisitions Services Special Fund shall be allocated to develop an				
22	information technology sourcing strategy for contract transition in preparation for the				
23	expiration of the IT contract with Northrop Grumman.				
24	H. From the amounts appropriated in this Item, \$1,721,245 the first year and \$721,624 the				
25	second year from the internal service fund shall be allocated to implement a new				
26	telecommunications expense management (TEM) and billing solution system.				
27	426. Not set out.				
28	Total for Virginia Information Technologies				
29	Agency.....			\$382,316,627	\$386,196,939
30	General Fund Positions.....	26.00	26.00		
31	Nongeneral Fund Positions.....	245.00	<del>244.00</del>		
32			243.00		
33	Position Level.....	271.00	<del>270.00</del>		
34			269.00		
35	Fund Sources: General.....	\$2,183,330	\$2,184,211		
36	Special.....	\$7,778,099	\$7,361,363		
37	Internal Service.....	\$347,077,163	\$349,824,751		
38	Dedicated Special Revenue.....	\$24,845,942	\$26,826,614		
39	Federal Trust.....	\$432,093	\$0		
40	TOTAL FOR OFFICE OF TECHNOLOGY.....			\$391,343,482	\$394,946,075
41	General Fund Positions.....	31.00	31.00		
42	Nongeneral Fund Positions.....	245.00	<del>244.00</del>		
43			243.00		
44	Position Level.....	276.00	<del>275.00</del>		
45			274.00		
46	Fund Sources: General.....	\$11,210,185	\$10,933,347		
47	Special.....	\$7,778,099	\$7,361,363		
48	Internal Service.....	\$347,077,163	\$349,824,751		
49	Dedicated Special Revenue.....	\$24,845,942	\$26,826,614		
50	Federal Trust.....	\$432,093	\$0		

ITEM 427.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1			<b>OFFICE OF TRANSPORTATION</b>			
2	427.	Not set out.				
3	428.	Not set out.				
4	429.	Not set out.				
5	430.	Not set out.				
6	431.	Not set out.				
7	432.	Not set out.				
8	433.	Not set out.				
9	434.	Not set out.				
10	435.	Not set out.				
11	436.	Not set out.				
12	437.	Not set out.				
13	438.	Not set out.				
14	439.	Not set out.				
15	440.	Not set out.				
16	441.	Not set out.				
17			<b>§ 1-28. DEPARTMENT OF TRANSPORTATION (501)</b>			
18	442.	Environmental Monitoring and Evaluation (51400).....			\$13,251,385	\$12,534,800
19						\$13,170,831
20		Environmental Monitoring and Compliance for				
21		Highway Projects (51408).....	\$10,813,010	<del>\$10,211,305</del>		
22				\$10,588,817		
23		Environmental Monitoring Program Management				
24		and Direction (51409).....	\$2,438,375	<del>\$2,323,495</del>		
25				\$2,582,014		
26		Fund Sources: Commonwealth Transportation.....	\$13,251,385	<del>\$12,534,800</del>		
27				\$13,170,831		
28		Authority: Title 33.1, Code of Virginia.				
29		A. Included in the amounts for Environmental Monitoring and Evaluation is \$187,443 in the				
30		first year and \$55,717 in the second year to establish baseline air quality measures of nitrogen				
31		dioxide and fine particulate matter at the terminus of the I-395 express lane at Turkeycock				
32		Run. Funding shall be used for a two-phased study including a six-month baseline monitoring				
33		commencing as soon after July 1, 2014 as practicable, prior to the opening of the ramp, and				
34		twelve-month monitoring upon completion of the project; provided, however, that nothing				
35		required herein shall delay the opening of the ramp or the project or affect the continuing				
36		operation of the 95 Express lanes project. The study shall be conducted by the Department of				
37		Environmental Quality pursuant to a Memorandum of Agreement with the Department of				
38		Transportation.				
39	443.	Ground Transportation Planning and Research				
40		(60200).....			\$67,936,320	\$68,490,623
41						\$67,615,730
42		Ground Transportation System Planning (60201).....	\$51,771,702	<del>\$53,153,011</del>		
43				\$53,064,943		
44		Ground Transportation System Research (60202).....	\$12,533,845	<del>\$11,881,427</del>		
45				\$10,879,867		

ITEM 443.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Ground Transportation Program Management and				
2	Direction (60204).....	\$3,630,773	<del>\$3,456,185</del>		
3			\$3,670,920		
4	Fund Sources: Commonwealth Transportation.....	\$67,936,320	<del>\$68,490,623</del>		
5			\$67,615,730		
6	Authority: Title 33.2, Code of Virginia.				
7	A. Included in the amount for ground transportation system planning and research is no				
8	less than \$4,500,000 the first year and no less than \$4,500,000 the second year from the				
9	highway share of the Transportation Trust Fund for the planning and evaluation of options				
10	to address transportation needs.				
11	B. In addition, the Commonwealth Transportation Board may approve the expenditures of				
12	up to \$500,000 the first year and \$500,000 the second year from the highway share of the				
13	Transportation Trust Fund for the completion of advance activities, prior to the initiation				
14	of an individual project's design along existing highway corridors, to determine short-term				
15	and long-term improvements to the corridor. Such activities shall consider safety, access				
16	management, alternative modes, operations, and infrastructure improvements. Such funds				
17	shall be used for, but are not limited to, the completion of activities prior to the initiation				
18	of an individual project's design or to benefit identification of needs throughout the state				
19	or the prioritization of those needs. For federally eligible activities, the activity or item				
20	shall be included in the Commonwealth Transportation Board's annual update of the Six-				
21	Year Improvement program so that (i) appropriate federal funds may be allocated and				
22	reimbursed for the activities and (ii) all requirements of the federal Statewide				
23	Transportation Improvement Program can be achieved.				
24	C.1. The Office of Intermodal Planning and Investment shall recommend to the				
25	Commonwealth Transportation Board all allocations of such funds in this paragraph. The				
26	planning and evaluation may be conducted or managed by the Department of				
27	Transportation, Department of Rail and Public Transportation, or another qualified entity				
28	selected and/or approved by the Commonwealth Transportation Board.				
29	2. The office shall work directly with affected Metropolitan Planning Organizations to				
30	develop and implement quantifiable and achievable goals relating to congestion reduction				
31	and safety, transit and HOV usage, job/housing ratios, job and housing access to transit				
32	and pedestrian facilities, air quality, and/or per-capita vehicle miles traveled pursuant to				
33	Chapters 670 and 690 of the 2009 Acts of Assembly.				
34	3. For allocation of funds under Paragraph 1, the office may give a higher priority for				
35	planning grants to (i) regional organizations to analyze various land development				
36	scenarios for their long range transportation plans, (ii) local governments to revise their				
37	comprehensive plans and other applicable local ordinances to designate urban				
38	development areas pursuant to Chapter 896 of the 2007 Acts of Assembly and incorporate				
39	the principles included in such act, and (iii) local governments, regional organizations,				
40	transit agencies and other appropriate entities to develop plans for transit oriented				
41	development and the expansion of transit service. Such analyses, plans, and ordinances				
42	shall be shared with the regional planning district commission or metropolitan planning				
43	organization and the department.				
44	D. Notwithstanding the provisions of Chapter 729 and Chapter 733 of the 2012 Acts of				
45	Assembly, the Commonwealth Transportation Board shall not reallocate any funds from				
46	projects on roadways controlled by any county that has withdrawn or elects to withdraw				
47	from the secondary system of state highways, nor from any roadway controlled by a city				
48	or town as part of the state's urban roadway system, based on a determination of				
49	nonconformity with the Commonwealth Transportation Board's Statewide Transportation				
50	Plan or the Six-Year Improvement Program. In jurisdictions that maintain roadways				
51	within their boundaries, the provisions of § 33.2-214 shall apply only to highways				
52	controlled by the Department of Transportation.				
53	E. The prioritization process developed under subsection B of Chapter 726 of the 2014				
54	Virginia Acts of Assembly shall not apply to use of funds provided in this item from the				
55	federal apportionments in the State Planning and Research Program.				

ITEM 444.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	444.	Highway Construction Programs (60300).....		\$1,521,576,851	\$1,860,792,607
2					\$2,197,835,660
3		Dedicated and Statewide Construction (60302).....	\$1,088,811,436	<del>\$1,258,102,348</del>	
4				<del>\$1,299,790,643</del>	
5		Interstate Construction (60303).....	\$122,180,355	<del>\$185,550,135</del>	
6				<del>\$243,488,438</del>	
7		Primary Construction (60304).....	\$177,800,309	<del>\$254,653,082</del>	
8				<del>\$432,865,588</del>	
9		Secondary Construction (60306).....	\$65,028,986	<del>\$90,332,246</del>	
10				<del>\$120,439,816</del>	
11		Urban Construction (60307).....	\$42,195,439	<del>\$47,267,564</del>	
12				<del>\$75,128,493</del>	
13		Highway Construction Program Management			
14		(60315).....	\$25,560,326	<del>\$24,887,232</del>	
15				<del>\$26,122,682</del>	
16		Fund Sources: Commonwealth Transportation.....	\$1,071,314,483	<del>\$1,259,235,059</del>	
17				<del>\$1,596,856,102</del>	
18		Trust and Agency.....	\$450,262,368	<del>\$601,557,548</del>	
19				<del>\$600,979,558</del>	
20		Authority: Title 33.2, Chapter 3; Code of Virginia; Chapters 8, 9, and 12, Acts of Assembly of			
21		1989, Special Session II.			
22		A. From the appropriation for dedicated and statewide construction, the Commonwealth			
23		Transportation Board shall determine an amount each year, not less than \$15,000,000 and not			
24		to exceed \$200,000,000 from the Commonwealth Transportation Fund, which shall be			
25		allocated to localities for revenue sharing. No additional amount shall be appropriated from			
26		the proceeds of Commonwealth of Virginia Transportation Capital Projects Revenue Bonds			
27		for this program.			
28		B. Notwithstanding § 33.2-358 of the Code of Virginia, the proceeds from the lease or sale of			
29		surplus and residue property purchased under this program in excess of related costs shall be			
30		applied to the system and locality where the residue property is located. This funding shall be			
31		provided as an increase to the allocations distributed to the systems and localities according to			
32		§ 33.2-358 of the Code of Virginia.			
33		C. The Director, Department of Planning and Budget, is authorized to increase the			
34		appropriation as needed to utilize amounts available from prior year balances in the dedicated			
35		funds.			
36		D. Included in the amounts for dedicated and statewide construction is the reappropriation of			
37		\$448,300,000 the first year and \$238,500,000 the second year from bond proceeds or			
38		dedicated special revenues for anticipated expenditure of amounts collected in prior years.			
39		The amounts will be provided from balances in the Capital Projects Revenue Bond Fund,			
40		Federal Transportation Grant Anticipation Revenue Bond Fund, Northern Virginia			
41		Transportation District Fund, State Route 28 Highway Improvement District Fund, U.S.			
42		Route 58 Corridor Development Fund and the Priority Transportation Fund. These amounts			
43		were originally appropriated when received or forecasted and are not related to FY 2015 and			
44		FY 2016 estimated revenues.			
45		E. Projects being developed and procured through adopted state, local or regional design-			
46		build provisions, other than those required by § 33.2-209 B., Code of Virginia, may be			
47		considered for funding from the Transportation Partnership Opportunity Fund. In addition, an			
48		application requesting funding from the fund shall be limited to requesting only one form of			
49		assistance and the limitations included in § 33.2-1508 (E), Code of Virginia.			
50		F. Prior to annual adoption of the Six Year Improvement Program, the Commonwealth			
51		Transportation Board may allocate funding from the highway portion of the Transportation			
52		Trust Fund to undertake any park and ride lot improvements for the I-95 Corridor required			
53		pursuant to the Comprehensive Agreement for the I-95 High Occupancy Toll Lanes project.			
54		G. Out of the amounts provided for dedicated and statewide construction, the Commonwealth			
55		Transportation Board is hereby directed to utilize any balances remaining of the amounts			
56		provided in Item 446 H, Chapter 806 of the 2013 Acts of Assembly for an environmental			



ITEM 444.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	study for the replacement of the I-64 High Rise Bridge in Chesapeake, Virginia to begin				
2	preliminary engineering on such project.				
3	H. The Commissioner is directed to investigate methods through which to fund the				
4	replacement of the Churchland Bridge in Portsmouth and report to the Chairmen of the				
5	House Appropriations and Senate Finance Committees on the feasibility of including				
6	federal and or state funding for the project in the Six Year Improvement Program by				
7	October 1, 2014.				
8	I. Out of the funds provided for the Transportation Alternatives Program or other sources				
9	available to the Board, an amount estimated at \$90,000 shall be provided to remove the				
10	concrete barrier closing the middle of a tunnel in Crozet, Virginia to allow for the				
11	development of a trails project and \$50,000 in the first year and \$50,000 in the second				
12	year shall be provided for gateway signage along Interstates 95 and 64 in the Richmond				
13	Regional Planning District.				
14	445. Highway System Maintenance and Operations				
15	(60400).....			\$1,580,560,866	<del>\$1,558,118,156</del>
16					<del>\$1,573,950,444</del>
17	Interstate Maintenance (60401).....	\$310,834,929	<del>\$291,582,040</del>		
18			<del>\$332,135,404</del>		
19	Primary Maintenance (60402).....	\$404,959,326	<del>\$367,369,215</del>		
20			<del>\$452,796,575</del>		
21	Secondary Maintenance (60403).....	\$602,861,755	<del>\$625,258,391</del>		
22			<del>\$543,417,236</del>		
23	Transportation Operations Services (60404).....	\$189,372,246	<del>\$197,319,011</del>		
24			<del>\$170,056,169</del>		
25	Highway Maintenance Operations, Program				
26	Management and Direction (60405).....	\$72,532,610	<del>\$76,589,499</del>		
27			<del>\$75,545,060</del>		
28	Fund Sources: Commonwealth Transportation.....	\$1,580,560,866	<del>\$1,558,118,156</del>		
29			<del>\$1,573,950,444</del>		
30	Authority: Title 33.1, Chapter 1, Code of Virginia.				
31	A. Out of the funds provided in this program, an amount estimated at \$332,900,000 the				
32	first year and \$240,643,000 the second year from federal funds shall be used to address the				
33	maintenance of pavements and bridges and the operations of the transportation system.				
34	These funds shall be matched by other funds appropriated to this Item.				
35	B. The department is authorized to enter into agreements with state and local law				
36	enforcement officials to facilitate the enforcement of high occupancy vehicle (HOV)				
37	restrictions throughout the Commonwealth and metropolitan planning regions.				
38	C. Should federal law be changed to permit privatization of rest area operations, the				
39	department is hereby authorized to accept or solicit proposals for their development and/or				
40	operation under the Public Private Transportation Act.				
41	D. The Director, Department of Planning and Budget, is authorized to increase the				
42	appropriation in this Item as needed to utilize amounts available from prior year balances				
43	in the dedicated funds.				
44	E. The Department is hereby directed to utilize the data collected for its State of the				
45	Pavement Report to review the conditions of secondary pavements by county within the				
46	VDOT Richmond District. By October 15, 2014 the Department shall report to the				
47	Chairmen of the House Appropriations, Senate Finance, and House and Senate				
48	Transportation Committees on the conditions of secondary pavements by county, and the				
49	expenditure of funds for secondary pavement maintenance in the Richmond District by				
50	county in fiscal year 2013. If the report indicates that there are significant disparities in the				
51	condition of secondary pavements between counties in the Richmond District then the				
52	Department is hereby directed to ensure that the expenditure of funds for secondary				
53	pavements maintenance within the Richmond District in fiscal year 2015 and fiscal year				
54	2016 shall be adjusted to achieve a minimal level of disparity between the pavement				
55	conditions in each county, provided that the Department take all steps necessary to ensure				
56	the safety of the driving public in the event of unforeseen events that may require the				

ITEM 445.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	expenditure of funds to deviate from this directive. An update to the report, which shall				
2	include an update on the availability of condition data on the secondary system and the				
3	Department's progress at implementing the requirements of Chapter 290 of the 2013 Acts of				
4	Assembly shall be presented to the Chairmen of the House Appropriations, Senate Finance,				
5	and House and Senate Transportation Committees by October 15, 2015.				
6	F. Consistent with the provisions of § 33.2-232 and § 33.2-371, Code of Virginia, as amended				
7	by the 2015 General Assembly, the Commissioner of the Department of Transportation is				
8	hereby directed to publish for each construction district the amount of money expended for				
9	system maintenance and for secondary system improvements by jurisdiction for the preceding				
10	year. The report shall also include a calculation for each district of the amount that would be				
11	spent if such funds were distributed annually on the basis of population estimates by locality				
12	as updated by the Weldon Cooper Center for Public Service. Finally, the report shall include				
13	an assessment of whether the department has met its secondary road pavement targets, by				
14	district and on a statewide basis. An update to the report, which shall include an update on the				
15	availability of condition data on the secondary system and detail on the Department's				
16	proposed condition indices for the measurement of bridge and pavement condition, shall be				
17	provided to the Chairmen of the House Committees of Transportation and Appropriations and				
18	the Senate Committees on Transportation and Finance no later than November 15, 2015.				
19	446. Commonwealth Toll Facilities (60600).....			\$33,871,726	<del>\$35,121,166</del>
20					\$41,228,350
21	Toll Facility Debt Service (60602).....	\$3,191,100	\$3,185,850		
22	Toll Facility Maintenance And Operation (60603).....	\$12,808,900	<del>\$12,864,150</del>		
23			\$13,492,500		
24	Toll Facilities Revolving Fund (60604).....	\$17,871,726	<del>\$19,071,166</del>		
25			\$24,550,000		
26	Fund Sources: Commonwealth Transportation.....	\$27,871,726	<del>\$29,121,166</del>		
27			\$34,600,000		
28	Trust and Agency.....	\$6,000,000	<del>\$6,000,000</del>		
29			\$6,628,350		
30	Authority: §§ 33.1-23.03:1 and 33.1-267 through 33.1-295, Code of Virginia.				
31	A. Included in this Item are funds for the installation and implementation of a statewide				
32	Electronic Toll Customer Service/Violation Enforcement System.				
33	B. Funds as appropriated are provided for other toll facility initiatives as needed during the				
34	biennium including but not limited to funding activities to advance projects pursuant to the				
35	Public-Private Transportation Act.				
36	447. Financial Assistance to Localities for Ground			\$879,209,191	<del>\$894,274,652</del>
37	Transportation (60700).....				\$923,907,139
38					
39	Financial Assistance for City Road Maintenance				
40	(60701).....	\$347,733,534	<del>\$359,217,501</del>		
41			\$362,850,362		
42	Financial Assistance for County Road Maintenance				
43	(60702).....	\$62,006,002	<del>\$64,053,678</del>		
44			\$64,530,419		
45	Financial Assistance for Planning, Access Roads,				
46	and Special Projects (60704).....	\$14,265,188	<del>\$14,779,319</del>		
47			\$13,002,204		
48	Distribution of Northern Virginia Transportation				
49	Authority Fund Revenues (60706).....	\$299,276,334	<del>\$297,081,245</del>		
50			\$314,881,245		
51	<del>Distribution of Hampton Roads Transportation Fund</del>				
52	<del>Revenues (60707).....</del>				
53	<del>Distribution of Hampton Roads Transportation Fund</del>				
54	<del>Revenues (60707)</del>	\$155,928,133	<del>\$159,142,909</del>		
55			\$168,642,909		
56	Fund Sources: Commonwealth Transportation.....	\$424,004,724	<del>\$438,050,498</del>		
57			\$440,382,985		
58	Dedicated Special Revenue.....	\$455,204,467	<del>\$456,224,154</del>		
59			\$483,524,154		

ITEM 447.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Authority: Title 33.2, Chapter 1, Code of Virginia.				
2	A. Out of the amounts for Financial Assistance for Planning, Access Road, and Special				
3	Projects, \$7,000,000 the first year and \$7,000,000 the second year from the				
4	Commonwealth Transportation Fund shall be allocated for purposes set forth in §§ 33.2-				
5	1509, 33.2-1600, and 33.2-1510, Code of Virginia. Of this amount, the allocation for				
6	Recreational Access Roads shall be \$1,500,000 the first year and <del>\$1,500,000 the second</del>				
7	<del>year.</del>				
8	B. For any city or town that assumes responsibility for its construction program as				
9	outlined in § 33.2-362 E, Code of Virginia, the matching highway fund requirement				
10	contained in § 33.2-348, Code of Virginia, shall be waived for all new projects approved				
11	on or after July 1, 2005.				
12	C. The Department of Transportation is encouraged to promote the construction and				
13	improvement of primary and secondary highways by counties, consistent with § 33.2-338				
14	of the Code of Virginia, whether or not such improvements are contained in the Six-Year				
15	Improvement Program or Plan. If such improvements are not contained in the Six-Year				
16	Improvement Program or Plan, the counties may not seek reimbursement from the				
17	department for the improvements.				
18	D. Distribution of Northern Virginia Transportation Authority Fund Revenues represents				
19	direct payments, of the revenue collected and deposited into the Fund, to the Northern				
20	Virginia Transportation Authority for uses contained in Chapter 766, 2013 Acts of				
21	Assembly. Notwithstanding any other provision of law, moneys deposited into the				
22	Hampton Roads Transportation Fund shall be transferred to the Hampton Roads				
23	Transportation Accountability Commission for use in accordance with § 33.2-2611, Code				
24	of Virginia, which use may include as a source of funds for administrative expenses of the				
25	Hampton Roads Transportation Accountability Commission.				
26	E. The prioritization process developed under subsection B of Chapter 726 of the 2014				
27	Virginia Acts of Assembly shall not apply to use of funds provided in this item from				
28	federal apportionments in the Metropolitan Planning Program.				
29	448. Non-Toll Supported Transportation Debt Service				
30	(61200).....			\$315,173,181	<del>\$352,307,131</del>
31					<del>\$309,318,503</del>
32	Highway Transportation Improvement District				
33	Debt Service (61201).....	\$7,216,819	\$7,212,819		
34	Designated Highway Corridor Debt Service				
35	(61202).....	\$62,327,049	<del>\$81,591,946</del>		
36			<del>\$82,636,549</del>		
37	Federal Highway Revenue Anticipation Notes				
38	Debt Service (61203).....	\$31,717,220	\$7,925,392		
39	Commonwealth Transportation Capital Projects				
40	Bond Act Debt Service (61204).....	\$149,178,705	<del>\$177,044,728</del>		
41			<del>\$147,303,405</del>		
42	Federal Transportation Grant Anticipation				
43	Revenue Notes Debt Service (61205).....	\$64,733,388	<del>\$78,532,246</del>		
44			<del>\$64,240,338</del>		
45	Fund Sources: General.....	\$12,000,000	\$68,000,000		
46	Commonwealth Transportation.....	\$75,233,388	<del>\$108,273,569</del>		
47			<del>\$64,240,338</del>		
48	Trust and Agency.....	\$220,255,872	<del>\$168,384,759</del>		
49			<del>\$169,430,489</del>		
50	Federal Trust.....	\$7,683,921	<del>\$7,648,803</del>		
51			<del>\$7,647,676</del>		
52	Authority: Titles 15, 33, and 58 of the Code of Virginia; Chapters 827 and 914, Acts of				
53	Assembly of 1990; Chapters 233 and 662, Acts of Assembly of 1994; Chapter 8, as				
54	amended by Chapter 538, Acts of Assembly of 1999; Chapters 1019 and 1044, Acts of				
55	Assembly of 2000; Chapter 799, Acts of Assembly of 2002; Chapter 896, Acts of				
56	Assembly of 2007; and Chapters 830 and 868, Acts of Assembly of 2011				

ITEM 448.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	A.1. The amount shown for Highway Transportation Improvement District Construction shall				
2	be derived from payments made to the Transportation Trust Fund pursuant to the Contract				
3	between the State Route 28 Highway Transportation Improvement District and the				
4	Commonwealth Transportation Board dated September 1, 1988 as amended by the Amended				
5	and Restated District Contract by and among the Commonwealth Transportation Board, the				
6	Fairfax County Economic Development Authority and the State Route 28 Highway				
7	Transportation Improvement District Commission (the "District Commission") dated August				
8	30, 2002, and May 1, 2012 (the "District Contract").				
9	2. There is hereby appropriated for payment immediately upon receipt to a third party				
10	approved by the Commonwealth Transportation Board, or a bond trustee selected by such				
11	third party, a sum sufficient equal to the special tax revenues collected by the Counties of				
12	Fairfax and Loudoun within the State Route 28 Highway Transportation Improvement District				
13	and paid to the Commonwealth Transportation Board by or on behalf of the District				
14	Commission (the "contract payments") pursuant to § 15.2-4600 et seq., Code of Virginia, and				
15	the District Contract between the Commonwealth Transportation Board and the District				
16	Commission.				
17	3. The contract payments may be supplemented from primary funds allocated to the highway				
18	construction district in which the project financed is located, or from the secondary system				
19	construction allocation to the county or counties in which the project financed is located, and				
20	from any other lawfully available revenues of the Transportation Trust Fund, as may be				
21	necessary to meet debt service obligations. The payment of debt service shall be for the bonds				
22	(the Series 2012 Bonds) issued under the "Commonwealth of Virginia Transportation				
23	Contract Revenue Bond Act of 1988" (Chapters 653 and 676, Acts of Assembly of 1988 as				
24	amended by Chapters 827 and 914 of the Acts of Assembly of 1990). Funds required to pay				
25	the total debt service on the Series 2012 Bonds shall be made available in the amounts				
26	indicated in paragraph E of this Item.				
27	B.1. Out of the amounts for Designated Highway Corridor Construction, \$12,000,000 the first				
28	year and \$68,000,000 the second year from the general fund shall be paid to the U.S. Route 58				
29	Corridor Development Fund, hereinafter referred to as the "Fund", established pursuant to §				
30	58.1-815, Code of Virginia. This payment shall be in lieu of the deposit of state recordation				
31	taxes to the Fund, as specified in the cited Code section. Said recordation taxes which would				
32	otherwise be deposited to the Fund shall be retained by the general fund. Additional				
33	appropriations required for the U.S. Route 58 Corridor Development Fund, an amount				
34	estimated at \$9,000,000 the first year and \$ 9,000,000 the second year shall be transferred				
35	from the highway share of the Transportation Trust Fund.				
36	2. Pursuant to the "U.S. Route 58 Commonwealth of Virginia Transportation Revenue Bond				
37	Act of 1989" (as amended by Chapter 538 of the 1999 Acts of Assembly), the amounts shown				
38	in paragraph E of this Item shall be available from the Fund for debt service for the bonds				
39	previously issued and additional bonds issued pursuant to said act.				
40	3. The Commissioner of Highways shall report on or before July 1 of each year to the				
41	Chairmen of the Senate Finance and House Appropriations Committees on the cash balances				
42	in the Route 58 Corridor Development Fund. In addition, the report shall include the				
43	following program-to-date information: (i) a comparison of actual spending to allocations by				
44	project and district; (ii) expenditures by project, district, and funding source; and (iii) a six-				
45	year plan for planned future expenditures from the Fund by project and district.				
46	C.1. The Commonwealth Transportation Board shall maintain the Northern Virginia				
47	Transportation District Fund, hereinafter referred to as the "Fund." Pursuant to § 58.1-815.1,				
48	Code of Virginia, and for so long as the Fund is required to support the issuance of bonds, the				
49	Fund shall include at least the following elements:				
50	a. Amounts transferred from Item 261 of this act to this Item.				
51	b. An amount estimated at \$ 6,000,000 the first year and \$ 6,000,000 the second year,				
52	which shall be transferred from the highway share of the Transportation Trust Fund.				
53	c. Any public right-of-way use fees allocated by the Department of Transportation pursuant to				
54	§ 56-468.1 of the Code of Virginia and attributable to the counties of Fairfax, Loudoun, and				
55	Prince William, the amounts estimated at \$4,786,250 the first year and \$4,786,250 the second				

ITEM 448.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	year.				
2	d. Any amounts which may be deposited into the Fund pursuant to a contract between the				
3	Commonwealth Transportation Board and a jurisdiction or jurisdictions participating in				
4	the Northern Virginia Transportation District Program, the amounts estimated to be				
5	\$816,000 the first year and \$816,000 the second year.				
6	2. The Fund shall support the issuance of bonds at a total authorized level of \$500,200,000				
7	for the purposes provided in the "Northern Virginia Transportation District,				
8	Commonwealth of Virginia Revenue Bond Act of 1993," Chapter 391, Acts of Assembly				
9	of 1993 as amended by Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters				
10	740 and 761 of the Acts of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly,				
11	Chapter 799 of the 2002 Acts of Assembly, and Chapter 621 of the 2005 Acts of				
12	Assembly.				
13	3. Pursuant to the Northern Virginia Transportation District, Commonwealth of Virginia				
14	Revenue Bond Act of 1993, Chapter 391, Acts of Assembly of 1993, and as amended by				
15	Chapters 470 and 597 of the Acts of Assembly of 1994, Chapters 740 and 761 of the Acts				
16	of Assembly of 1998, Chapter 538 of the 1999 Acts of Assembly, Chapter 799 of the 2002				
17	Acts of Assembly, and Chapter 621 of the 2005 Acts of Assembly, amounts shown in				
18	paragraph E of this Item shall be available from the Fund for debt service for the bonds				
19	previously issued and additional bonds issued pursuant to said act.				
20	4. Should the actual distribution of recordation taxes to the localities set forth in § 58.1-				
21	815.1, Code of Virginia, exceed the amount required for debt service on the bonds issued				
22	pursuant to the above act, such excess amount shall be transferred to the Northern Virginia				
23	Transportation District Fund in furtherance of the program described in § 33.2-2401, Code				
24	of Virginia.				
25	5. Should the actual distribution of recordation taxes to said localities be less than the				
26	amount required to pay debt service on the bonds, the Commonwealth Transportation				
27	Board is authorized to meet such deficiency, to the extent required, from funds identified				
28	in Enactment No. 1, Section 11, of Chapter 391, Acts of Assembly of 1993.				
29	D.1. The Commonwealth Transportation Board shall maintain the City of Chesapeake				
30	account of the Set-aside Fund, pursuant to § 58.1-816.1, Code of Virginia, which shall				
31	include funds transferred from Item 265 of this act to this Item, and an amount estimated				
32	at \$1,500,000 the first year and \$1,500,000 the second year received from the City of				
33	Chesapeake pursuant to a contract or other alternative mechanism for the purpose				
34	provided in the "Oak Grove Connector, City of Chesapeake Commonwealth of Virginia				
35	Transportation Program Revenue Bond Act of 1994," Chapters 233 and 662, Acts of				
36	Assembly of 1994 (hereafter referred to as the "Oak Grove Connector Act").				
37	2. The amounts shown in paragraph E of this Item shall be available from the City of				
38	Chesapeake account of the Set-aside Fund for debt service for the bonds issued pursuant				
39	to the Oak Grove Connector Act.				
40	3. Should the actual distribution of recordation taxes and such local revenues from the				
41	City of Chesapeake as may be received pursuant to a contract or other alternative				
42	mechanism to the City of Chesapeake account of the Set-aside Fund be less than the				
43	amount required to pay debt service on the bonds, the Commonwealth Transportation				
44	Board is authorized to meet such deficiency, pursuant to Enactment No. 1, Section 11 of				
45	the Oak Grove Connector Act.				
46	E. Pursuant to various Payment Agreements between the Treasury Board and the				
47	Commonwealth Transportation Board, funds required to pay the debt service due on the				
48	following Commonwealth Transportation Board bonds shall be transferred to the Treasury				
49	Board as follows:				
50			FY 2015		FY 2016
51	Transportation Contract Revenue Refund Bonds, Series 2012		\$7,216,819		\$7,212,819
52	(Refunding Route 28)				
53	Commonwealth of Virginia Transportation Revenue Bonds: U.S.				

ITEM 448.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Route 58 Corridor Development Program:				
2	Series 2006C				
3			\$3,173,000		\$3,173,000
4	Series 2007B				
5			\$15,034,000		\$15,030,000
6	Series 2012B (Refunding)				
7			\$6,377,400		\$6,382,200
8	Series 2014B (Refunding)				
9			\$24,143,100		\$24,138,500
10	Northern Virginia Transportation District Program:				
11	Series 2006B				
12			\$2,778,363		\$2,776,650
13	Series 2007A				
14			\$4,563,900		\$4,575,650
15	Series 2009A-2				
16			\$5,515,719		\$5,484,609
17	Series 2012A (Refunding)				
18			\$9,885,538		\$9,885,538
19	Series 2014A (Refunding)				
20			\$9,631,450		\$9,640,250
21	Transportation Program Revenue Bonds:				
22	Series 2006A (Oak Grove Connector, City of Chesapeake)		\$2,224,500		\$2,229,250
23	Capital Projects Revenue Bonds:				
24	Series 2010A-1		\$16,513,500		\$16,364,250
25	Series 2010A-2		\$20,351,593		\$20,351,593
26	Series 2011		\$42,112,363		\$42,112,363
27	Series 2012		\$40,276,250		\$40,280,250
28	Series 2014		\$8,201,923		\$18,224,950
29	F.1. Out of the amounts provided for in this Item, an estimated \$31,717,220 the first year and				
30	\$7,925,392 the second year from federal highway and highway assistance reimbursements				
31	shall be provided for the debt service payments on the Federal Highway Reimbursement				
32	Anticipation Notes.				
33	2. Notwithstanding Chapters 1019 and 1044, Acts of Assembly of 2000, this act, or any other				
34	provision of law, any additional amounts needed to offset the debt service payment				
35	requirements on the Transportation Trust Fund attributable to the issuance of Federal				
36	Highway Reimbursement Anticipation Notes shall be provided from the Priority				
37	Transportation Fund to the extent available and then from the portion of the Transportation				
38	Trust Fund available for highway construction purposes prior to making the allocations				
39	required by § 33.2-358 C of the Code of Virginia.				
40	G. Out of the amounts provided for in this Item, an estimated \$64,733,388 the first year and				
41	\$78,532,246 the second year from federal reimbursements shall be provided for debt service				
42	payments on the Federal Transportation Grant Anticipation Revenue Notes.				
43	H. Out of the amounts provided for this Item, an estimated \$127,455,628 the first year and				
44	\$147,303,405 the second year from the Priority Transportation Fund shall be provided for				
45	debt service payments on the Commonwealth Transportation Capital Projects Revenue Bonds.				
46	Any additional amounts needed to offset the debt service payment requirements attributable to				
47	the issuance of the Capital Projects Revenue Bonds shall be provided from the Transportation				
48	Trust Fund.				

ITEM 448.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	I. The Commonwealth Transportation Board is hereby authorized, by and with the consent				
2	of the Governor, to issue, pursuant to the applicable provisions of the Transportation				
3	Development and Revenue Bond Act (§ 33.2-1700 et seq., Code of Virginia) as amended				
4	from time to time, revenue obligations of the Commonwealth to be designated				
5	"Commonwealth of Virginia Transportation Capital Projects Revenue Bonds, Series				
6	XXXX" at one or more times in an aggregate principal amount not to exceed				
7	\$180,000,000, after all costs. The net proceeds of the bonds shall be used exclusively for				
8	the purpose of providing funds for paying the costs incurred or to be incurred for				
9	construction or funding of transportation projects set forth in Item 449.10 of Chapter 847				
10	of the Acts of Assembly of 2007, including but not limited to environmental and				
11	engineering studies; rights-of-way acquisition; improvements to all modes of				
12	transportation; acquisition, construction and related improvements; and any financing				
13	costs and other financing expenses. Such costs may include the payment of interest on the				
14	bonds for a period during construction and not exceeding one year after completion of				
15	construction of the projects.				
16	449. Administrative and Support Services (69900).....			\$261,807,836	\$246,598,956
17					\$258,127,173
18	General Management and Direction (69901).....	\$136,552,026	\$125,526,832		
19			\$138,377,128		
20	Information Technology Services (69902).....	\$93,947,413	\$89,784,411		
21			\$88,817,504		
22	Facilities and Grounds Management Services				
23	(69915).....	\$15,477,227	\$15,735,092		
24			\$15,649,647		
25	Employee Training and Development (69924).....	\$15,831,170	\$15,552,621		
26			\$15,282,894		
27	Fund Sources: General.....	\$173,953	\$141,060		
28	Commonwealth Transportation.....	\$261,633,883	\$246,457,896		
29			\$257,986,113		
30	Authority: Title 33.2, Code of Virginia.				
31	A. Notwithstanding any other provision of law, the highway share of the Transportation				
32	Trust Fund shall be used for highway maintenance and operation purposes prior to its				
33	availability for new development, acquisition, and construction.				
34	B. Administrative and Support Services shall include funding for management, direction,				
35	and administration to support the department's activities that cannot be directly attributable				
36	to individual programs and/or projects.				
37	C. Out of the amounts for General Management and Direction, allocations shall be				
38	provided to the Commonwealth Transportation Board to support its operations, the				
39	payment of financial advisory and legal services, and the management of the				
40	Transportation Trust Fund.				
41	D. Notwithstanding any other provision of law, the department may assess and collect the				
42	costs of providing services to other entities, public and private. The department shall take				
43	all actions necessary to ensure that all such costs are reasonable and appropriate,				
44	recovered, and understood as a condition to providing such service.				
45	E. Each year, as part of the six-year financial planning process, the commissioner shall				
46	implement a long-term business strategy that considers appropriate staffing levels for the				
47	department. In addition, the commissioner shall identify services, programs, or projects				
48	that will be evaluated for devolution or outsourcing in the upcoming year. In undertaking				
49	such evaluations, the commissioner is authorized to use the appropriate resources, both				
50	public and private, to competitively procure those identified services, programs, or				
51	projects and shall identify total costs for such activities.				
52	F. Notwithstanding § 4-2.03 of this act, the Virginia Department of Transportation shall be				
53	exempt from recovering statewide and agency indirect costs from the Federal Highway				
54	Administration until an indirect cost plan can be evaluated and developed by the agency				
55	and approved by the Federal Highway Administration.				

ITEM 449.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	G. The Director, Department of Planning and Budget, is authorized to adjust appropriations				
2	and allotments for the Virginia Department of Transportation to reflect changes in the official				
3	revenue estimates for commonwealth transportation funds.				
4	H. Out of the amounts for General Management and Direction, allocations shall be provided				
5	to support the capital lease agreement with Fairfax County for the Northern Virginia District				
6	building. An amount estimated at \$7,800,000 the first year and \$7,800,000 the second year				
7	from Commonwealth Transportation Funds shall be provided.				
8	I. Notwithstanding any other provisions of law, the Commonwealth Transportation				
9	Commissioner may enter into a contract with homeowner associations for grounds-keeping,				
10	mowing, and litter removal services.				
11	J. The prioritization process developed under subsection B of Chapter 726 of the 2014				
12	Virginia Acts of Assembly shall not apply to use of funds provided in this item from federal				
13	apportionments out of the Surface Transportation Program utilized for Employee Training and				
14	Development.				
15	K. Notwithstanding the provisions § 2.2-2402 of the Code of Virginia, no construction,				
16	erection, repair, upgrade, removal or demolition of any building, fixture or structure located or				
17	to be located on property of the Commonwealth of Virginia under the control of the Virginia				
18	Department of Transportation (VDOT) and within the secured area of a residency, area				
19	headquarters or district complex shall be subject to review or approval by the Art and				
20	Architectural Review Board as contemplated by that section. However, for changes to any				
21	building or fixture located on property owned or controlled by VDOT that has been				
22	designated or is under consideration for designation as a historic property, then VDOT shall				
23	submit such changes to the Art and Architectural Review Board for review and approval by				
24	the Board.				
25	L. The Department of Transportation is authorized to donate a surplus Volvo-manufactured				
26	dump truck, owned by the department, to the Virginia Transportation Museum to promote				
27	Virginia's transportation history.				
28	450. Not set out.				
29	Total for Department of Transportation.....			\$4,673,387,356	<del>\$5,028,238,091</del>
30					\$5,385,153,830
31	Nongeneral Fund Positions.....	7,485.00	7,485.00		
32	Position Level.....	7,485.00	7,485.00		
33	Fund Sources: General.....	\$12,173,953	\$68,141,060		
34	Commonwealth Transportation.....	\$3,521,806,775	<del>\$3,720,281,767</del>		
35			\$4,048,802,543		
36	Trust and Agency.....	\$676,518,240	<del>\$775,942,307</del>		
37			\$777,038,397		
38	Dedicated Special Revenue.....	\$455,204,467	<del>\$456,224,154</del>		
39			\$483,524,154		
40	Federal Trust.....	\$7,683,921	<del>\$7,648,803</del>		
41			\$7,647,676		
42	451. Not set out.				
43	452. Not set out.				
44	453. Not set out.				
45	454. Not set out.				
46	455. Not set out.				
47	456. Not set out.				
48	TOTAL FOR OFFICE OF TRANSPORTATION.....			\$5,761,855,548	<del>\$6,217,561,596</del>
49					\$6,574,477,335
50	Nongeneral Fund Positions.....	9,784.00	9,855.00		
51	Position Level.....	9,784.00	9,855.00		



ITEM 456.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Fund Sources: General.....	\$13,154,398	\$69,121,540		
2	Special.....	\$129,928,836	\$149,100,152		
3	Commonwealth Transportation.....	\$4,352,244,733	<del>\$4,632,703,687</del>		
4			<del>\$4,961,224,463</del>		
5	Trust and Agency.....	\$688,114,840	<del>\$787,238,907</del>		
6			<del>\$788,334,997</del>		
7	Dedicated Special Revenue.....	\$535,004,467	<del>\$536,024,154</del>		
8			<del>\$563,324,154</del>		
9	Federal Trust.....	\$43,408,274	<del>\$43,373,156</del>		
10			<del>\$43,372,029</del>		

ITEM 457.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	<b>OFFICE OF VETERANS AND DEFENSE AFFAIRS</b>			
2	<b>§ 1-29. SECRETARY OF VETERANS AND DEFENSE AFFAIRS (454)</b>			
3	457.	Not set out.		
4	458.	Economic Development Services (53400).....	\$3,138,400	\$2,350,000
5				\$2,600,000
6		Financial Assistance for Economic Development		
7		(53410).....	\$3,138,400	\$2,350,000
8				\$2,600,000
9		Fund Sources: <i>General</i> .....	\$0	\$250,000
10		Dedicated Special Revenue.....	\$3,138,400	\$2,350,000
11	Authority: Discretionary Inclusion			
12	A.1. In accordance with Chapter 653 of the 2008 Virginia Acts of Assembly, this item			
13	includes the Commonwealth's contribution to addressing the encroachment upon the United			
14	States Navy Master Jet Base and an auxiliary landing field used in connection with flight			
15	operations arising from such Master Jet Base. The Commonwealth's contribution consists of			
16	\$3,138,400 from nongeneral funds provided in this item.			
17	2. The Commonwealth's contribution shall be only expensed for purchasing property or			
18	development rights and to otherwise convert such property to an appropriate compatible use			
19	and to prohibit new uses or development deemed incompatible with air operations at such			
20	facilities as established under Chapter 653.			
21	3. Of the total amount provided by the Commonwealth, \$2,092,267 shall be initially allocated			
22	to the locality in which the Master Jet Base is located and \$1,046,133 shall be initially			
23	allocated to the locality in which the auxiliary landing field for the Master Jet Base is located.			
24	Should either locality advise the Secretary of Veterans and Defense Affairs and the Secretary			
25	of Finance that it will be unable to use all of its allocated amount during the term of the grant,			
26	then the portion that will not be used may be re-allocated to the other locality upon written			
27	application for such request to the Secretary of Veterans and Defense Affairs .			
28	B.1. The Secretary of Veterans and Defense Affairs shall develop an annual grant application			
29	which shall include, at a minimum, requirements for the Grantee to (1) report expenditures			
30	each quarter, (2) retain all invoices, bills, receipts, cancelled checks, proof of payment and			
31	similar documentation to substantiate expenditures of grant funding, (3) provide a 50 percent			
32	cash match from non-state funds, (4) return excess state grant funding within thirty (30) days			
33	after the term of the grant expires, and (5) <i>for all property purchased using state grant funds</i>			
34	<i>pursuant to Chapter 653 of the 2008 Acts of Assembly or Chapter 266 of the 2006 Virginia</i>			
35	<i>Acts of Assembly and later sold or leased by the grantee (i) upon disposition of the interest,</i>			
36	<i>return to the Commonwealth half of all proceeds received by the grantee from the sale of any</i>			
37	<i>properties acquired using grant funds pursuant to Chapter 653 of the 2008 Acts of Assembly</i>			
38	<i>or Chapter 266 of the 2006 Virginia Acts of Assembly: 50% of the sales or lease proceeds or</i>			
39	<i>50% of the purchase price initially paid to acquire the grantee's interest in the property,</i>			
40	<i>whichever is less; and (ii) if the grantee has sold an easement or rental proceeds to the</i>			
41	<i>Commonwealth, the amount returned to the Commonwealth shall be credited against the</i>			
42	<i>amount owed to the Commonwealth for any future sale of the land.</i>			
43	2. Prior to the distribution of any funds, any grantee seeking funding under this Item shall			
44	submit a grant application to the Secretary of Veterans and Defense Affairs for consideration.			
45	3. Payments to grantees shall be made in equal quarterly installments. After the initial			
46	payment, the Secretary of Veterans and Defense Affairs shall make additional quarterly			
47	payments to the grantee based on the quarterly expenditure reports. In making subsequent			
48	payments, the Secretary shall ensure the grantee's match funding is being expensed at the			
49	appropriate rate and adjust state quarterly payments, as appropriate, to account for any surplus			
50	state funding not yet spent from previous quarterly payments.			
51	4. Notwithstanding the provisions of paragraph 3. above, the Secretary of Veterans and			
52	Defense Affairs may approve a request by the grantee for additional state funding in a			

ITEM 458.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	particular quarterly payment if supporting documentation is provided.				
2	5. The Secretary of Veterans and Defense Affairs may extend the term of the FY 2014				
3	grant to June 30, 2015, if in the Secretary's opinion such extension is warranted to meet				
4	the purposes of this appropriation.				
5	C. The Commonwealth shall have the right to make inspections and copies of the books				
6	and records of the grantees at any time. The grantees shall undergo an audit for the grant				
7	period and provide a copy of the audit report to the Secretary of Veterans and Defense				
8	Affairs .				
9	D. 1. In addition to the amounts provided in paragraph A.1. of this item, an amount				
10	estimated at \$2,100,000 from dedicated special revenues shall be provided to the locality				
11	in which the United States Navy Master Jet Base auxiliary landing field is located, for the				
12	purpose of purchasing property or development rights and otherwise converting such				
13	property to an appropriate compatible use and prohibiting new uses or development which				
14	is deemed incompatible with air operations arising from such Master Jet Base. In addition,				
15	\$250,000 from dedicated special revenues shall be provided to a locality in which a U.S.				
16	Air Force Base is located to purchase property in the Clear Zone and Accident Potential				
17	Zones and mitigate adverse impacts on military operations and employment levels caused				
18	by encroachment of incompatible uses, in advance of further actions by the federal Base				
19	Realignment and Closure Commission or any similar federal actions. The provisions of				
20	paragraph B. of this item shall apply to the distribution of the funds in this paragraph.				
21	2. In the event that dedicated special revenues exceed the amounts needed to fund the				
22	requirements in D.1 above, any excess dedicated special fund revenue up to \$2,500,000 is				
23	hereby appropriated to provide additional assistance to the locality in which the United				
24	States Navy Master Jet Base auxiliary landing field is located for the purpose of				
25	purchasing property or development rights and otherwise converting such property to an				
26	appropriate compatible use and prohibiting new uses or development which is deemed				
27	incompatible with air operations arising from such Master Jet Base.				
28	E. The Secretary of Veterans and Defense Affairs may submit project requests that				
29	improve, expand, develop, or redevelop a federal or state military installation or its				
30	supporting infrastructure, to enhance its military value to the MEI Project Approval				
31	Commission established pursuant to § 30-309, Code of Virginia, for its consideration. The				
32	authority of the Commission to consider and evaluate such projects shall be in addition to				
33	the authorities provided to the MEI Project Approval Commission and § 30-310, Code of				
34	Virginia.				
35	F. Included in this appropriation is \$250,000 in the second year from the general fund to				
36	support the recommendations of the Governor's Commission on Military Installations and				
37	Defense Activities.				
38	Total for Secretary of Veterans and Defense				
39	Affairs.....			\$4,726,618	\$3,391,252
40					\$3,641,252
41	General Fund Positions.....	6.00	6.00		
42	Nongeneral Fund Positions.....	3.00	3.00		
43	Position Level.....	9.00	9.00		
44	Fund Sources: General.....	\$699,823	\$691,320		
45			\$941,320		
46	Dedicated Special Revenue.....	\$3,138,400	\$2,350,000		
47	Federal Trust.....	\$888,395	\$349,932		
48	§ 1-30. DEPARTMENT OF VETERANS SERVICES (912)				
49	459. Not set out.				
50	460. Not set out.				
51	461. Veterans Benefit Services (46700).....			\$8,782,763	\$11,797,591

ITEM 461.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Case Management Services for Veterans Benefits				
2	(46701).....	\$5,235,886	\$6,286,087		
3	Virginia Veteran and Family Support Services				
4	(46702).....	\$3,546,877	\$3,737,504		
5	Veterans Employment and Transition Services				
6	(46703).....	\$0	\$1,774,000		
7	Fund Sources: General.....	\$7,604,463	\$10,519,291		
8	Special.....	\$25,000	\$0		
9	Dedicated Special Revenue.....	\$375,000	\$600,000		
10	Federal Trust.....	\$778,300	\$678,300		
11	Authority: Title 2.2, Chapters 20, 24, 26, and 27, Code of Virginia.				
12	A. 1. Out of this appropriation, up to \$500,000 from the general fund the second year shall be				
13	provided to address the costs associated with support of a grant program to create				
14	employment opportunities for veterans by assisting Virginia employers in hiring and retaining				
15	veterans. The Department of Veterans Services shall develop program guidelines to ensure				
16	that the funding mechanism effectively attracts maximum participation of firms to increase				
17	the number of veterans hired.				
18	2. Such funds shall be used to provide grants beginning July 1, 2015, to any business located				
19	in Virginia with 300 or fewer employees which has hired a veteran on or after July 1, 2014,				
20	with the following additional requirements: (a) each such veteran shall have been hired within				
21	<del>one</del> five years of the date of his or her discharge from active military service and <i>has been</i>				
22	<i>unemployed for at least one year</i> ; (b) <i>and</i> each such veteran shall have been continuously				
23	employed by the business in a full-time job for at least one year.; <del>and (c) each such veteran</del>				
24	<del>shall have been paid at least the prevailing average wage of the jurisdiction in which the job is</del>				
25	<del>located</del> . The grant shall equal \$1,000 per qualifying business for each veteran who has been				
26	hired, and who qualifies under the provisions of this item, up to a maximum grant of \$10,000				
27	per business in the fiscal year.				
28	3. Grants shall be issued in the order that each completed eligible application is received. In				
29	the event that the amount of eligible grants requested in a fiscal year exceeds the funds				
30	available in the Fund, such grants shall be paid in the next fiscal year in which funds are				
31	available.				
32	4. The Department shall report no later than October 1 of each fiscal year after the program is				
33	implemented on the demand for the program, and any shortage of funding resulting from				
34	requests in excess of the available appropriation.				
35	462.	Not set out.			
36	463.	Not set out.			
37	Total for Department of Veterans Services.....			\$58,216,565	\$61,195,499
38	General Fund Positions.....	113.00	124.00		
39	Nongeneral Fund Positions.....	563.00	563.00		
40	Position Level.....	676.00	687.00		
41	Fund Sources: General.....	\$11,073,397	\$14,088,521		
42	Special.....	\$30,312,194	\$30,109,004		
43	Dedicated Special Revenue.....	\$510,000	\$735,000		
44	Federal Trust.....	\$16,320,974	\$16,262,974		
45	TOTAL FOR OFFICE OF VETERANS AND				
46	DEFENSE AFFAIRS.....			\$62,943,183	<del>\$64,586,751</del>
47					\$64,836,751
48	General Fund Positions.....	119.00	130.00		
49	Nongeneral Fund Positions.....	566.00	566.00		
50	Position Level.....	685.00	696.00		
51	Fund Sources: General.....	\$11,773,220	<del>\$14,779,841</del>		
52			\$15,029,841		

<b>ITEM 463.</b>		<b>Item Details(\$)</b>		<b>Appropriations(\$)</b>	
		<b>First Year FY2015</b>	<b>Second Year FY2016</b>	<b>First Year FY2015</b>	<b>Second Year FY2016</b>
<b>1</b>	Special.....	\$30,312,194	\$30,109,004		
<b>2</b>	Dedicated Special Revenue.....	\$3,648,400	\$3,085,000		
<b>3</b>	Federal Trust.....	\$17,209,369	\$16,612,906		

ITEM 464.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	<b>CENTRAL APPROPRIATIONS</b>			
2	<b>§ 1-31. CENTRAL APPROPRIATIONS (995)</b>			
3	464.	Omitted.		
4	464.10	Not set out.		
5	465.	Revenue Administration Services (73200).....	a sum sufficient	
6		Designated Refunds for Taxes and Fees (73215).....	a sum sufficient	
7		Fund Sources: General.....	a sum sufficient	
8		Authority: Discretionary Inclusion.		
9	<i>A. There is hereby appropriated from the affected funds in the state treasury, for refunds of</i>			
10	<i>taxes and fees, and the interest thereon, in accordance with law, a sum sufficient. There is</i>			
11	<i>hereby established a special fund in the state treasury to be known as the Refund Suspense</i>			
12	<i>Fund, hereinafter referred to as the Fund. The Tax Commissioner is hereby authorized to</i>			
13	<i>contract with nongovernmental entities for review of requests for refunds of taxes to enhance,</i>			
14	<i>expand and/or modify the administration of the refund review program, and to perform</i>			
15	<i>analysis of refund processing techniques. The amount of any refund identified by the</i>			
16	<i>nongovernmental entity as potentially erroneous shall be deposited to the Fund pending</i>			
17	<i>review of the refund request. Amounts in the Fund may be used to pay refunds subsequently</i>			
18	<i>determined to be valid, to pay the contracted nongovernmental entity for its services, to</i>			
19	<i>perform oversight of their operations, to upgrade necessary refund processing systems and</i>			
20	<i>data interfaces to facilitate the contractor's work, to offset any administrative or other costs</i>			
21	<i>related to any contracts authorized under this provision, and to retain experts to perform</i>			
22	<i>analysis of refund processing techniques. Any balance in the fund remaining after such</i>			
23	<i>payments, or provision therefore, shall be deposited into the appropriate general, nongeneral,</i>			
24	<i>or local fund.</i>			
25	<i>B. There is hereby appropriated from the affected funds in the state treasury for, (1) refunds of</i>			
26	<i>previously paid taxes imposed by the Commonwealth at 100 percent of face value up to the</i>			
27	<i>amount of the coalfield employment enhancement tax credit authorized by § 58.1-439.2, Code</i>			
28	<i>of Virginia, (2) refunds of any remaining credit at 90 percent of face value for credits earned</i>			
29	<i>in taxable years beginning before January 1, 2002, and 85 percent of face value for credits</i>			
30	<i>earned in taxable years beginning on and after January 1, 2002, and (3) payment of the</i>			
31	<i>remaining 10 or 15 percent credit to the Coalfields Economic Development Authority, a sum</i>			
32	<i>sufficient.</i>			
33	466.	Not set out.		
34	467.	Compensation and Benefit Adjustments (75700).....	\$98,525,081	\$228,923,535
35				\$226,659,581
36		Adjustments to Employee Compensation (75701).....	\$0	\$85,746,009
37		Adjustments to Employee Benefits (75702).....	\$98,525,081	\$143,177,526
38				\$140,913,572
39		Fund Sources: General.....	\$98,525,081	\$228,923,535
40				\$226,659,581
41		Authority: Discretionary Inclusion.		
42	<i>A. Transfers to or from this Item may be made to decrease or supplement general fund</i>			
43	<i>appropriations to state agencies for:</i>			
44	1. Adjustments to base rates of pay;			
45	2. Adjustments to rates of pay for budgeted overtime of salaried employees;			
46	3. Salary changes for positions with salaries listed elsewhere in this act;			
47	4. Salary changes for locally elected constitutional officers and their employees;			

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	5. Employer costs of employee benefit programs when required by salary-based pay				
2	adjustments;				
3	6. Salary changes for local employees supported by the Commonwealth, other than those				
4	funded through appropriations to the Department of Education; and				
5	7. Adjustments to the cost of employee benefits to include but not limited to health				
6	insurance premiums and retirement and related contribution rates.				
7	B. Transfers from this Item may be made when appropriations to the state agencies				
8	concerned are insufficient for the purposes stated in paragraph A of this Item, as				
9	determined by the Department of Planning and Budget, and subject to guidelines				
10	prescribed by the department. Further, the Department of Planning and Budget may				
11	transfer appropriations within this Item from the second year of the biennium to the first				
12	year, when necessary to accomplish the purposes stated in paragraph A of this Item.				
13	C. Except as provided for elsewhere in this Item, agencies supported in whole or in part by				
14	nongeneral fund sources, shall pay the proportionate share of changes in salaries and				
15	benefits as required by this Item, subject to the rules and regulations prescribed by the				
16	appointing or governing authority of such agencies. Nongeneral fund revenues and				
17	balances required for this purpose are hereby appropriated.				
18	D. Any supplemental salary payment to a state employee or class of state employees by a				
19	local governing body shall be governed by a written agreement between the agency head				
20	of the employee or class of employees receiving the supplement and the chief executive				
21	officer of the local governing body. Such agreement shall also be reviewed and approved				
22	by the Director of the State Department of Human Resource Management. At a minimum,				
23	the agreement shall specify the percent of state salary or fixed amount of the supplement,				
24	the resultant total salary of the employee or class of employees, the frequency and method				
25	of payment to the agency of the supplement, and whether or not such supplement shall be				
26	included in the employee's state benefit calculations. A copy of the agreement shall be				
27	made available annually to all employees receiving the supplement. The receipt of a local				
28	salary supplement shall not subject employees to any personnel or payroll rules and				
29	practices other than those promulgated by the State Department of Human Resource				
30	Management.				
31	E. The Governor is hereby authorized to transfer funds from agency appropriations to the				
32	accounts of participating state employees in such amounts as may be necessary to match				
33	the contributions of the qualified participating employees, consistent with the				
34	requirements of the Code of Virginia governing the deferred compensation cash match				
35	program. Such transfers shall be made consistent with the following:				
36	1. The maximum cash match provided to eligible employees shall not be less than \$20.00				
37	per pay period, or \$40.00 per month, in each year of the biennium. The Governor may				
38	direct the agencies of the Commonwealth to utilize funds contained within their existing				
39	appropriations to meet these requirements.				
40	2. The Governor may direct agencies supported in whole or in part with nongeneral funds				
41	to utilize existing agency appropriations to meet these requirements. Such nongeneral				
42	revenues and balances are hereby appropriated for this purpose, subject to the provisions				
43	of § 4-2.01 b of this act. The use of such nongeneral funds shall be consistent with any				
44	existing conditions and restrictions otherwise placed upon such nongeneral funds.				
45	4. The procurement of services related to the implementation of this program shall be				
46	governed by standards set forth in § 51.1-124.30 C, Code of Virginia, and shall not be				
47	subject to the provisions of Chapter 7 (§ 11-35 et seq.), Title 11, Code of Virginia.				
48	F. The Secretary of Administration, in conjunction with the Secretary of Finance, may				
49	establish a program that allows for the sharing of cost savings from improved				
50	productivity, efficiency, and performance with agencies and employees. Such gain sharing				
51	programs require a management philosophy of open communication encouraging				
52	employee participation; a system which seeks, evaluates and implements employee input				
53	on increasing productivity; and a formula for measuring productivity gains and sharing				
54	these gains between employees and the agency. The Department of Human Resource				

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Management, in conjunction with the Department of Planning and Budget, shall develop				
2	specific gain sharing program guidelines for use by agencies. The Department of Human				
3	Resource Management shall provide to the Governor, the Chairmen of the House				
4	Appropriations and Senate Finance Committees an annual report no later than October 1 of				
5	each year detailing identified savings and their usage.				
6	G.1. Out of the appropriation for this Item, amounts estimated at \$22,997,759 the first year				
7	and \$36,539,221 the second year from the general fund shall be transferred to state agencies				
8	and institutions of higher education to support the general fund portion of costs associated				
9	with changes in the employer's share of premiums paid for the Commonwealth's health				
10	benefit plans.				
11	2. Out of the amounts included in subparagraph 1 of this paragraph, \$327,646 the first year				
12	and \$341,891 the second year from the general fund shall be transferred to the University of				
13	Virginia to cover the state share of the increases in employer premiums for state employees				
14	participating in the University of Virginia's health care plan.				
15	3. Notwithstanding any contrary provision of law, the health benefit plans for state employees				
16	resulting from the additional funding in this Item shall allow for a portion of employee				
17	medical premiums to be charged to employees.				
18	4. The Department of Human Resource Management shall explore options within the health				
19	insurance plan for state employees to promote value-based health choices aimed at creating				
20	greater employee satisfaction with lower overall health care costs. It is the General				
21	Assembly's intent that any savings associated with this employee health care initiative be				
22	retained and used towards funding state employee salary or fringe benefit cost increases.				
23	5. Notwithstanding any other provision of law, it shall be the sole responsibility and authority				
24	of the Department of Human Resource Management to establish and enforce employer				
25	contribution rates for any health insurance plan established pursuant to §2.2-2818, Code of				
26	Virginia.				
27	6. The Department of Human Resource Management is prohibited from establishing a retail				
28	maintenance network for maintenance drugs that includes penalties for non-use of the retail				
29	maintenance network.				
30	7. The Department of Human Resource Management shall not increase the annual out-of-				
31	pocket maximum included in the plans above the limits in effect for the plan year which				
32	began on July 1, 2014.				
33	H.1. Contribution rates paid to the Virginia Retirement System for the retirement benefits of				
34	public school teachers, state employees, state police officers, state judges, and state law				
35	enforcement officers eligible for the Virginia Law Officers Retirement System shall be based				
36	on a valuation of retirement assets and liabilities that are consistent with the provisions of				
37	Chapters 701 and 823, Acts of Assembly of 2012.				
38	2. Retirement contribution rates for the first year and the second year, excluding the five				
39	percent employee portion, shall be: 14.50 percent in the first year and 14.06 percent in the				
40	second year, for public school teachers, 12.33 percent for state employees, 25.82 percent for				
41	state police officers, 17.67 percent for the Virginia Law Officers Retirement System, and				
42	51.66 percent the first year and 49.62 percent the second year for the Judicial Retirement				
43	System. These rates include both the regular contribution rate and the rate calculated by the				
44	Virginia Retirement System actuary for the 10-year payback of the retirement contribution				
45	payments deferred for the 2010-12 biennium.				
46	3. Payments to the Virginia Retirement System shall be made no later than the tenth day				
47	following the close of each month of the fiscal year.				
48	4.a. Out of the general fund appropriation for this Item is included \$71,597,876 the first year				
49	and \$70,367,427 the second year to support the general fund portion of the net costs resulting				
50	from changes in employer contributions for state employee retirement as provided for in this				
51	paragraph.				
52	b. Out of the amounts included in subparagraph 4.a of this paragraph, \$23,374,502 the first				
53	year and \$23,374,502 the second year is included for the 10-year payback of the retirement				



ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	contribution payments deferred for the 2010-12 biennium.				
2	5. The funding necessary to support the cost of reimbursements to Constitutional Officers				
3	for retirement contributions are appropriated elsewhere in this act under the Compensation				
4	Board.				
5	6. The funding necessary to support the cost of the employer retirement contribution rate				
6	for public school teachers is appropriated elsewhere in this act under Direct Aid to Public				
7	Education.				
8	I.1. Except as authorized in Paragraph I.2. of this Item, rates paid to the Virginia				
9	Retirement System on behalf of employees of participating (i) counties, (ii) cities, (iii)				
10	towns, (iv) local public school divisions (only to the extent that the employer contribution				
11	rate is not otherwise specified in this act), and (v) other political subdivisions shall be				
12	based on the higher of: a) the contribution rate in effect for FY 2012, or b) seventy percent				
13	of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved				
14	by the Virginia Retirement System Board of Trustees for the 2012-14 biennium, eighty				
15	percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as				
16	approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium,				
17	ninety percent of the results of the June 30, 2015 actuarial valuation of assets and				
18	liabilities as approved by the Virginia Retirement System Board of Trustees for the 2016-				
19	18 biennium, one-hundred percent of the results of the June 30, 2017 actuarial valuation of				
20	assets and liabilities as approved by the Virginia Retirement System Board of Trustees for				
21	the 2018-20 biennium.				
22	2. Rates paid to the VRS on behalf of employees of participating (i) counties, (ii) cities,				
23	(iii) towns, (iv) local public school divisions (only to the extent that the employer				
24	contribution rate is not otherwise specified in this act), and (v) other political subdivisions				
25	may, at each participating employers option, be based on the employer contribution rates				
26	certified by the Virginia Retirement System Board of Trustees pursuant to § 51.1-145(I),				
27	Code of Virginia.				
28	3. Every participating employer must certify to the board of the Virginia Retirement				
29	System by resolution adopted by its local governing body that it: has reviewed and				
30	understands the information provided by the Virginia Retirement System outlining the				
31	potential future fiscal implications of electing or not electing to utilize the employer				
32	contribution rates certified by the Virginia Retirement System Board of Trustees, as				
33	provided for in paragraph I.2.				
34	4. Prior to electing to utilize the employer contribution rates certified by the Virginia				
35	Retirement System Board of Trustees, as authorized in paragraph I.2, local public school				
36	divisions must receive the concurrence of the local governing body. Such concurrence				
37	must be documented by a resolution of the governing body.				
38	5. The board of the Virginia Retirement System shall provide all employers participating				
39	in the Virginia Retirement System with a summary of the implications inherent in the use				
40	of the employer contribution rates certified by the Virginia Retirement System (VRS)				
41	Board of Trustees set out in paragraph K.2, and the alternate employer contribution rates				
42	set out in paragraph I.1				
43	J.1. The Virginia Retirement System Board of Trustees shall account for the employer				
44	retirement contribution payments deferred for the 2010-2012 biennium based on limiting				
45	employer retirement contributions to the Virginia Retirement System to the actuarial				
46	normal cost. In setting the employer retirement contribution rates for subsequent biennia,				
47	the board shall calculate a separate, supplemental employer contribution rate that will				
48	amortize such deferred payments over a period of ten years using the board's assumed				
49	long-term rate of return. The Governor shall include funds to support payment of such				
50	board-approved, supplemental employer contribution rates in the budget submitted to the				
51	General Assembly.				
52	2. For purposes of setting rates for the 2014-16 biennium, and future biennia, the board				
53	shall treat any lump-sum deposits into the retirement system as an expedited repayment of				
54	the 2010-2012 deferred contributions for the appropriate system. Should these deposits				
55	exceed the remaining amounts owed for the deferred contributions, the balance shall				

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	remain in these specific systems to address the overall unfunded liability.				
2	K.1. Contribution rates paid to the Virginia Retirement System for other employee benefits to				
3	include the public employee group life insurance program, the Virginia Sickness and				
4	Disability Program, the state employee retiree health insurance credit, and the public school				
5	teacher retiree health insurance credit, shall be set at 90 percent of the rate based on a				
6	valuation of assets and liabilities that assume an investment return of seven percent and an				
7	amortization period of 30 years.				
8	2. Contribution rates paid on behalf of public employees for other programs administered by				
9	the Virginia Retirement System in the first year and the second year shall be: 1.19 percent for				
10	the state employee group life insurance program, 0.48 percent for the employer share of the				
11	public school teacher group life insurance program, 1.05 percent for the state employee retiree				
12	health insurance credit, and 1.06 percent for the public school teacher retiree health insurance				
13	credit. The contribution rate paid on behalf of public employees for the Virginia Sickness and				
14	Disability Program shall be 0.66 percent of covered payroll. Funding for the Virginia Sickness				
15	and Disability Program is calculated on a rate of 0.56 percent of total payroll.				
16	3. Out of the general fund appropriation for this Item is included \$3,065,528 the first year and				
17	\$3,065,528 the second year to support the general fund portion of the net costs resulting from				
18	changes in employer contributions for state employee benefits as provided for in this				
19	paragraph.				
20	4. Out of the general fund appropriation for this Item is included \$863,918 the first year and				
21	\$863,918 the second year to support the general fund portion of the net costs resulting from				
22	changes in the retiree health insurance credit contributions for state supported local public				
23	employees through the Compensation Board, the Department of Social Services, and the				
24	Department of Elections pursuant to § 51.1-1403, Code of Virginia.				
25	5. The funding necessary to support the cost of reimbursements to Constitutional Officers for				
26	public employee group life insurance contributions is appropriated elsewhere in this act under				
27	the Compensation Board.				
28	6. The funding necessary to support the cost of the employer public school teacher group life				
29	insurance and retiree health insurance credit rates is appropriated elsewhere in this act under				
30	Direct Aid to Public Education.				
31	L. Notwithstanding the provisions of § 2.2-3205(A), Code of Virginia, the terminating agency				
32	shall not be required to pay the Virginia Retirement System the costs of enhanced retirement				
33	benefits provided for in § 2.2-3204(A), Code of Virginia for employees who are involuntarily				
34	separated from employment with the Commonwealth if the Director of the Department of				
35	Planning and Budget certifies that such action results from 1. budget reductions enacted in the				
36	Appropriation Act, 2. budget reductions executed in response to the withholding of				
37	appropriations by the Governor pursuant to §4-1.02 of the Act, 3. reorganization or reform				
38	actions taken by state agencies to increase efficiency of operations or improve service				
39	delivery provided such actions have been previously approved by the Governor, or 4.				
40	downsizing actions taken by state agencies as the result of the loss of federal or other grants,				
41	private donations, or other nongeneral fund revenue, and if the Director of the Department of				
42	Human Resource Management certifies that the action comports with personnel policy. Under				
43	these conditions, the entire cost of such benefits for involuntarily separated employees shall				
44	be factored into the employer contribution rates paid to the Virginia Retirement System.				
45	M. The purpose of this paragraph is to provide a transitional severance benefit, under the				
46	conditions specified, to eligible city, county, school division or other political subdivision				
47	employees who are involuntarily separated from employment with their employer.				
48	1.a. "Involuntary separation" includes, but is not limited to, terminations and layoffs from				
49	employment with the employer, or being placed on leave without pay-layoff or equivalent				
50	status, due to budget reductions, employer reorganizations, workforce downsizings, or other				
51	causes not related to the job performance or misconduct of the employee, but shall not include				
52	voluntary resignations. As used in this paragraph, a "terminated employee" shall mean an				
53	employee who is involuntarily separated from employment with his employer.				
54	b. The governing authority of a city, county, school division or other political subdivision				

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	electing to cover its employees under the provisions of this paragraph shall adopt a				
2	resolution, as prescribed by the Board of Trustees of the Virginia Retirement System, to				
3	that effect. An election by a school division shall be evidenced by a resolution approved				
4	by the Board of such school division and its local governing authority.				
5	2.a. Any (i) "eligible employee" as defined in § 51.1-132, (ii) "teacher" as defined in §				
6	51.1-124.3, and (iii) any "local officer" as defined in § 51.1.124.3 except for the treasurer,				
7	commissioner of the revenue, attorney for the Commonwealth, clerk of a circuit court, or				
8	sheriff of any county or city, and (a) for whom reemployment with his employer is not				
9	possible because there is no available position for which the employee is qualified or the				
10	position offered to the employee requires relocation or a reduction in salary and (b) whose				
11	involuntary separation was due to causes other than job performance or misconduct, shall				
12	be eligible, under the conditions specified, for the transitional severance benefit conferred				
13	by this paragraph. The date of involuntary separation shall mean the date an employee was				
14	terminated from employment or placed on leave without pay-layoff or equivalent status.				
15	b. Eligibility shall commence on the date of involuntary separation.				
16	3.a. On his date of involuntary separation, an eligible employee with (i) two years' service				
17	or less to the employer shall be entitled to receive a transitional severance benefit				
18	equivalent to four weeks of salary; (ii) three years through and including nine years of				
19	consecutive service to the employer shall be entitled to receive a transitional severance				
20	benefit equivalent to four weeks of salary plus one additional week of salary for every				
21	year of service over two years; (iii) ten years through and including fourteen years of				
22	consecutive service to the employer shall be entitled to receive a transitional severance				
23	benefit equivalent to twelve weeks of salary plus two additional weeks of salary for every				
24	year of service over nine years; or (iv) fifteen years or more of consecutive service to the				
25	employer shall be entitled to receive a transitional severance benefit equivalent to two				
26	weeks of salary for every year of service, not to exceed thirty-six weeks of salary.				
27	b. Transitional severance benefits shall be computed by the terminating employer's payroll				
28	department. Partial years of service shall be rounded up to the next highest year of service.				
29	c. Transitional severance benefits shall be paid by the employer in the same manner as				
30	normal salary. In accordance with § 60.2-229, transitional severance benefits shall be				
31	allocated to the date of involuntary separation. The right of any employee who receives a				
32	transitional severance benefit to also receive unemployment compensation pursuant to §				
33	60.2-100 et seq. shall not be denied, abridged, or modified in any way due to receipt of the				
34	transitional severance benefit; however, any employee who is entitled to unemployment				
35	compensation shall have his transitional severance benefit reduced by the amount of such				
36	unemployment compensation. Any offset to a terminated employee's transitional				
37	severance benefit due to reductions for unemployment compensation shall be paid in one				
38	lump sum at the time the last transitional severance benefit payment is made.				
39	d. For twelve months after the employee's date of involuntary separation, the employee				
40	shall continue to be covered under the (i) health insurance plan administered by the				
41	employer for its employees, if he participated in such plan prior to his date of involuntary				
42	separation, and (ii) group life insurance plan administered by the Virginia Retirement				
43	System pursuant to Chapter 5 (§ 51.1-500 et seq.) of Title 51.1, or such other group life				
44	insurance plan as may be administered by the employer. During such twelve months, the				
45	terminating employer shall continue to pay its share of the terminated employee's				
46	premiums. Upon expiration of such twelve month period, the terminated employee shall				
47	be eligible to purchase continuing health insurance coverage under COBRA.				
48	e. Transitional severance benefit payments shall cease if a terminated employee is				
49	reemployed or hired in an individual capacity as an independent contractor or consultant				
50	by the employer during the time he is receiving such payments.				
51	f. All transitional severance benefits payable pursuant to this section shall be subject to				
52	applicable federal laws and regulations.				
53	4.a. In lieu of the transitional severance benefit provided in subparagraph 3 of this				
54	paragraph, any otherwise eligible employee who, on the date of involuntary separation, is				
55	also (i) a vested member of the Virginia Retirement System, including a member eligible				

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	for the benefits described in subsection B of § 51.1-138, and (ii) at least fifty years of age,				
2	may elect to have the employer purchase on his behalf years to be credited to either his age or				
3	creditable service or a combination of age and creditable service, except that any years of				
4	credit purchased on behalf of a member of the Virginia Retirement System, including a				
5	member eligible for the benefits described in subsection B of § 51.1-138, who is eligible for				
6	unreduced retirement shall be added to his creditable service and not his age. The cost of each				
7	year of age or creditable service purchased by the employer shall be equal to fifteen percent of				
8	the employee's present annual compensation. The number of years of age or creditable service				
9	to be purchased by the employer shall be equal to the quotient obtained by dividing (i) the				
10	cash value of the benefits to which the employee would be entitled under subparagraphs 3.a.				
11	and 3.d. of this paragraph by (ii) the cost of each year of age or creditable service. Partial				
12	years shall be rounded up to the next highest year. Deferred retirement under the provisions of				
13	subsection C of §§ 51.1-153 and 51.1-205, and disability retirement under the provisions of §				
14	51.1-156 et seq., shall not be available under this paragraph.				
15	b. In lieu of the (i) transitional severance benefit provided in subparagraph 3 of this paragraph				
16	and (ii) the retirement program provided in this subsection, any employee who is otherwise				
17	eligible may take immediate retirement pursuant to §§ 51.1-155.1 or 51.1-155.2.				
18	c. The retirement allowance for any employee electing to retire under this paragraph who, by				
19	adding years to his age, is between ages fifty-five and sixty-five, shall be reduced on the				
20	actuarial basis provided in subdivision A. 2. of § 51.1-155.				
21	d. The retirement program provided in this subparagraph shall be otherwise governed by				
22	policies and procedures developed by the Virginia Retirement System.				
23	e. Costs associated with the provisions of this subparagraph shall be factored into the				
24	employer contribution rates paid to the Virginia Retirement System.				
25	N. The final sentence of § 51.1-145 (N), Code of Virginia providing that the employer				
26	contribution rate established for each employer may include the annual rate of contribution				
27	payable by such employer with respect to employees enrolled in optional defined contribution				
28	retirement plans, shall not apply to optional defined retirement plans established under § 51.1-				
29	126 for employees engaged in teaching, administrative or research duties at institutions of				
30	higher education, § 51.1-126.1 for employees of teaching hospitals other than VCU and UVA				
31	Medical Centers, and § 51.1-126.3 for University of Virginia Medical Center employees.				
32	O.1. The Governor is hereby authorized to allocate a sum of up to \$113,912,441 from this				
33	appropriation to the extent necessary to offset any downward revisions of the general fund				
34	revenue estimate prepared for fiscal years 2015 and 2016 after the enactment by the General				
35	Assembly of the 2015 Appropriation Act. If within 5 days of the preliminary close of the				
36	fiscal year ending on June 30, 2015, the Comptroller's analysis does not determine that a				
37	revenue re-forecast is required pursuant to § 2.2-1503.3, Code of Virginia, then such				
38	appropriation shall be used only for employee compensation purposes as stated in paragraphs				
39	P., Q., R., S., T., and U. below.				
40	2. Furthermore, the \$52,865,368 allocated to support the state share of a one and one-half				
41	percent salary adjustment for SOQ funded positions authorized in Item 136 of this act shall be				
42	unallotted if the provisions of paragraph O.1. are not met and the actions authorized in				
43	paragraphs P., Q., R., S., T., and U. of this item are not effectuated.				
44	P.1. Contingent on the provisions of paragraph O.1. above, the base salary of the following				
45	employees shall be increased by two percent on August 10, 2015, for state employees:				
46	a. Full-time and other classified employees of the Executive Department subject to the				
47	Virginia Personnel Act;				
48	b. Full-time employees of the Executive Department not subject to the Virginia Personnel				
49	Act, except officials elected by popular vote;				
50	c. Any official whose salary is listed in § 4-6.01 of this act, subject to the ranges specified in				
51	the agency head salary levels in § 4-6.01 c; and				
52	d. Full-time professional staff of the Governor's Office, the Lieutenant Governor's Office, the				
53	Attorney General's Office, Cabinet Secretaries Offices, including the Deputy Secretaries, the				

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Virginia Liaison Office, and the Secretary of the Commonwealth's Office.				
2	e. Heads of agencies in the Legislative Department;				
3	f. Full-time employees in the Legislative Department, other than officials elected by				
4	popular vote; and				
5	g. Secretaries and administrative assistants as provided for in Item 1 of this act.				
6	h. Judges and Justices in the Judicial Department;				
7	i. Heads of agencies in the Judicial Department; and,				
8	j. Full-time employees in the Judicial Department.				
9	k. Commissioners of the State Corporation Commission and the Virginia Workers'				
10	Compensation Commission, the Chief Executive Officer of the Virginia College Savings				
11	Plan, and the Directors of the Virginia Lottery, and the Virginia Retirement System;				
12	l. Full-time employees of the State Corporation Commission, the Virginia College Savings				
13	Plan, the Virginia Lottery, Virginia Workers' Compensation Commission, and the Virginia				
14	Retirement System.				
15	2.a. Employees in the Executive Department subject to the Virginia Personnel Act shall				
16	receive the salary increases authorized in this paragraph only if they attained at least a				
17	rating of "Contributor" on their latest performance evaluation.				
18	b. Salary increases authorized in this paragraph for employees in the Judicial and				
19	Legislative Departments, employees of Independent agencies, and employees of the				
20	Executive Department not subject to the Virginia Personnel Act shall be consistent with				
21	the provisions of this paragraph, as determined by the appointing or governing authority.				
22	However, notwithstanding anything herein to the contrary, the governing authorities of				
23	those state institutions of higher education with employees not subject to the Virginia				
24	Personnel Act may implement salary increases for such employees that may vary based on				
25	performance and other employment-related factors. The appointing or governing authority				
26	shall certify to the Department of Human Resource Management that employees receiving				
27	the awards are performing at levels at least comparable to the eligible employees as set out				
28	in subparagraph 2.a. of this paragraph.				
29	3. The Department of Human Resource Management shall increase the minimum and				
30	maximum salary for each band within the Commonwealth's Classified Compensation Plan				
31	by two percent on August 10, 2015. The Department of Human Resource Management				
32	shall increase the maximum salary for each band within the Commonwealth's Classified				
33	Compensation Plan by two percent plus an additional \$2,400 on August 10, 2015, for				
34	purposes of implementing the salary compression compensation adjustment authorized in				
35	paragraph Q. of this item. No salary increase shall be granted to any employee as a result				
36	of this action. The department shall develop policies and procedures to be used in				
37	instances where employees fall below the entry level for a job classification due to poor				
38	performance. Movement through the revised pay band shall be based on employee				
39	performance.				
40	4. Out of the amounts for Supplements to Employee Compensation is included				
41	\$37,847,008 the second year from the general fund to support the general fund portion of				
42	costs associated with the salary increase provided in this paragraph.				
43	5. The following agency heads, at their discretion, may utilize agency funds or the funds				
44	provided pursuant to this paragraph to implement the provisions of new or existing				
45	performance-based pay plans:				
46	a. The heads of agencies in the Legislative and Judicial Departments;				
47	b. The Commissioners of the State Corporation Commission and the Virginia Workers'				
48	Compensation Commission;				
49	c. The Attorney General;				

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	d. The Director of the Virginia Retirement System;				
2	e. The Director of the Virginia Lottery;				
3	f. The Director of the University of Virginia Medical Center;				
4	g. The Executive Director of the Virginia College Savings Plan; and				
5	h. The Executive Director of the Virginia Port Authority.				
6	6. The base rates of pay, and related employee benefits, for wage employees may be increased				
7	by up to two percent no earlier than August 10, 2015. The cost of such increases for wage				
8	employees shall be borne by existing funds appropriated to each agency.				
9	7. The governing authorities of those state institutions of higher education with employees				
10	may provide a salary adjustment based on performance and other employment-related factors,				
11	as long as the increases do not exceed the two percent increase on average.				
12	Q. Contingent on the provisions of paragraph O.1. above and subsequent to effectuating the				
13	salary adjustment authorized in paragraphs P. and T. of this item, the base salary of				
14	employees listed in P.1. above, except those specifically excluded in subparagraph Q.1, shall				
15	be adjusted to address state employee salary compression effective August 10, 2015 as				
16	follows:				
17	1. Employees excluded from the compression adjustment include:				
18	a) Faculty at public institutions of higher education;				
19	b) Judges and Justices of the Judicial Department;				
20	c) Commissioners of the State Corporation Commission;				
21	d) Commissioners of the Virginia Workers' Compensation Commission;				
22	e) Employees of public institutions of higher education who are not faculty but are also not				
23	subject to the Virginia Personnel Act;				
24	f) Legislative Assistants who are employees of individual members of the General Assembly.				
25	2. Sworn employees of the Department of State Police, who have three or more years of				
26	continuous state service shall receive \$80 for each full year of service up to thirty years.				
27	3. Except for those listed in subparagraph 2. above, employees who have five years or more of				
28	continuous state service shall be increased by \$65 for each full year of service up to thirty				
29	years.				
30	4. Employees in the Executive Department subject to the Virginia Personnel Act shall receive				
31	the salary increases authorized in this paragraph only if they attained at least a rating of				
32	"Contributor" on their latest performance evaluation.				
33	5. The Department of Human Resource Management shall develop guidelines and procedures				
34	for implementation of this salary compression compensation adjustment.				
35	6. Out of the appropriation Employee Compensation Supplements, \$26,277,547 the second				
36	year from the general fund is included to support the general fund costs associated with the				
37	salary adjustment authorized in this paragraph.				
38	R.1. Contingent on the provisions of paragraph O.1. above, the base salary of the following				
39	employees shall be increased by two percent on September 1, 2015:				
40	a. Locally elected constitutional officers;				
41	b. General Registrars and members of local electoral boards;				
42	c. Full-time employees of locally elected constitutional officers and,				
43	d. Full-time employees of Community Services Boards, Centers for Independent Living,				
44	secure detention centers supported by Juvenile Block Grants, juvenile delinquency prevention				

ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	and local court service units, local social services boards, local pretrial services act and				
2	comprehensive community corrections act employees, and local health departments where				
3	a memorandum of understanding exists with the Virginia Department of Health.				
4	2. Out of the appropriation for Supplements to Employee Compensation is included				
5	\$13,302,324 the second year from the general fund to support the costs associated with the				
6	salary increase provided in this paragraph.				
7	S. Contingent on the provisions of paragraph O.1. above, \$357,664 from the general fund				
8	is provided to support the general fund costs associated with increases in the internal				
9	service fund rates for the Virginia Information Technology Agency and the Department of				
10	General Services to reflect the impact of the salary actions authorized in paragraphs P and				
11	Q of this Item.				
12	T.1. Contingent on the provisions of paragraph O.1. above, and pursuant to the				
13	recommendation of the state employee compensation work group established by				
14	paragraph B of Item 255, Chapter 806 of the Acts of Assembly of 2013, there is herewith				
15	appropriated a sum of \$3,786,466 to be used exclusively for a two percent adjustment to				
16	the base salary of state employees in the following high turnover job roles effective				
17	August 10, 2015 for the purposes of relieving salary compression and maintaining market				
18	relevance:				
19	a. Law Enforcement Officer I				
20	b. Direct Service Associate I				
21	c. Direct Service Associate II				
22	d. Direct Service Associate III				
23	e. Housekeeping and/or Apparel Worker I				
24	f. Probation Officer Assistant				
25	g. Emergency Coordinator I				
26	h. Emergency Coordinator II				
27	i. Registered Nurse I				
28	j. Registered Nurse II/Nurse Practitioner I/Physician's Assistant				
29	k. Licensed Practical Nurse				
30	l. Therapy Assistant/Therapist I				
31	m. Therapist II				
32	n. Compliance / Safety Officer II				
33	o. District Court Deputy Clerk, Grade 6				
34	p. District Court Deputy Clerk, Grade 7				
35	q. District Court Deputy Clerk, Grade 8				
36	2.a Employees in the Executive Department subject to the Virginia Personnel Act shall				
37	receive the salary increases authorized in this paragraph only if they attained at least a				
38	rating of "Contributor" on their latest performance evaluation.				
39	b. Salary increases authorized in this paragraph for employees in the Judicial and				
40	Legislative Departments, employees of Independent agencies, and employees of the				
41	Executive Department not subject to the Virginia Personnel Act shall be consistent with				
42	the provisions of this paragraph, as determined by the appointing or governing authority.				
43	The governing authorities of those agencies and state institutions of higher education with				
44	employees not subject to the Virginia Personnel Act shall certify to the Department of				
45	Human Resource Management that employees receiving the awards are performing at				



ITEM 467.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	levels at least comparable to the eligible employees as set out in subparagraph 2.a. of this				
2	paragraph.				
3	3. The salary increase authorized in this paragraph is intended to be in addition to any other				
4	salary increase authorized in this act.				
5	U. Contingent on the provisions of subparagraph O.1. above, included in the amounts				
6	appropriated for employee benefits in this item is \$32,341,432 from the general fund the				
7	second year to increase the employer retirement contribution rates authorized in paragraph				
8	H.2. of this item, effective August 10, 2015, up to ninety percent of the board certified rate for				
9	state employees (14.22%), state police officers (27.83%), members of the Virginia Law				
10	Officers Retirement System (19.00%), and members of the judicial retirement system				
11	(50.02%).				
12	V. Out of the appropriation for this item, \$3,675,000 the second year shall be transferred to				
13	the Department of State Police for salary supplements, subject to the approval by the				
14	Secretary of Public Safety and Homeland Security of a salary compression plan for fiscal year				
15	2016. No funds shall be included within such plan for employees of the Department of State				
16	Police with less than three years of service as of July 1, 2015. The plan shall be implemented				
17	effective August 10, 2015 and the total annualized cost of the pay plan shall not exceed				
18	\$4,410,000. No employee receiving an adjustment under this plan shall receive a salary				
19	adjustment pursuant to the funding provided in this paragraph of more than seven percent.				
20	Prior to the implementation of this plan, copies of the approved plan shall be provided to the				
21	Chairmen of the House Appropriations and Senate Finance Committees.				
22	W. 1. Notwithstanding the provisions of § 17.1-327, Code of Virginia, any justice, judge,				
23	member of the State Corporation Commission, or member of the Virginia Workers'				
24	Compensation Commission who is retired under the Judicial Retirement System and who is				
25	temporarily recalled to service shall be reimbursed for actual expenses incurred during such				
26	service and shall be paid a per diem of \$250 for each day the person actually sits, exclusive of				
27	travel time.				
28	2. Out of the general fund appropriation for this Item, \$500,000 is included in the second year				
29	to support the costs resulting from the changes in the per diem amounts provided for in				
30	paragraph W.1. The Director, Department of Planning and Budget, shall disburse funding				
31	from this Item to all affected judicial and independent agencies upon request.				
32	<i>X. The Director, Department of Planning and Budget, shall withhold and transfer to this Item,</i>				
33	<i>an amount estimated at \$599,676 the second year from the general fund appropriations of</i>				
34	<i>state agencies and institutions of higher education, representing savings from the Line of</i>				
35	<i>Duty Act premiums provided by the Virginia Retirement System.</i>				
36	<i>Y. The Director, Department of Planning and Budget, shall withhold and transfer to this Item,</i>				
37	<i>an amount estimated at \$1,664,278 the second year from the general fund appropriations of</i>				
38	<i>state agencies and institutions of higher education, representing savings from the workers'</i>				
39	<i>compensation premiums provided by the Department of Human Resource Management.</i>				
40	468. Payments for Special or Unanticipated Expenditures				
41	(75800).....			\$7,660,169	\$9,783,298
42					\$13,613,298
43	Miscellaneous Contingency Reserve Account				
44	(75801).....	\$1,800,000	\$1,800,000		
45	Undistributed Support for Designated State Agency				
46	Activities (75806).....	\$5,860,169	\$7,983,298		
47			\$11,813,298		
48	Fund Sources: General.....	\$7,660,169	\$9,783,298		
49			\$13,613,298		
50	A. The Governor is hereby authorized to allocate sums from this appropriation, in addition to				
51	an amount not to exceed \$2,000,000 from the unappropriated balance derived by subtracting				
52	the general fund appropriations from the projected general fund revenues in this act, to				
53	provide for supplemental funds pursuant to paragraph D hereof. Transfers from this Item shall				
54	be made only when (1) sufficient funds are not available within the agency's appropriation				
55	and (2) additional funds must be provided prior to the end of the next General Assembly				



ITEM 468.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Session.				
2	B.1. The Governor is authorized to allocate from the unappropriated general fund balance				
3	in this act such amounts as are necessary to provide for unbudgeted cost increases to state				
4	agencies incurred as a result of actions to enhance homeland security, combat terrorism,				
5	and to provide for costs associated with the payment of a salary supplement for state				
6	classified employees ordered to active duty as part of a reserve component of the Armed				
7	Forces of the United States or the Virginia National Guard. Any salary supplement				
8	provided to state classified employees ordered to active duty, shall apply only to				
9	employees who would otherwise earn less in salary and other cash allowances while on				
10	active duty as compared to their base salary as a state classified employee. Guidelines for				
11	such payments shall be developed by the Department of Human Resource Management in				
12	conjunction with the Departments of Accounts and Planning and Budget.				
13	2. The Governor shall submit a report within thirty days to the Chairmen of House				
14	Appropriations and Senate Finance Committees which itemizes any disbursements made				
15	from this Item for such costs.				
16	3. The governing authority of the agencies listed in this subparagraph may, at its discretion				
17	and from existing appropriations, provide such payments to their employees ordered to				
18	active duty as part of a reserve component of the Armed Forces of the United States or the				
19	Virginia National Guard, as are necessary to provide comparable pay supplements to its				
20	employees.				
21	a. Agencies in the Legislative and Judicial Departments;				
22	b. The State Corporation Commission, the Virginia Workers' Compensation Commission,				
23	the Virginia Retirement System, the Virginia Lottery , Virginia College Savings Plan, and				
24	the Virginia Office for Protection and Advocacy;				
25	c. The Office of the Attorney General and the Department of Law; and				
26	d. State-supported institutions of higher education.				
27	C. The Governor is authorized to expend from the unappropriated general fund balance in				
28	this act such amounts as are necessary, up to \$1,500,000, to provide for indemnity				
29	payments to growers, producers, and owners for losses sustained as a result of an				
30	infectious disease outbreak or natural disaster in livestock and poultry populations in the				
31	Commonwealth. These indemnity payments will compensate growers, producers, and				
32	owners for a portion of the difference between the appraised value of each animal				
33	destroyed or slaughtered or animal product destroyed in order to control or eradicate an				
34	animal disease outbreak and the total of any salvage value plus any compensation paid by				
35	the federal government.				
36	D. Out of the appropriation for this item is included \$1,500,000 the first year and				
37	\$1,500,000 the second year from the general fund to be used by the Governor as he may				
38	determine to be needed for the following purposes:				
39	1. To address the six conditions listed in § 4-1.03 c 5 of this act.				
40	2. To provide for unbudgeted and unavoidable increases in costs to state agencies for				
41	essential commodities and services which cannot be absorbed within agency				
42	appropriations to include unbudgeted benefits associated with Workforce Transition Act				
43	requirements.				
44	3. To secure federal funds in the event that additional matching funds are needed for				
45	Virginia to participate in the federal Superfund program.				
46	4. To make additional payments to public institutions of higher education pursuant to Item				
47	464 of this Act, up to a maximum of \$1,000,000, in the event that amounts appropriated				
48	for that purpose are insufficient.				
49	5. To provide a payment of up to \$100,000 to the Military Order of the Purple Heart, for				
50	the continued operation of the National Purple Heart Hall of Honor, provided that at least				
51	half of other states have made similar grants.				

ITEM 468.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	6. In addition, if the amounts appropriated in this Item are insufficient to meet the				
2	unanticipated events enumerated, the Governor may utilize up to \$1,000,000 the first year and				
3	\$1,000,000 the second year from the general fund amounts appropriated for the				
4	Commonwealth's Opportunity Fund for the unanticipated purposes set forth in paragraph D.1.				
5	through paragraph D.5. of this Item.				
6	7. 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				
8	Act.				
9	8. The Department of Planning and Budget shall submit a quarterly report of any				
10	disbursements made from, commitments made against, and requests made for such sums				
11	authorized for allocation pursuant to this paragraph to the Chairmen of the House				
12	Appropriations and Senate Finance Committees. This report shall identify each of the				
13	conditions specified in this paragraph for which the transfer is made.				
14	9. Out of this appropriation, the Director, Department of Planning and Budget is authorized to				
15	transfer an amount up to \$300,000 in the second year, to the Department of Behavioral Health				
16	and Developmental Services for the purpose of paying for community-based services for				
17	current residents of any state operated Intellectual Disability Training Center who request				
18	community placement and who are also not eligible for Medicaid funded Intellectual				
19	Disability Waiver services.				
20	E. Included in this appropriation is \$300,000 the first year and \$300,000 the second year from				
21	the general fund to pay for private legal services and the general fund share of unbudgeted				
22	costs for enforcement of the 1998 Tobacco Master Settlement Agreement. Transfers for				
23	private legal services shall be made by the Director, Department of Planning and Budget upon				
24	prior written authorization of the Governor or the Attorney General, pursuant to § 2.2-510,				
25	Code of Virginia or Item 56, Paragraph D of this act. Transfers for enforcement of the Master				
26	Settlement Agreement shall be made by the Director, Department of Planning and Budget at				
27	the request of the Attorney General, pursuant to Item 56, Paragraph B of this act.				
28	F. Notwithstanding the provisions of § 58.1-608.3B.(v), Code of Virginia, any municipality				
29	which has issued bonds on or after July 1, 2001, but before July 1, 2006, to pay the cost, or				
30	portion thereof, of any public facility pursuant to § 58.1-608.3, Code of Virginia, shall be				
31	entitled to all sales tax revenues generated by transactions taking place in such public facility.				
32	G.1.a. The Federal Action Contingency Trust (FACT) Fund will have a balance estimated at				
33	\$5,998,093 from the amounts appropriated in Item 470 K.1 of Chapter 2, 2012 Special				
34	Session I. This balance is hereby appropriated for the following purposes:				
35	b. Up to \$1,199,495 the first year and \$436,998 the second year from the FACT Fund shall be				
36	provided to the Virginia Polytechnic Institute and State University for unmanned aircraft				
37	systems research and development.				
38	<b>I VETO THIS ITEM. /s/ Terence R. McAuliffe (6/21/14) (Vetoed item is enclosed in brackets.)</b>				
39	c. The Director, Department of Planning and Budget shall revert the first year the				
40	undesignated and unobligated balances of the FACT Fund, estimated at \$4,361,600, to the				
41	General Fund.				
42	2. There is hereby created an advisory commission to provide advice to the Governor				
43	concerning the use of the Federal Action Contingency Trust (FACT) Fund. The FACT Fund				
44	Advisory Commission is established as an advisory commission in the legislative branch and				
45	shall consist of 10 members, including the Chairman of the House Appropriations Committee				
46	and four members of the House Appropriations Committee selected by the chairman, the				
47	Chairman of the Senate Finance Committee and four members of the Senate Finance				
48	Committee selected by the chairman. The secretaries of Commerce and Trade, Health and				
49	Human Resources and Finance shall also be available to provide technical assistance to the				
50	advisory commission.				
51	3. Prior to the distribution of any funds from the Federal Action Contingency Trust (FACT)				
52	Fund, The FACT Fund Advisory Commission shall review all prospective uses of the FACT				
53	Fund and recommend approval or denial of such uses to the Governor. The Governor shall				
54	also notify the chairmen of the Senate Finance Committee and the House Appropriations				
	Committee in writing within ten days concerning his decision to distribute money from the				

ITEM 468.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	FACT reserve.				
2	H. Out of this appropriation, up to \$1,000,000 the first year from the general fund is				
3	provided to reimburse the Department of General Services for the costs incurred to				
4	relocate the Department of Small Business and Supplier Diversity from private-leased				
5	space to a state-owned facility.				
6	I.1. Out of this appropriation, \$2,000,000 the second year from the general fund shall be				
7	provided to the City of Richmond for expenses incurred for the development of the				
8	Slavery and Freedom Heritage Site in Richmond, including Lumpkin's Pavilion and Slave				
9	Trail improvements. Of this amount, \$1,000,000 shall be used for improvements to the				
10	Slave Trail, and \$1,000,000 for costs associated with Lumpkin's Pavilion.				
11	2. Prior to the receipt of state funds for the purpose set out in paragraph I.1., the Richmond				
12	City Council shall pass a resolution outlining its approval of and financial commitment to				
13	the proposed project and local matching funds in an amount totaling at least \$5,000,000				
14	which shall be appropriated by the City of Richmond for the project prior to receipt of any				
15	state funds. Release of state funding for Lumpkin's Pavilion shall also require evidence				
16	that the City of Richmond has raised at least fifty percent of the remaining funding				
17	required for that portion of the project from private or other sources.				
18	3. At such time that the City of Richmond has completed construction of the respective				
19	improvements, the City of Richmond shall be eligible for reimbursement from the				
20	Commonwealth of an amount not to exceed \$9,000,000, or up to twenty five percent of				
21	the total costs of each project.				
22	4. State funding appropriated in paragraph I.1 and future appropriations considered in				
23	paragraph I.3, shall be allocated only as follows: no more than \$5,000,000 shall be				
24	allocated for the planning, design, and construction of the Pavilion at Lumpkin's Jail, no				
25	more than \$1,000,000 shall be allocated for improvements to the Richmond Slave Trail,				
26	and no more than \$5,000,000 shall be allocated for the planning, design and construction				
27	of a slavery museum.				
28	5. The City of Richmond shall provide documentation to the Department of General				
29	Services on the progress of this project and actual expenditures incurred for it in a form				
30	acceptable to the Secretaries of Finance and Administration.				
31	6. In addition to the matching requirements set out in paragraph I.2, the City of Richmond				
32	shall provide and dedicate appropriate contiguous real estate prior to the receipt of any				
33	state funding for the purposes outlined in paragraph I.1 above.				
34	7. The Department of General Services shall act as the fiscal agent for these funds. The				
35	director shall oversee the expenditure of state appropriations to ensure that payments to				
36	the City of Richmond are made consistent with the purposes set out in paragraphs I.1 and				
37	I.4. The Director, Department of Planning and Budget, is authorized to transfer these				
38	funds to the Department of General Services to implement this appropriation.				
39	8. This appropriation shall be exempt from the disbursement procedures specified in § 4-				
40	5.05 of the act.				
41	L. The State Comptroller shall revert to the general fund savings that are realized as a				
42	result of vacant judgeships. The reversion is estimated to be \$1,500,000 on or before June				
43	30, 2015 .				
44	M. The Director, Department of Planning and Budget, shall transfer from this item,				
45	general fund amounts estimated at \$4,860,169 the first year and \$5,983,298 the second				
46	year to state agencies and institutions of higher education to support the general fund				
47	portion of costs resulting from the estimated usage of technology services provided by the				
48	Virginia Information Technologies Agency.				
49	N. Out of this appropriation, \$3,830,000 the second year from the general fund is				
50	provided to cover the costs associated with the 2016 presidential primary. Out of this				
51	amount, up to \$3,540,000 may be used by the Department of Elections to reimburse				
52	localities for their presidential primary expenditures and up to \$290,000 may be used to				
53	cover costs incurred directly by the Department of Elections.				

ITEM 468.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	469.	Not set out.				
2	470.	Not set out.				
3	471.	Not set out.				
4	471.10	Not set out.				
5	471.30	Not set out.				
6	471.40	Not set out.				
7	Total for Central Appropriations.....				\$139,777,485	\$279,533,883
8						\$281,099,929
9	Fund Sources: General.....		\$20,354,046	\$160,205,978		
10				\$161,772,024		
11	Trust and Agency.....		\$119,423,439	\$119,327,905		
12	TOTAL FOR CENTRAL APPROPRIATIONS.....				\$139,777,485	\$279,533,883
13						\$281,099,929
14	Fund Sources: General.....		\$20,354,046	\$160,205,978		
15				\$161,772,024		
16	Trust and Agency.....		\$119,423,439	\$119,327,905		
17	TOTAL FOR EXECUTIVE DEPARTMENT.....				\$45,928,393,158	\$47,432,073,327
18						\$48,290,848,529
19	General Fund Positions.....		48,850.51	48,967.06		
20				48,992.12		
21	Nongeneral Fund Positions.....		62,518.27	62,839.52		
22				62,840.46		
23	Position Level.....		111,368.78	111,806.58		
24				111,832.58		
25	Fund Sources: General.....		\$17,710,185,367	\$18,091,284,346		
26				\$18,260,866,340		
27	Special.....		\$1,649,764,832	\$1,657,543,565		
28				\$1,657,466,060		
29	Higher Education Operating.....		\$7,919,651,888	\$8,029,624,917		
30	Commonwealth Transportation.....		\$4,366,904,031	\$4,647,312,774		
31				\$4,975,833,550		
32	Enterprise.....		\$1,015,359,274	\$1,090,913,246		
33				\$1,139,492,696		
34	Internal Service.....		\$1,771,892,976	\$1,801,509,481		
35				\$1,908,509,481		
36	Trust and Agency.....		\$2,300,134,969	\$2,561,088,909		
37				\$2,569,472,621		
38	Debt Service.....		\$326,199,813	\$328,161,549		
39	Dedicated Special Revenue.....		\$1,793,007,919	\$1,740,019,625		
40				\$1,767,419,625		
41	Federal Trust.....		\$7,075,292,089	\$7,484,614,915		
42				\$7,654,001,690		

ITEM 472.	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>INDEPENDENT AGENCIES</b>			
<b>2</b>	<b>§ 1-32. STATE CORPORATION COMMISSION (171)</b>			
<b>3</b>	472.	Not set out.		
<b>4</b>	473.	Not set out.		
<b>5</b>	474.	Not set out.		
<b>6</b>	475.	Not set out.		
<b>7</b>	476.	Plan Management (40800).....	\$1,200,133	\$1,200,446
<b>8</b>				\$200,446
<b>9</b>		Federal Health Benefit Exchange Plan		
<b>10</b>		Management (40801).....	\$1,200,133	<del>\$1,200,446</del>
<b>11</b>				\$200,446
<b>12</b>		Fund Sources: General.....	\$1,200,133	<del>\$1,200,446</del>
<b>13</b>				\$200,446
<b>14</b>	Authority: §§ <a href="#">38.2-316.1</a> and <a href="#">38.2-326</a> , Code of Virginia; §42.18041 c, United States			
<b>15</b>	Code.			
<b>16</b>	A. There is hereby appropriated to the State Corporation Commission an amount not to			
<b>17</b>	exceed \$1,200,133 the first year and <del>\$1,200,446</del> \$200,446 the second year from the			
<b>18</b>	general fund to pay for the plan management functions authorized in Chapter 670 of the			
<b>19</b>	Acts of Assembly of 2013. The <del>commission</del> <i>State Corporation Commission</i> shall			
<b>20</b>	reimburse the general fund for the plan management activities performed by the			
<b>21</b>	commission, as part of the Federal Health Benefit Exchange, only for those funds that			
<b>22</b>	have been reimbursed by the U.S. Department of Health and Human Services for carrying			
<b>23</b>	out the plan management activities as part of the Federal Health Benefit Exchange.			
<b>24</b>	B. On or before June 30, 2015 and June 30, 2016, the Director, Department of Planning			
<b>25</b>	and Budget shall authorize the reversion to the general fund of \$1,200,133 the first year			
<b>26</b>	and <del>\$1,200,446</del> <i>the unexpended appropriation from this Item</i> in the second year			
<b>27</b>	representing the reimbursement from federal funds received by the State Corporation			
<b>28</b>	Commission ( <del>commission</del> ) for the plan management activities performed by the			
<b>29</b>	Commission as part of the Federal Health Benefit Exchange as specified in Item 476.10			
<b>30</b>	of Chapter 806, 2013 Acts of Assembly.			
<b>31</b>	Total for State Corporation Commission.....		\$95,611,736	<del>\$95,612,049</del>
<b>32</b>				\$94,612,049
<b>33</b>	General Fund Positions.....		13.00	<del>13.00</del>
<b>34</b>				0.00
<b>35</b>	Nongeneral Fund Positions.....		665.00	665.00
<b>36</b>	Position Level.....		678.00	<del>678.00</del>
<b>37</b>				665.00
<b>38</b>	Fund Sources: General.....		\$1,200,133	<del>\$1,200,446</del>
<b>39</b>				\$200,446
<b>40</b>	Special.....		\$82,422,495	\$82,422,495
<b>41</b>	Trust and Agency.....		\$6,856,941	\$6,856,941
<b>42</b>	Dedicated Special Revenue.....		\$1,782,167	\$1,782,167
<b>43</b>	Federal Trust.....		\$3,350,000	\$3,350,000
<b>44</b>	477.	Not set out.		
<b>45</b>	478.	Not set out.		
<b>46</b>	<b>§ 1-33. VIRGINIA COLLEGE SAVINGS PLAN (174)</b>			
<b>47</b>	479.	Investment, Trust, and Insurance Services (72500)		
<b>48</b>		a sum sufficient, estimated at.....	\$165,540,967	<del>\$192,326,809</del>
<b>49</b>				\$193,328,109

ITEM 479.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Payments for Tuition and Educational Expense				
2	Benefits (72505).....	\$156,300,000	\$183,000,000		
3	<del>Investment, Trust and Related Services for</del>				
4	<del>Virginia529 prePAID Program (72506).....</del>				
5	<del>Investment, Trust and Related Services for</del>				
6	<del>Virginia529 prePAID Program (72506)</del>	\$4,701,300	<del>\$4,769,504</del>		
7			\$5,770,804		
8	<del>Investment, Trust and Related Services for</del>				
9	<del>Virginia529 inVEST Program and other Higher</del>				
10	<del>Education Savings Programs (72507).....</del>				
11	<del>Investment, Trust and Related Services for</del>	\$4,539,667	\$4,557,305		
12	<del>Virginia529 inVEST Program and other Higher</del>				
13	<del>Education Savings Programs (72507)</del>				
14	Fund Sources: Enterprise.....	\$165,540,967	<del>\$192,326,809</del>		
15			\$193,328,109		
16	Authority: Title 23, Chapter 4.9, Code of Virginia.				
17	A. Amounts for Payments for Tuition and Educational Expense Benefits represent the				
18	payment of benefits to postsecondary educational institutions on behalf of program				
19	participants under the Virginia529 prePAID Program, estimated at \$156,000,000 the first year				
20	and \$183,000,000 the second year, from nongeneral funds pursuant to § 23-38.76, Code of				
21	Virginia.				
22	B.				
23	Any moneys collected, distributed or held for the benefit of participants under the Virginia529				
24	inVEST Program and other higher education savings programs, including any income from				
25	such funds, are not subject to the provisions of §§ 2.2-1800 through 2.2-1825, inclusive, or				
26	§23-38.76 (A) of the Code of Virginia requiring deposit in the State Treasury. This provision				
27	does not apply to the Virginia529 prePAID Program, or Plan administrative fee revenue.				
28	C. Amounts for Payments for Tuition and Educational Expense Benefits cover the current				
29	obligations of the fund as provided for in Title 23, Chapter 4.9, Code of Virginia.				
30	D. Amounts for Investment, Trust and Related Services cover variable or unpredictable costs				
31	of the Virginia529 prePAID Program, estimated at \$4,701,300 the first year and \$4,769,504				
32	the second year, from nongeneral funds pursuant to § 23-38.76, Code of Virginia.				
33	E. Amounts for Investment, Trust and Related Services cover variable and unpredictable costs				
34	of the Virginia529 inVEST Program and other higher education savings programs, estimated				
35	at \$4,539,667 the first year and \$4,557,305 the second year, from nongeneral funds pursuant				
36	to § 23-38.76, Code of Virginia.				
37	480. Not set out.				
38	481. Not set out.				
39	Total for Virginia College Savings Plan.....			\$178,598,894	<del>\$205,337,282</del>
40					\$206,338,582
41	Nongeneral Fund Positions.....	105.00	105.00		
42	Position Level.....	105.00	105.00		
43	Fund Sources: Enterprise.....	\$178,598,894	<del>\$205,337,282</del>		
44			\$206,338,582		
45	<b>§ 1-34. VIRGINIA RETIREMENT SYSTEM (158)</b>				
46	482. Personnel Management Services (70400).....			\$12,386,585	<del>\$12,386,585</del>
47					\$12,511,290
48	Administration of Retirement and Insurance				
49	Programs (70415).....	\$12,386,585	<del>\$12,386,585</del>		
50			\$12,511,290		
51	Fund Sources: <i>General</i> .....	\$0	\$124,705		
52	Trust and Agency.....	\$12,386,585	\$12,386,585		

ITEM 482.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
2	A. The Board of Trustees of the Virginia Retirement System is hereby authorized to				
3	charge a participation fee to each employer served by the Virginia Retirement System for				
4	any services provided pursuant to Title 51.1, Code of Virginia. The fee shall be utilized to				
5	pay the administrative expenses of all administrative services, including non-retirement				
6	programs. Retirement contributions required by the Board shall be reduced to pay such				
7	fees in a manner prescribed by the Board of Trustees.				
8	B. State agencies and institutions of higher education shall make payments to the Virginia				
9	Retirement System (VRS) for VRS-administered benefits no less often than monthly.				
10	C.1. The Virginia Retirement System shall make those changes to administrative policies,				
11	procedures, and systems as are necessary for implementation of the public employee				
12	retirement reforms provided for in Chapter 701 of the Acts of Assembly of 2012.				
13	2. Out of the amounts appropriated to this Item, \$1,420,956 the first year and \$1,420,956				
14	the second year is designated to implement the employee retirement reforms provided for				
15	in Chapter 701 of the Acts of Assembly of 2012.				
16	<i>D. Out of this appropriation, \$124,705 the second year from the general fund is provided</i>				
17	<i>for expenses associated with the Volunteer Firefighters' and Rescue Squad Workers'</i>				
18	<i>Service Award Fund.</i>				
19	483. Not set out.				
20	484. Administrative and Support Services (79900).....			\$29,120,424	\$29,801,924
21					\$34,280,924
22	General Management and Direction (79901).....	\$15,651,563	<del>\$16,254,063</del>		
23			\$20,733,063		
24	Information Technology Services (79902).....	\$13,468,861	\$13,547,861		
25	Fund Sources: Trust and Agency.....	\$29,120,424	<del>\$29,801,924</del>		
26			\$34,280,924		
27	Authority: Title 51.1, Chapters 1, 2, 2.1, and 3, Code of Virginia.				
28	Out of the amounts appropriated to this Item, the director is authorized to expend an				
29	amount not to exceed \$25,000 the first year and \$25,000 the second year for expenses				
30	commonly borne by business enterprises. Such expenses shall be recorded separately by				
31	the agency.				
32	485. Not set out.				
33	Total for Virginia Retirement System.....			\$70,641,983	<del>\$71,323,483</del>
34					\$75,927,188
35	Nongeneral Fund Positions.....	335.00	335.00		
36	Position Level.....	335.00	335.00		
37	Fund Sources: <i>General</i> .....	\$0	\$124,705		
38	Trust and Agency.....	\$70,641,983	<del>\$71,323,483</del>		
39			\$75,802,483		
40	486. Not set out.				
41	487. Not set out.				
42	TOTAL FOR INDEPENDENT AGENCIES.....			\$484,581,539	<del>\$513,454,656</del>
43					\$518,059,661
44	General Fund Positions.....	13.00	<del>13.00</del>		
45			0.00		
46	Nongeneral Fund Positions.....	1,688.00	1,688.00		
47	Position Level.....	1,701.00	<del>1,701.00</del>		
48			1,688.00		

ITEM 487.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Fund Sources: General.....	\$1,200,133	\$1,200,446		
2			\$325,151		
3	Special.....	\$82,422,495	\$82,422,495		
4	Enterprise.....	\$275,891,541	\$302,656,483		
5			\$303,657,783		
6	Trust and Agency.....	\$77,498,924	\$78,180,424		
7			\$82,659,424		
8	Dedicated Special Revenue.....	\$43,648,446	\$44,144,808		
9	Federal Trust.....	\$3,920,000	\$4,850,000		



ITEM 488.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
<b>1</b>	<b>STATE GRANTS TO NONSTATE ENTITIES</b>				
<b>2</b>	488. Not set out.				
<b>3</b>	TOTAL FOR STATE GRANTS TO NONSTATE				
<b>4</b>	ENTITIES.....			\$0	\$0
<b>5</b>	TOTAL FOR PART 1: OPERATING EXPENSES.			\$46,979,567,188	\$48,513,056,758
<b>6</b>					\$49,377,048,782
<b>7</b>	General Fund Positions.....	52,704.72	52,826.27		
<b>8</b>			52,838.33		
<b>9</b>	Nongeneral Fund Positions.....	64,338.77	64,660.02		
<b>10</b>			64,660.96		
<b>11</b>	Position Level.....	117,043.49	117,486.29		
<b>12</b>			117,499.29		
<b>13</b>	Fund Sources: General.....	\$18,240,038,523	\$18,622,747,478		
<b>14</b>			\$18,791,997,266		
<b>15</b>	Special.....	\$1,745,446,448	\$1,752,461,816		
<b>16</b>			\$1,752,453,039		
<b>17</b>	Higher Education Operating.....	\$7,919,651,888	\$8,029,624,917		
<b>18</b>	Commonwealth Transportation.....	\$4,366,904,031	\$4,647,312,774		
<b>19</b>			\$4,975,833,550		
<b>20</b>	Enterprise.....	\$1,291,250,815	\$1,393,569,729		
<b>21</b>			\$1,443,150,479		
<b>22</b>	Internal Service.....	\$1,771,892,976	\$1,801,509,481		
<b>23</b>			\$1,908,509,481		
<b>24</b>	Trust and Agency.....	\$2,377,749,601	\$2,639,385,050		
<b>25</b>			\$2,652,247,762		
<b>26</b>	Debt Service.....	\$326,199,813	\$328,161,549		
<b>27</b>	Dedicated Special Revenue.....	\$1,859,657,567	\$1,807,251,110		
<b>28</b>			\$1,834,651,110		
<b>29</b>	Federal Trust.....	\$7,080,775,526	\$7,491,032,854		
<b>30</b>			\$7,660,419,629		

Item Details(\$)		Appropriations(\$)	
First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016

## **PART 2: CAPITAL PROJECT EXPENSES**

### **§ 2-0. GENERAL CONDITIONS**

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

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

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

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

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

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

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

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

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

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

#### **F. Conditions Applicable to Bond Projects**

1. The capital projects listed in §§ 2-23 and 2-24 for the indicated agencies and institutions of higher education are hereby authorized and sums from the sources and in the amount indicated are hereby appropriated and reappropriated. The issuance of bonds in a principal amount plus amounts needed to fund issuance costs, reserve funds, and other financing expenses, including capitalized interest for any project listed in §§ 2-23 and 2-24 is hereby authorized.

2. The issuance of bonds for any project listed in § 2-23 is to be separately authorized pursuant to Article X, Section 9 (c), Constitution of Virginia.

3. The issuance of bonds for any project listed in §§ 2-23 or 2-24 shall be authorized pursuant to § 23-19, Code of Virginia.

4. In the event that the cost of any capital project listed in §§ 2-23 and 2-24 shall exceed the amount appropriated therefore, the Director, Department of Planning and Budget, is hereby authorized, upon request of the affected institution, to approve an increase in appropriation authority of not more than ten percent of the amount designated in §§ 2-23 and 2-24 for such project, from any available nongeneral fund revenues, provided that such increase shall not constitute an increase in debt issuance authorization for such capital project. Furthermore, the Director, Department of Planning and Budget, is hereby authorized to approve the expenditure of all interest earnings derived from the investment of bond proceeds in addition to the amount designated in §§ 2-23 and 2-24 for such capital project.

Item Details(\$)		Appropriations(\$)	
First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016

- 1 5. The interest on bonds to be issued for these projects may be subject to inclusion in gross income for federal income tax  
2 purposes.
- 3 6. Inclusion of a project in this act does not imply a commitment of state funds for temporary construction financing. In the absence of  
4 such commitment, the institution may be responsible for securing short-term financing and covering the costs from other sources of  
5 funds.
- 6 7. In the event that the Treasury Board determines not to finance all or any portion of any project listed in § 2-23 of this act with the  
7 issuance of bonds pursuant to Article X, Section 9 (c), Constitution of Virginia, and notwithstanding any provision of law to the  
8 contrary, this act shall constitute the approval of the General Assembly to finance all or such portion of such project under the  
9 authorization of § 2-24 of this act.
- 10 8. The General Assembly further declares and directs that, notwithstanding any other provision of law to the contrary, 50 percent of  
11 the proceeds from the sale of surplus real property pursuant to § 2.2-1147 et seq., Code of Virginia, which pertain to the general fund,  
12 and which were under the control of an institution of higher education prior to the sale, shall be deposited in a special fund set up on  
13 the books of the State Comptroller, which shall be known as the Higher Education Capital Projects Fund. Such sums shall be held in  
14 reserve, and may be used, upon appropriation, to pay debt service on bonds for the 21st Century College Program as authorized in  
15 Item C-7.10 of Chapter 924 of the Acts of Assembly of 1997.
- 16 G. Upon certification by the Director, Department of Planning and Budget, there is hereby reappropriated the appropriations  
17 unexpended at the close of the previous biennium for all authorized capital projects which meet any of the following conditions:
- 18 1. Construction is in progress.
- 19 2. Equipment purchases have been authorized by the Governor but not received.
- 20 3. Plans and specifications have been authorized by the Governor but not completed.
- 21 4. Obligations were outstanding at the end of the previous biennium.
- 22 H. The Department of Planning and Budget is hereby authorized to administratively appropriate any nongeneral fund component of  
23 any capital project authorized in Chapters 859/827 (2002), Chapters 884/854 (2002), or Chapters 887/855 (2002).
- 24 I. Alternative Financing
- 25 1. Any agency or institution of the Commonwealth that would construct, purchase, lease, or exchange a capital asset by means of an  
26 alternative financing mechanism, such as the Public Private Education Infrastructure Act, or similar statutory authority, shall provide a  
27 report to the Governor and the Chairmen of the Senate Finance and House Appropriations Committees no less than 30 days prior to  
28 entering into such alternative financing agreement. This report shall provide:
- 29 a. a description of the purpose to be achieved by the proposal;
- 30 b. a description of the financing options available, including the alternative financing, which will delineate the revenue streams or  
31 client populations pledged or encumbered by the alternative financing;
- 32 c. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the Commonwealth;
- 33 d. an analysis of the alternatives clearly setting out the advantages and disadvantages of each for the clients of the agency or  
34 institution; and
- 35 e. a recommendation and planned course of action based on this analysis.
- 36 J. Conditions Applicable to Alternative Financing
- 37 The following authorizations to construct, purchase, lease or exchange a capital asset by means of an alternative financing mechanism,  
38 such as the Public Private Education Infrastructure Act, or similar statutory authority, are continued until revoked:
- 39 1. James Madison University
- 40 a. Subject to the provisions of this act, the General Assembly authorizes James Madison University, with the approval of the  
41 Governor, to explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational  
42 related facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury  
43 Board Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.
- 44 b. The General Assembly authorizes James Madison University to enter into a written agreement with a public or private entity to  
45 design, construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities.

		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	The facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in				
2	accordance with the guidelines cited in paragraph 1 of this item. James Madison University is also authorized to enter into a written				
3	agreement with the public or private entity to lease all or a portion of the facilities.				
4	c. The General Assembly further authorizes James Madison University to enter into a written agreement with the public or private				
5	entity for the support of such parking, student housing, and/or operational related facilities by including the facilities in the University's				
6	facility inventory and managing their operation and maintenance; by assigning parking authorizations, students, and/or operations to the				
7	facility or facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise				
8	supporting the facilities consistent with law, provided that the University shall not be required to take any action that would constitute a				
9	breach of the University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of				
10	the University or the Commonwealth of Virginia.				
11	2. Longwood University				
12	a. Subject to the provisions of this act, the General Assembly authorizes Longwood University to enter into a written agreement or				
13	agreements with the Longwood University Real Estate Foundation (LUREF) for the development, design, construction and financing of				
14	student housing projects, a convocation center, parking, and operational and recreational facilities through alternative financing				
15	agreements including public-private partnerships. The facility or facilities may be located on property owned by the Commonwealth.				
16	b. Longwood is further authorized to enter into a written agreement with the LUREF for the support of such student housing,				
17	convocation center, parking, and operational and recreational facilities by including the facilities in the University's facility inventory				
18	and managing their operation and maintenance; by assigning parking authorizations, students and/or operations to the facility or				
19	facilities in preference to other University facilities; by restricting construction of competing projects; and by otherwise supporting the				
20	facilities consistent with law, provided that the University shall not be required to take any action that would constitute a breach of the				
21	University's obligations under any documents or other instruments constituting or securing bonds or other indebtedness of the				
22	University or the Commonwealth of Virginia.				
23	c. The General Assembly further authorizes Longwood University to enter into a written agreement with a public or private entity to				
24	plan, design, develop, construct, finance, manage and operate a facility or facilities to provide additional student housing and/or				
25	operational-related facilities. Longwood University is also authorized to enter into a written agreement with the public or private entity				
26	to lease all or a portion of the facilities. The State Treasurer is authorized to make Treasury loans to provide interim financing for				
27	planning, construction and other costs of any of the projects. Revenue bonds issued by or for the benefit of LUREF will provide				
28	construction and/or permanent financing.				
29	d. Longwood University is further authorized to convey fee simple title in and to one or more parcels of land to LUREF, which will				
30	develop and use the land for the purpose of developing and establishing residential housing for students and/or faculty and staff, office,				
31	retail, athletics, dining, student services, and other auxiliary activities and commercial land use in accordance with the University's				
32	Master Plan.				
33	3. Christopher Newport University				
34	a. Subject to the provisions of this act, the General Assembly authorizes Christopher Newport University to enter into, continue, extend				
35	or amend written agreements with the Christopher Newport University Educational Foundation (CNUF) or the Christopher Newport				
36	University Real Estate Foundation (CNUREF) in connection with the refinancing of certain housing and office space projects.				
37	b. Christopher Newport University is further authorized to enter into, continue, extend or amend written agreements with CNUF or				
38	CNUREF to support such facilities including agreements to (i) lease all or a portion of such facilities from CNUF or CNUREF, (ii)				
39	include such facilities in the University's building inventory, (iii) manage the operation and maintenance of the facilities, including				
40	collection of any rental fees from University students in connection with the use of such facilities, and (iv) otherwise support the				
41	activities at such facilities consistent with law, provided that the University shall not be required to take any action that would				
42	constituting a breach of the University's obligation under any documents or instruments constituting or securing bonds or other				
43	indebtedness of the University or the Commonwealth of Virginia.				
44	4. Radford University				
45	a. Subject to the provisions of this act, the General Assembly authorizes Radford University, with the approval of the Governor, to				
46	explore and evaluate an alternative financing scenario to provide additional parking, student housing, and/or operational related				
47	facilities. The project shall be consistent with the guidelines of the Department of General Services and comply with Treasury Board				
48	Guidelines issued pursuant to § 23-19(d)(4), Code of Virginia.				
49	b. The General Assembly authorizes Radford University to enter into a written agreement with a public or private entity to design,				
50	construct, and finance a facility or facilities to provide additional parking, student housing, and/or operational related facilities. The				
51	facility or facilities may be located on property owned by the Commonwealth. All project proposals and approvals shall be in				
52	accordance with the guidelines cited in paragraph 1 of this item. Radford University is also authorized to enter into a written agreement				
53	with the public or private entity to lease all or a portion of the facilities.				

Item Details(\$)		Appropriations(\$)	
First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016

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

	Item Details(\$)		Appropriations(\$)	
	First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	maintenance; by assigning parking authorizations, students and/or operations to the facility or facilities in preference to other university			
2	facilities; by restricting construction of competing projects; and by otherwise supporting the facilities consistent with law, provided that the			
3	university shall not be required to take any action that would constitute a breach of the university's obligations under any documents or			
4	other instruments constituting or securing bonds or other indebtedness of the university or the Commonwealth of Virginia.			
5	9. The following individuals, and members of their immediate family, may not engage in an alternative financing arrangement with any			
6	agency or institution of the Commonwealth, where the potential for financial gain, or other factors may cause a conflict of interest:			
7	a. A member of the agency or institution's governing body;			
8	b. Any elected or appointed official of the Commonwealth or its agencies and institutions who has, or reasonably can be assumed to			
9	have, a direct influence on the approval of the alternative financing arrangement; or			
10	c. Any elected or appointed official of a participating political subdivision, or authority who has, or reasonably can be assumed to have,			
11	a direct influence on the approval of the alternative financing arrangement.			
12	K. The budget bill submitted by the Governor shall include a synopsis of previous appropriations for capital projects from the General			
13	Assembly and authorizations by the Governor for such projects.			
14	L. Appropriations contained in this act for capital project planning shall be used as specified for each capital project and construction			
15	funding for the project shall be considered by the General Assembly after determining that (1) project cost is reasonable; (2) the project			
16	remains a highly-ranked capital priority for the Commonwealth; and (3) the project is fully justified from a space and programmatic			
17	perspective.			
18	M. Any capital project that has received a supplemental appropriation due to cost overruns must be completed within the revised budget			
19	provided. If a project requires an additional supplement, the Governor should also consider reduction in project scope or cancelling the			
20	project before requesting additional appropriations. Agencies and institutions with nongeneral funds may bear the costs of additional			
21	overruns from nongeneral funds.			
22	N. The Governor shall consider the project life cycle cost that provides the best long-term benefit to the Commonwealth when			
23	conducting capital project reviews, design and construction decisions, and project scope changes.			
24	O. The Governor shall provide the Chairmen of the Senate Finance and House Appropriations Committees an opportunity to review the			
25	six year capital improvement plan prior to the beginning of each new biennial budget cycle.			
26	P. No structure, improvement or renovation shall occur on the state property located at the Carillon in Byrd Park in the City of			
27	Richmond without the approval of the General Assembly.			
28	Q. All Agencies of the Commonwealth and Institutions of Higher Education shall provide information and/or use systems and			
29	processes in the method and format as directed by the Director, Department of General Services, on behalf of the Six-Year Capital			
30	Outlay Plan Advisory Committee, to provide necessary information for state-wide reporting. This requirement shall apply to all			
31	projects, including those funded from general and nongeneral fund sources.			
32	R. Notwithstanding any other provision of law, the following shall govern the real estate purchase and exchange agreement for Western			
33	State Hospital between the Commonwealth of Virginia and the City of Staunton. The City of Staunton shall remit the \$15 million for			
34	the property sale as follows:			
35	1) the first payment of \$5 million on October 1, 2012;			
36	2) the second payment of \$5 million on January 1, 2013; and,			
37	3) the final payment of \$5 million on April 1, 2013.			
38	Further, this item eliminates the requirement that the City of Staunton maintain a \$15 million line of credit to ensure its payment.			
39	S. Working in collaboration with the members of the Supreme Court of Virginia and the members of the Court of Appeals of Virginia,			
40	the Executive Secretary of the Supreme Court, in consultation with the Director of the Department of General Services, is directed to			
41	develop a comprehensive plan that meets the future space needs around Capitol Square of both courts, and which is acceptable to the			
42	Chief Justice of the Supreme Court of Virginia and the Chief Judge of the Court of Appeals of Virginia.			
43	<b>EXECUTIVE DEPARTMENT</b>			
44	<b>OFFICE OF ADMINISTRATION</b>			
45	C-1. Not set out.			

ITEM C-1.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	TOTAL FOR OFFICE OF ADMINISTRATION.....				\$0	\$0
2	<b>OFFICE OF AGRICULTURE AND FORESTRY</b>					
3	C-1.05	Not set out.				
4	TOTAL FOR OFFICE OF AGRICULTURE AND					
5	FORESTRY .....				\$0	\$1,821,000
6	Fund Sources: Special.....		\$0	\$1,821,000		
7	<b>OFFICE OF EDUCATION</b>					
8	C-2.	Not set out.				
9	C-3.	Not set out.				
10	C-4.	Not set out.				
11	C-4.10	Not set out.				
12	C-5.	Not set out.				
13	C-6.	Not set out.				
14	C-6.50	Not set out.				
15	C-7.	Not set out.				
16	C-7.10	Not set out.				
17	C-7.20	Not set out.				
18	C-8.	Not set out.				
19	C-8.10	Not set out.				
20	C-8.20	Not set out.				
21	C-8.30	Not set out.				
22	C-8.35	Not set out.				
23	C-8.40	Not set out.				
24	C-8.50	Not set out.				
25	C-9.	Not set out.				
26	C-10.	Not set out.				
27	C-11.	Not set out.				
28	C-12.	Not set out.				
29	C-13.	Not set out.				
30	C-13.05	Not set out.				
31	C-13.10	Not set out.				
32	C-13.20	Not set out.				
33	C-13.30	Not set out.				
34	C-14.	Not set out.				
35	C-14.10	Not set out.				
36	C-15.	Not set out.				
37	C-16.	Not set out.				

ITEM C-17.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	C-17.	Not set out.				
2	C-17.10	Not set out.				
3	C-18.	Not set out.				
4	C-19.01	Not set out.				
5	C-19.02	Not set out.				
6	C-19.03	Not set out.				
7	C-19.04	Not set out.				
8	C-19.05	Not set out.				
9	C-19.06	Not set out.				
10	C-19.10	Not set out.				
11	C-20.	Omitted.				
12	C-20.10	Not set out.				
13	C-20.20	Not set out.				
14	C-21.	Not set out.				
15	TOTAL FOR OFFICE OF EDUCATION.....				\$490,331,705	\$182,850,351
16	Fund Sources: General.....		\$0	\$8,438,013		
17	Special.....		\$0	\$190,000		
18	Higher Education Operating.....		\$44,794,000	\$51,322,338		
19	Bond Proceeds.....		\$445,537,705	\$122,900,000		
20	OFFICE OF HEALTH AND HUMAN RESOURCES					
21	C-21.05	Omitted.				
22	TOTAL FOR OFFICE OF HEALTH AND HUMAN					
23	RESOURCES.....				\$0	\$0
24	OFFICE OF NATURAL RESOURCES					
25	C-22.	Not set out.				
26	C-23.	Not set out.				
27	C-24.	Not set out.				
28	C-25.	Not set out.				
29	C-25.10	Not set out.				
30	C-25.20	Not set out.				
31	C-25.30	Not set out.				
32	C-25.40	Not set out.				
33	C-25.50	Not set out.				
34	TOTAL FOR OFFICE OF NATURAL					
35	RESOURCES.....				\$4,080,000	\$8,122,463
36	Fund Sources: General.....		\$0	\$3,130,463		
37	Special.....		\$0	\$2,242,000		
38	Dedicated Special Revenue.....		\$2,196,522	\$1,864,022		



ITEM C-25.50.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Federal Trust.....	\$1,883,478	\$885,978		
2	<b>OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY</b>				
3	C-26. Not set out.				
4	C-26.10 Not set out.				
5	C-26.20 Not set out.				
6	<b>§ 2-1. DEPARTMENT OF MILITARY AFFAIRS (123)</b>				
7	C-27. Not set out.				
8	C-28. Not set out.				
9	C-29. Not set out.				
10	C-30. Omitted.				
11	C-30.10 Not set out.				
12	C-30.20 Not set out.				
13	Total for Department of Military Affairs.....			<b>\$3,821,000</b>	<b>\$39,548,400</b>
14	Fund Sources: Special.....	\$0	\$25,000		
15	Federal Trust.....	\$3,821,000	\$39,523,400		
16	C-31. Not set out.				
17	TOTAL FOR OFFICE OF PUBLIC SAFETY				
18	AND HOMELAND SECURITY.....			<b>\$14,321,000</b>	<b>\$39,548,400</b>
19	Fund Sources: Special.....	\$1,500,000	\$25,000		
20	Federal Trust.....	\$3,821,000	\$39,523,400		
21	Bond Proceeds.....	\$9,000,000	\$0		
22	<b>OFFICE OF VETERANS AND DEFENSE AFFAIRS</b>				
23	C-32. Not set out.				
24	C-32.05 Not set out.				
25	TOTAL FOR OFFICE OF VETERANS AND				
26	DEFENSE AFFAIRS.....			<b>\$561,539</b>	<b>\$561,539</b>
27	Fund Sources: Special.....	\$161,539	\$161,539		
28	Federal Trust.....	\$400,000	\$400,000		
29	<b>OFFICE OF TRANSPORTATION</b>				
30	C-33. Not set out.				
31	C-34. Not set out.				
32	C-34.10 Not set out.				
33	C-35. Not set out.				
34	C-36. Not set out.				
35	C-37. Not set out.				
36	<b>§ 2-2. VIRGINIA PORT AUTHORITY (407)</b>				
37	C-38. Omitted.				

ITEM C-39.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	C-39.	Omitted.				
2	C-40.	Not set out.				
3	C-40.10	Not set out.				
4	C-40.20	Not set out.				
5		Total for Virginia Port Authority.....			\$37,000,000	\$0
6		Fund Sources: Special.....	\$37,000,000	\$0		
7		TOTAL FOR OFFICE OF TRANSPORTATION.....			\$77,891,817	\$41,787,683
8		Fund Sources: Special.....	\$37,000,000	\$0		
9		Commonwealth Transportation.....	\$40,891,817	\$41,787,683		
10		<b>CENTRAL APPROPRIATIONS</b>				
11		<b>§ 2-3. CENTRAL CAPITAL OUTLAY (949)</b>				
12	C-41.	Central Maintenance Reserve (15776).....			\$75,200,000	<del>\$84,500,000</del>
13						\$86,000,000
14		Fund Sources: General.....	\$200,000	<del>\$9,500,000</del>		
15				\$11,000,000		
16		Bond Proceeds.....	\$75,000,000	\$75,000,000		
17		A.1. A total of \$75,000,000 the first year and \$75,000,000 the second year is hereby				
18		authorized for issuance by the Virginia Public Building Authority pursuant to § 2.2-2263				
19		Code of Virginia, and/or the Virginia College Building Authority pursuant to § 23-30.24 et				
20		seq., Code of Virginia, for capital costs of maintenance reserve projects.				
21		2. Out of this appropriation <del>\$9,500,000</del> \$11,000,000 the second year from the general fund is				
22		designated for capital costs of maintenance reserve projects.				
23		B. The proceeds of such bonds previously authorized in paragraph A.1. and the general fund				
24		provided from paragraph A.2. are hereby appropriated for the capital costs of the following				
25		maintenance reserve projects:				
26		<b>Agency Name/Code</b>	<b>Project Code</b>	<b>FY 2015</b>	<b>FY 2016</b>	
27		Department of Military Affairs	10893	\$626,652	\$666,528	
28		(123)				
29		Department of Emergency	15989	\$100,000	\$100,000	
30		Management (127)				
31		The Science Museum of Virginia	13634	\$404,353	\$633,655	
32		(146)				
33		Department of State Police (156)	10886	\$313,964	\$537,514	
34		Department of General Services	14260	\$5,450,537	<del>\$6,577,729</del>	
35		(194)			\$8,077,729	
36		Department of Conservation and	16646	\$2,285,849	\$2,431,305	
37		Recreation (199)				
38		The Library of Virginia (202)	17423	\$100,000	\$167,857	
39		Woodrow Wilson Rehabilitation	10885	\$381,197	\$473,311	
40		Center (203)				
41		The College of William and Mary	12713	\$1,948,551	\$2,072,544	
42		(204)				
43		University of Virginia (207)	12704	\$7,231,247	\$7,691,395	
44		Virginia Polytechnic Institute and	12707	\$8,021,374	\$8,531,800	
45		State University (208)				
46		Virginia Military Institute (211)	12732	\$1,146,150	\$1,219,083	
47		Virginia State University (212)	12733	\$2,858,055	\$3,039,923	

ITEM C-41.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Norfolk State University (213)	12724		\$3,065,618		\$3,260,693
2	Longwood University (214)	12722		\$1,105,456		\$1,175,800
3	University of Mary Washington	12723		\$723,046		\$1,108,341
4	(215)					
5	James Madison University (216)	12718		\$2,830,846		\$3,010,983
6	Radford University (217)	12731		\$1,272,534		\$1,353,509
7	Virginia School for the Deaf and	14082		\$230,604		\$380,992
8	Blind (218)					
9	Old Dominion University (221)	12710		\$1,952,035		\$2,076,249
10	Virginia Commonwealth	12708		\$3,326,873		\$3,538,573
11	University (236)					
12	Virginia Museum of Fine Arts	13633		\$673,496		\$716,353
13	(238)					
14	Frontier Culture Museum of	15045		\$362,633		\$521,423
15	Virginia (239)					
16	Richard Bland College (241)	12716		\$112,928		\$391,543
17	Christopher Newport University	12719		\$479,371		\$577,732
18	(242)					
19	University of Virginia's College	12706		\$259,728		\$445,898
20	at Wise (246)					
21	George Mason University (247)	12712		\$3,200,463		\$3,404,119
22	Virginia Community College	12611		\$6,046,516		\$6,431,276
23	System (260)					
24	Virginia Institute of Marine	12331		\$286,612		\$508,422
25	Science (268)					
26	Eastern Virginia Medical School	18190		\$0		\$318,929
27	(274)					
28	Department of Agriculture and	12253		\$332,386		\$353,537
29	Consumer Services (301)					
30	Marine Resources Commission	16498		\$100,000		\$100,000
31	(402)					
32	Department of Mines, Minerals,	13096		\$100,000		\$100,000
33	and Energy (409)					
34	Department of Forestry (411)	13986		\$321,572		\$342,035
35	Gunston Hall (417)	12382		\$100,000		\$167,857
36	Jamestown-Yorktown	13605		\$1,377,273		\$1,600,628
37	Foundation (425)					
38	Department for the Blind and	13942		\$210,555		\$359,668
39	Vision Impaired (702)					
40	Department of Behavioral Health	10880		\$4,413,719		\$4,694,578
41	and Developmental Services					
42	(720)					
43	Department of Juvenile Justice	15081		\$827,786		\$880,461
44	(777)					
45	Department of Forensic Science	16320		\$278,282		\$431,705
46	(778)					
47	Department of Corrections (799)	10887		\$9,156,497		\$9,739,155
48	Institute for Advanced Learning	18044		\$100,000		\$303,571
49	and Research (885)					
50	Department of Veterans Services	17073		\$249,315		\$400,894
51	(912)					
52	Innovation and Entrepreneurship	17943		\$100,000		\$100,000
53	Investment Authority (934)					
54	Roanoke Higher Education	17916		\$135,927		\$348,148
55	Center (935)					

ITEM C-41.			Item Details(\$)		Appropriations(\$)	
			First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Southern Virginia Higher	18131		\$100,000		\$303,571
2	Education Center (937)					
3	New College Institute (938)	18132		\$100,000		\$303,571
4	Virginia Museum of Natural	14439		\$100,000		\$303,571
5	History (942)					
6	Southwest Virginia Higher	16499		\$100,000		\$303,571
7	Education Center (948)					
8	<b>Total</b>			<b>\$75,000,000</b>		<b>\$84,500,000</b>
9						<b>\$86,000,000</b>
10	C. Expenditures for amounts appropriated in this Item are subject to conditions defined in §2-					
11	0 E of this act.					
12	D. Agencies and institutions of higher education may use maintenance reserve funds to					
13	finance the following capital costs: to repair or replace damaged or inoperable equipment,					
14	components of plant, and utility systems; to correct deficiencies in property and plant required					
15	to conform with building and safety codes or those associated with hazardous condition					
16	corrections, including asbestos abatement; to correct deficiencies in fire protection, energy					
17	conservation and handicapped access; and to address such other physical plant deficiencies as					
18	the Director, Department of Planning and Budget may approve. Agencies and institutions of					
19	higher education may also use maintenance reserve funds to make other necessary					
20	improvements that do not meet the criteria for maintenance reserve funding with the prior					
21	approval of the Director, Department of Planning and Budget.					
22	E. 1. The Department of General Services is authorized to use these funds from its					
23	maintenance reserve allocation for necessary repairs and improvements in and around Capitol					
24	Square for items such as repair and conservation of the historic fence, repair and					
25	improvements to the grounds, upkeep and ongoing repairs to the exterior of the Capitol and					
26	Bell Tower, and conservation and maintenance of monuments and statues. The use of and					
27	allocation of these funds shall be as deemed appropriate by the Director, Department of					
28	General Services.					
29	2. A total of \$200,000 the first year from the general fund is hereby authorized for the					
30	planning and other costs associated with the construction of permanent monuments for the					
31	Women's Monument Commission and the Virginia Indian Commemorative Commission.					
32	3. The Department of General Services shall provide support to both groups in implementing					
33	this project, as provided for in paragraph E.2.					
34	4. The Commissions and the Department of General Services shall report quarterly to the					
35	General Assembly on the progress made on site selection, project design, projected costs, and					
36	project finances associated with these monuments as specified in paragraph E.2.					
37	5. A total of \$1,500,000 the second year from the general fund is authorized for maintenance					
38	and repair of monuments and commorative facilities.					
39	F.1. The Jamestown-Yorktown Foundation may use an amount not to exceed 20 percent of its					
40	annual maintenance reserve allocation from this item for the conservation of art and artifacts.					
41	2. The Virginia Museum of Fine Arts may use an amount not to exceed 20 percent of its					
42	annual maintenance reserve allocation from this item for the conservation of art works owned					
43	by the Museum.					
44	G. The Department of Corrections may use a portion of its annual maintenance reserve					
45	allocation to make modifications to correctional facilities needed to enable the agency to meet					
46	the requirements of the federal Prison Rape Elimination Act.					
47	H. The Department of Conservation and Recreation shall give priority in the use of					
48	maintenance reserve funds for roof replacements, or other improvements, to help preserve					
49	historic buildings at Walnut Valley Farms, located at Chippokes Plantation State Park, with an					
50	estimated cost of \$200,000. The historic buildings consist of a 1785 farmhouse, summer					
51	kitchen, and slave quarters. It is the intent that the buildings be preserved and protected from					
52	further decay, to the extent possible, until planning, and building restorations can be initiated.					

ITEM C-41.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	Item C-44 in this act contains funds for detailed planning.				
2	I. The Frontier Culture Museum may use its maintenance reserve allocation to pave the				
3	loop roads, paths, and parking lots, repair and replace restroom facilities, improve public				
4	entrance accessibility, and improve the grounds at the museum.				
5	J. 1. Any balances remaining from the maintenance reserve allocation identified in this				
6	item for the Jamestown-Yorktown Foundation shall not revert to the general fund at the				
7	end of the fiscal year, but shall be brought forward and made available to the Jamestown-				
8	Yorktown Foundation for the purposes of the maintenance reserve program in the				
9	subsequent fiscal year.				
10	2. Any balances remaining from the maintenance reserve allocation identified in this item				
11	for the Virginia Museum of Fine Art shall not revert to the general fund at the end of the				
12	fiscal year, but shall be brought forward and made available to the Virginia Museum of				
13	Fine Art for the purposes of the maintenance reserve program in the subsequent fiscal				
14	year.				
15	K. The Jamestown-Yorktown Foundation may utilize its annual maintenance reserve				
16	allocation to restore, repair or renew exhibits.				
17	L. The Department of Corrections may use up to \$1,500,000 of its annual maintenance				
18	reserve allocation to retrofit the correctional facility in Culpeper County that has been				
19	used in the past by the Department of Juvenile Justice to house juvenile defenders, but				
20	will, effective July 1, 2014, be used to house adult offenders.				
21	C-42. Not set out.				
22	C-43. Not set out.				
23	C-44. Not set out.				
24	C-45. Not set out.				
25	C-46. Omitted.				
26	C-46.10 Not set out.				
27	C-46.15 Not set out.				
28	C-46.20 Not set out.				
29	C-46.30 Omitted.				
30	Total for Central Capital Outlay.....			<b>\$354,098,381</b>	<b>\$255,558,000</b>
31					<b>\$257,058,000</b>
32	Fund Sources: General.....	\$200,000	<del>\$129,850,000</del>		
33			<del>\$131,350,000</del>		
34	Trust and Agency.....	\$400,000	\$0		
35	Dedicated Special Revenue.....	\$13,276,000	\$0		
36	Federal Trust.....	\$1,885,500	\$0		
37	Bond Proceeds.....	\$338,336,881	\$125,708,000		
38	C-47. Not set out.				
39	C-48. Not set out.				
40	TOTAL FOR CENTRAL APPROPRIATIONS.....			<b>\$354,098,381</b>	<b>\$255,558,000</b>
41					<b>\$257,058,000</b>
42	Fund Sources: General.....	\$200,000	<del>\$129,850,000</del>		
43			<del>\$131,350,000</del>		
44	Trust and Agency.....	\$400,000	\$0		
45	Dedicated Special Revenue.....	\$13,276,000	\$0		
46	Federal Trust.....	\$1,885,500	\$0		
47	Bond Proceeds.....	\$338,336,881	\$125,708,000		

ITEM C-48.		Item Details(\$)		Appropriations(\$)	
		First Year FY2015	Second Year FY2016	First Year FY2015	Second Year FY2016
1	TOTAL FOR PART 2: CAPITAL PROJECT				
2	EXPENSES.....			\$941,284,442	<del>\$530,249,436</del>
3					\$531,749,436
4	Fund Sources: General.....	\$200,000	\$141,418,476		
5			\$142,918,476		
6	Special.....	\$38,661,539	\$4,439,539		
7	Higher Education Operating.....	\$44,794,000	\$51,322,338		
8	Commonwealth Transportation.....	\$40,891,817	\$41,787,683		
9	Trust and Agency.....	\$400,000	\$0		
10	Dedicated Special Revenue.....	\$15,472,522	\$1,864,022		
11	Federal Trust.....	\$7,989,978	\$40,809,378		
12	Bond Proceeds.....	\$792,874,586	\$248,608,000		

**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.

	<b>FY 2015</b>	<b>FY 2016</b>
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)	\$30,757	<del>\$30,757</del> \$20,971
For collection by Department of Taxation		
3. Peanut Fund (§3.2-1906, Code of Virginia)	\$2,646	<del>\$2,646</del> \$2,539
4. For collection by Department of Taxation		
a) Aircraft Sales & Use Tax (§ 58.1-1509, Code of Virginia)	\$86,913	<del>\$86,913</del> \$43,980
b) Soft Drink Excise Tax	\$2,935	<del>\$2,935</del> \$1,875
c) Virginia Litter Tax	\$12,748	<del>\$12,748</del> \$8,151
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	\$34,500	\$34,500
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
<b>TOTAL</b>	<b>\$74,972,973</b>	<b><del>\$74,972,973</del> \$74,914,490</b>

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 \$83,300,000 the first year and \$80,200,000 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.

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 be in violation of any federal statute or regulation, or Virginia constitutional requirement, the State Comptroller is hereby directed to reverse such transfer and to return such funds to the affected nongeneral fund account.

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

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

154	Department of Motor Vehicles	\$7,416,469	\$7,416,469
-----	------------------------------	-------------	-------------

D. The provisions of Chapter 6 of Title 58.1, Code of Virginia notwithstanding, the State Comptroller shall transfer to the general fund from the special fund titled "Collections of Local Sales Taxes" a proportionate share of the costs attributable to increased local sales and use tax compliance efforts, the Property Tax Unit, and State Land Evaluation Advisory Committee (SLEAC) services by the Department of Taxation estimated at \$5,540,285 the first year and ~~\$5,540,285~~ \$5,511,428 the second year.

E. The State Comptroller shall transfer to the general fund from the Transportation Trust Fund a proportionate share of the costs attributable to increased sales and use tax compliance efforts and revenue forecasting for the Transportation Trust Fund by the Department of Taxation estimated at \$2,765,777 the first year and ~~\$2,765,777~~ \$2,783,614 the second year.

F. On or before June 30 of each year, the State Comptroller shall transfer \$6,233,551 the first year and \$6,116,866 the second year to the general fund the following amounts from the agencies and fund sources listed below, for expenses incurred by central service agencies:

Agency Name	Fund Group	FY 2015	FY 2016
Department of Forestry (411)	0200	\$24,698	\$7,574
Board of Accountancy (226)	0900	\$6,828	\$4,810
Department of Labor and Industry (181)	0200	\$3,392	\$0
Tobacco Indemnification and Community Revitalization Commission (851)	0900	\$81,802	\$0
Virginia Museum of Fine Arts (238)	0200	\$8,561	\$23,816
Southwest Virginia Higher Education Center (948)	0200	\$23,778	\$21,582
Department for the Deaf and Hard-Of- Hearing (751)	0200	\$15,730	\$16,552
Department of Health Professions (223)	0900	\$41,588	\$0
Department of Behavioral Health and Developmental Services (720)	0200	\$0	\$55,173
Department of Behavioral Health and Developmental Services (720)	0900	\$1,214	\$0
Department for Aging and Rehabilitative Services (262)	0200	\$62,397	\$43,316
Department for Aging and Rehabilitative Services (262)	0900	\$7,896	\$0
Department of Conservation and Recreation (199)	0200	\$90,143	\$108,837
Department of Game and Inland Fisheries (403)	0900	\$627,000	\$696,215
Marine Resources Commission (402)	0200	\$23,833	\$4,373
Department of Criminal Justice Services (140)	0200	\$58,422	\$56,643
Department of Fire Programs (960)	0200	\$14,376	\$12,856
Department of Aviation (841)	0400	\$72,030	\$68,030



1	Department of Motor Vehicles (154)	0400	\$1,034,919	\$0
2	Department of Rail and Public	0400	\$488,769	\$537,977
3	Transportation (505)			
4	Department of Transportation (501)	0400	\$3,028,317	\$3,849,441
5	Motor Vehicle Dealer Board (506)	0200	\$4,312	\$6,448
6	Virginia Port Authority (407)	0200	\$124,297	\$140,436
7	Virginia Port Authority (407)	0400	\$52,693	\$47,742
8	Virginia College Savings Plan (174)	0500	\$336,556	\$415,045
9			<b>\$6,233,551</b>	<b>\$6,116,866</b>

10 G.1. The State Comptroller shall transfer to the Lottery Proceeds Fund established pursuant to § 58.1-4022.1, Code of Virginia,  
 11 an amount estimated at \$557,555,450 the first year and ~~\$531,667,925~~ \$538,955,547 the second year, from the Virginia Lottery  
 12 Fund. The transfer each year shall be made in two parts: (1) on or before January 1 of each year, the State Comptroller shall  
 13 transfer the balance of the Virginia Lottery Fund for the first five months of the fiscal year and (2) thereafter, the transfer will  
 14 be made on a monthly basis. Prior to June 20 of each year, the Virginia Lottery Director shall estimate the amount of profits in  
 15 the Virginia Lottery Fund for the month of June and shall notify the State Comptroller so that the estimated profits can be  
 16 transferred to the Lottery Proceeds Fund prior to June 22.

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

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

29 2.a. The State Treasurer is authorized to charge institutions of higher education participating in the pooled bond program of the  
 30 Virginia College Building Authority an administrative fee of up to 10 basis points of the amount financed for each project in  
 31 addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected from the public  
 32 institutions of higher education, which are estimated to generate \$100,000 the first year and \$100,000 the second year, shall be  
 33 paid into the general fund of the state treasury.

34 3. The State Treasurer is authorized to charge agencies, institutions and all other entities that utilize alternative financing  
 35 structures and require Treasury Board approval, including capital lease arrangements, up to 10 basis points of the amount  
 36 financed in addition to a share of direct costs of issuance as determined by the State Treasurer. Such amounts collected shall be  
 37 paid into the general fund of the state treasury.

38 4. The State Treasurer is authorized to charge projects financed under Article X, Section 9(c) of the Constitution of Virginia, an  
 39 administrative fee of up to 10 basis points of the amount financed for each project in addition to a share of direct costs of  
 40 issuance as determined by the State Treasurer. Such amounts collected are estimated to generate \$50,000 the first year and  
 41 \$50,000 the second year, and shall be paid into the general fund of the state treasury.

42 I. The State Comptroller shall transfer to the general fund of the state treasury 50 percent of the annual reimbursement received  
 43 from the Manville Property Damage Settlement Trust for the cost of asbestos abatement at state-owned facilities. The balance  
 44 of the reimbursement shall be transferred to the state agencies that incurred the expense of the asbestos abatement.

45 J. The State Comptroller shall transfer to the general fund from the Revenue Stabilization Fund in the state treasury any  
 46 amounts in excess of the limitation specified in § 2.2-1829, Code of Virginia.

47 K.1. Not later than 30 days after the close of each quarter during the biennium, the State Comptroller shall transfer,  
 48 notwithstanding the allotment specified in § 58.1-1410, Code of Virginia, funds collected pursuant to § 58.1-1402, Code of  
 49 Virginia, from the general fund to the Game Protection Fund. This transfer shall not exceed \$1,700,000 the first year and  
 50 ~~\$2,000,000~~ \$4,700,000 the second year.

51 2. Notwithstanding the provisions of subparagraph K.1. above, the Governor may, at his discretion, direct the State Comptroller  
 52 to transfer to the Game Protection Fund, any funds collected pursuant to § 58.1-1402, Code of Virginia, that are in excess of the  
 53 official revenue forecast for such collections.

- 1 L.1. On or before June 30 each year, the State Comptroller shall transfer from the general fund to the Family Access to Medical  
2 Insurance Security Plan Trust Fund the amount required by § 32.1-352, Code of Virginia. This transfer shall not exceed \$14,065,627  
3 the first year and \$14,065,627 the second year. The State Comptroller shall transfer 90 percent of the yearly estimated amounts to  
4 the Trust Fund on July 15 of each year.
- 5 2. Notwithstanding any other provision of law, interest earnings shall not be allocated to the Family Access to Medical Insurance  
6 Security Plan Trust Fund (agency code 602, fund detail 0903) in either the first year or the second year of the biennium.
- 7 M. Not later than thirty days after the close of each quarter during the biennium, the State Comptroller shall transfer to the Game  
8 Protection Fund the general fund revenues collected pursuant to § 58.1-638 E, Code of Virginia. Notwithstanding § 58.1-638 E, this  
9 transfer shall not exceed \$8,270,640 the first year and \$8,000,000 the second year.
- 10 N.1. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Indemnification and Community  
11 Revitalization Fund to the general fund an amount estimated at \$244,268 the first year and \$244,268 the second year. This amount  
12 represents the Tobacco Indemnification and Community Revitalization Commission's 50 percent proportional share of the Office of  
13 the Attorney General's expenses related to the enforcement of the 1998 Tobacco Master Settlement Agreement and § 3.2-4201, Code  
14 of Virginia.
- 15 2. On or before June 30 each year, the State Comptroller shall transfer from the Tobacco Settlement Fund to the general fund an  
16 amount estimated at \$48,854 the first year and \$48,854 the second year. This amount represents the Tobacco Settlement  
17 Foundation's ten percent proportional share of the Office of the Attorney General's expenses related to the enforcement of the 1998  
18 Tobacco Master Settlement Agreement and § 3.2-4201, Code of Virginia.
- 19 O. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$4,589,914 the first year and \$5,089,914  
20 the second year from the Court Debt Collection Program Fund at the Department of Taxation.
- 21 P. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$8,900,000 the first year and \$7,400,000  
22 the second year from the Department of Motor Vehicles' Uninsured Motorists Fund. These amounts shall be from the share that  
23 would otherwise have been transferred to the State Corporation Commission.
- 24 Q. On or before June 30 each year, the State Comptroller shall transfer an amount estimated at \$6,500,000 the first year and an  
25 amount estimated at \$6,500,000 the second year to the general fund from the Intensified Drug Enforcement Jurisdictions Fund at the  
26 Department of Criminal Justice Services.
- 27 R. The Department of Alcoholic Beverage Control shall sell the building in which the Alexandria Regional office is currently  
28 located. Notwithstanding the provisions of §2.2-1156, Code of Virginia, all the proceeds from the sale of such property, estimated to  
29 be \$12,500,000, shall be deposited into the general fund no later than June 30, 2015.
- 30 S. On or before June 30 each year, the State Comptroller shall transfer to the general fund \$1,901,785 the first year and \$2,464,585  
31 the second year from operating efficiencies to be implemented by the Department of Alcoholic Beverage Control.
- 32 T. The State Comptroller shall transfer quarterly, one-half of the revenue received pursuant to § 18.2-270.01, of the Code of  
33 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 the  
34 first year, and \$9,055,000 the second year from the Trauma Center Fund contained in the Department of Health's Financial  
35 Assistance for Non Profit Emergency Medical Services Organizations and Localities (40203).
- 36 U. On or before June 30 each year, the State Comptroller shall transfer \$600,000 the first year and \$600,000 the second year to the  
37 general fund from the Land Preservation Fund (Fund 0216) at the Department of Taxation.
- 38 V. Unless prohibited by federal law or regulation or by the Constitution of Virginia and notwithstanding any contrary provision of  
39 state law, on June 30 of each fiscal year, the State Comptroller shall transfer to the general fund of the state treasury the cash balance  
40 from any nongeneral fund account that has a cash balance of less than \$100. This provision shall not apply to institutions of higher  
41 education, bond proceeds, or trust accounts. The State Comptroller shall consult with the Director of the Department of Planning and  
42 Budget in implementing this provision and, for just cause, shall have discretion to exclude certain balances from this transfer or to  
43 restore certain balances that have been transferred.
- 44 W.1. The Brunswick Correctional Center operated by the Department of Corrections shall be sold. ~~The estimated amount of the~~  
45 ~~proceeds to be received is \$20,000,000.~~ The Commonwealth may enter into negotiations with (1) the Virginia Tobacco  
46 Indemnification and Community Revitalization Commission, (2) regional local governments, and (3) regional industrial  
47 development authorities for the purchase of this property as an economic development site.
- 48 2. Notwithstanding the provisions of § 2.2.-1156, Code of Virginia or any other provisions of law, ~~up to \$10,000,000 from the~~  
49 ~~proceeds of the sale of the Brunswick Correctional Center shall be paid into the general fund and any amount above \$10,000,000~~  
50 ~~shall be paid into the Federal Action Contingency Trust (FACT) Fund contained in Central Appropriations. Any proceeds deposited~~  
51 ~~into the Federal Action Contingency Trust (FACT) Fund pursuant to this paragraph are hereby appropriated.~~
- 52 X. On or before June 30 each year the State Comptroller shall transfer all amounts collected for the fund created pursuant to § 17.1-

275.12 of the Code of Virginia, to Items 339, 389, and 414 of this act, for the purposes enumerated in Section 17.1-275.12.

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

Z. The provisions of Chapter 6.2, Title 58.1, Code of Virginia, notwithstanding, on or before June 30 each year the State Comptroller shall transfer to the general fund from the proceeds of the Virginia Communications Sales and Use Tax (fund 0926), the Department of Taxation's indirect costs of administering this tax estimated at \$127,864 the first year and ~~\$127,864~~ \$134,894 the second year.

AA. Any amount designated by the State Comptroller from the June 30, 2014, or June 30, 2015, general fund balance for transportation pursuant to § 2.2-1514B., Code of Virginia, is hereby appropriated.

BB. The State Comptroller shall transfer balances from the Foundation for Virginia's Natural Resources Trust Fund to the Virginia Land Conservation Fund to promote environmental education, pollution prevention, and citizen monitoring by fostering and supporting collaborative efforts among businesses, citizens, communities, local governments, and state agencies.

CC. The Department of General Services, with the cooperation and support of the Department of Behavioral Health and Developmental Services, is authorized to sell to Virginia Electric and Power Company, a Virginia corporation d/b/a Dominion Virginia Power, for such consideration as the Governor may approve, a parcel of land containing approximately 15 acres along the northern property line of Southside Virginia Training Center. After deduction of the expenses incurred by the Department of General Services in the sale of the property, the proceeds of the sale shall be deposited to the Behavioral Health and Developmental Services Trust Fund established pursuant to § 37.2-318, Code of Virginia. Any conveyance shall be approved by the Governor or his designee in the manner set forth in § 2.2-1150, Code of Virginia.

DD. On or before June 30, 2015, and June 30, 2016, the State Comptroller shall transfer amounts estimated at \$5,000,000 the first year and \$3,000,000 the second year to the general fund from unobligated nongeneral fund balances at the State Corporation Commission.

EE. On or before June 30 of each year, the State Comptroller shall transfer an additional \$439,180 to the general fund from the fees generated by the Firearms Transaction Program.

FF. The State Comptroller shall transfer in the second year \$18,000,000 in nongeneral fund cash to the Virginia Retirement System, to be managed by VRS for the benefit of the Commonwealth's Attorneys Services Council, pursuant to Senate Bill 1360 and House Bill 2222 of the 2015 General Assembly.

GG.1. On or before June 30 the first year, the State Comptroller shall transfer to the general fund \$31,070,647 from the Transportation Trust Fund, an amount equivalent to the unexpended balances remaining from the 2007 Transportation Initiative authorized in Chapter 847, 2007 Acts of Assembly.

HH. Notwithstanding the provisions of § 10.1-2128.1 of the Code of Virginia, on or before June 30 each year, the State Comptroller shall transfer to the general fund amounts estimated at \$1,000,000 the first year and \$1,000,000 the second year, from the nongeneral funds deposited into the Natural Resources Commitment Fund as provided for in Item 357 D.2.

II. On or before June 30, 2015, the State Comptroller shall transfer to the general fund an amount estimated at \$950,000 from Special Fund balances of the Commission on the Virginia Alcohol Safety Action Program.

JJ.1. As required by §4-1.05 b of Chapter 3, 2014 Special Session I, \$105,062 in various inactive nongeneral fund accounts were reverted by the State Comptroller to the general fund in the first year *and \$66,111 were reverted in the second year.*

2. On or before June 30, 2015, the State Comptroller shall restore \$7,500 to the Public-Private Education Act Fund (Fund 0275) in George Mason University, pursuant to Section 4-1.05 b. of this act.

KK. On or before June 30 each year, the State Comptroller shall transfer amounts estimated at \$1,600,000 the first year and \$300,000 the second year to the general fund from the Vehicle Emissions Inspection Program Fund (Fund 0919) at the Department of Environmental Quality.

LL. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$300,000 from the Department of General Services' State Surplus Property Suspense Fund (0260) to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

MM. On or before June 30 each year, the State Comptroller shall transfer amounts estimated at \$240,160 the first year and \$240,160 the second year to the general fund from Fund 0200 in the Department of Agriculture and Consumer Services.

NN. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$4,518,234 from the Virginia Information Technologies Agency's internal service fund (0600) to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

OO. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$663,799 from the Department of General Services' State Surplus Property Program Fund (0603) to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

PP. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$1,729,626 from the Department of General Services' Fleet Management Fund (0610) to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

QQ. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$3,116,527 from the Department of General Services' eVA Procurement Program Fund (0505) to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

RR. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$247,117 from the Training and Forms Recovery Fund (Fund 0202) at the Department of Human Resource Management to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

SS. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$91,179 from the Employee Dispute Resolution Services Fund (Fund 0250) at the Department of Human Resource Management to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

TT. On or before June 30, 2015, the State Comptroller shall transfer an amount estimated at \$507,787 from the Workers' Compensation Funding Account (Fund 0711) at the Department of Human Resource Management to the general fund. Out of this amount, the Comptroller shall transfer into the Federal Repayment Reserve Fund an amount estimated to be sufficient to pay the federal government in anticipation of a federal repayment resulting from this transfer. The State Comptroller shall notify the Director, Department of Planning and Budget of the final federal repayment transfer amount prior to making the transfer into the Federal Repayment Reserve Fund.

UU.1. On or before June 30, 2015 the State Comptroller shall transfer \$1,763,697 from the Department of Human Resource Management's Special Fund (Fund 0200) to the State Health Insurance Fund (Fund 0620).

2. On or before June 30, 2015 the State Comptroller shall transfer \$10,979,143 from the Administration of Health Insurance's Health Insurance Fund – State Restricted (Fund 0621) to the State Health Insurance Fund (Fund 0620)

3. On or before June 30, 2016, the State Comptroller shall transfer to the State Health Insurance Fund (Fund 0620) the balance from the Special Fund (Fund 0200) at the Department of Human Resource Management. The balance in the Department of Human Resource's Special Fund represents a portion of the payments deposited into the State Health Insurance Fund used to pay the state health insurance program's administrative expenses.

VV. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds; ~~estimated at \$20,000,000;~~ from the sale of the following properties currently owned by the Department of Corrections shall be deposited into the general fund no later than June 30, 2016: Pulaski Correctional Center; ~~Botetourt Correctional Center;~~ and White Post Detention and Diversion Center.

WW. Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at \$50,000, from the sale by the Department of State Police of the airplane based in Richmond, Virginia, shall be deposited into the general fund no later than June 30, 2015.

XX.1. The Department of Agriculture and Consumer Services is authorized to sell the Southwest Virginia Farmers' Market, located at 497 Farmers Market Drive, Hillsville, Virginia 24343. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the

proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. Any proceeds that remain after the implementation of such remediation options shall be deposited to the general fund no later than June 30, 2015.

2. The Department of Agriculture and Consumer Services is authorized to sell the Warrenton office building located at 234 West Shirley Avenue, Warrenton, Virginia 22186. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. Any proceeds that remain after the implementation of such remediation options shall be deposited to the general fund no later than June 30, 2015.

3. The Department of Agriculture and Consumer Services is authorized to sell the Northern Neck of Virginia Farmers Market, located at 1647 Kings Highway, Oak Grove, Virginia, 22443. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, the proceeds from the sale shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. Any proceeds that remain after the implementation of such remediation options shall be deposited to the general fund no later than June 30, 2015.

YY. The Department of Forestry is authorized to sell property located at 8818 Courthouse Road, Spotsylvania, Virginia. Notwithstanding the provisions of Section 2.2-1156, Code of Virginia, the proceeds, estimated at \$177,146, shall first be applied toward remediation options under federal tax law of any outstanding tax-exempt bonds on the property. Any proceeds that remain after the implementation of such remediation options shall be deposited to the general fund no later than June 30, 2015.

ZZ.1. On or before June 30 of each year, the State Comptroller shall transfer amounts estimated at \$33,195,521 the first year and \$2,075,000 the second year from the agencies and fund sources listed below to the general fund of the state treasury.

	Fund	FY 2015	FY 2016
<b>Compensation Board (157)</b>			
Capture unspent nongeneral funding	0708	\$30,068	\$0
<b>Department of General Services (194)</b>			
Revert excess nongeneral fund program balances	0261	\$246,043	\$0
Revert excess nongeneral fund program balances	0502	\$347,781	\$0
Revert Office Depot rebate funds	0700	\$159,262	\$0
<b>Department of Agriculture and Consumer Services (301)</b>			
Transfer Beehive Grant Fund balance to the general fund	0215	\$77,000	\$0
Transfer Fire Safe Cigarette Fund balance to the general fund	0933	\$215,000	\$0
<b>Department of Forestry (411)</b>			
Transfer one-time nongeneral fund cash to the general fund	0212	\$3,000	\$0
<b>Department of Housing and Community Development (165)</b>			
Transfer one-time cash balance to the general fund	0200	\$484,408	\$0
<b>Department of Mines, Minerals and Energy (409)</b>			
Transfer special fund cash balance to the general fund	0200	\$15,820	\$0
<b>Department of Small Business and Supplier Diversity (350)</b>			
Transfer a one-time cash balance to the general fund	0245	\$1,000,000	\$0
<b>Virginia Employment Commission (182)</b>			
Transfer cash balances from the Special Fund	0200	\$105,000	\$0
<b>State Council of Higher Education for Virginia (245)</b>			
Sweep nongeneral fund cash	0200	\$0	\$250,000

<b>1</b>	<b>Department of Taxation (161)</b>			
<b>2</b>	Revert excess nongeneral fund balances	0287	\$4,930	\$0
<b>3</b>	Revert excess nongeneral fund balances	0200	\$61,958	\$0
<b>4</b>	Revert excess nongeneral fund balances	0251	\$30,000	\$0
<b>5</b>	Transfer one-time nongeneral fund balances to the general	0214	\$1,800,000	\$0
<b>6</b>	fund			
<b>7</b>	<b>Department of Health (601)</b>			
<b>8</b>	Capture balance from indirect cost recoveries	0280	\$6,600,000	\$0
<b>9</b>	Capture balance from the Emergency Medical Services	0213	\$4,000,000	\$1,000,000
<b>10</b>	Fund			
<b>11</b>	Capture excess revenue from bedding and upholstery fund	0203	\$650,000	\$225,000
<b>12</b>	Capture excess revenue from radioactive materials fund	0931	\$500,000	\$0
<b>13</b>	Capture Trauma Center fund nongeneral fund balances	0902	\$500,000	\$0
<b>14</b>	<b>Department of Conservation and Recreation (199)</b>			
<b>15</b>	Transfer cash balance from the Dam Safety/Flood	0910	\$500,000	\$0
<b>16</b>	Prevention Assistance Fund			
<b>17</b>	Transfer cash balances from the State Parks Acquisition	0265	\$590,000	\$0
<b>18</b>	and Development Fund			
<b>19</b>	Transfer cash balances from the Virginia Land	0918	\$300,000	\$0
<b>20</b>	Conservation Fund			
<b>21</b>	<b>Department of Environmental Quality (440)</b>			
<b>22</b>	Transfer cash balances from the Environmental Covenants	0904	\$36,364	\$0
<b>23</b>	Fund			
<b>24</b>	Transfer cash balances from the Fish Killing Investigation	0232	\$51,639	\$0
<b>25</b>	Fund			
<b>26</b>	Transfer cash balances from the Surplus Supplies and	0287	\$70,395	\$0
<b>27</b>	Equipment Sales Fund			
<b>28</b>	Transfer cash from the Waste Tire Trust Fund	0906	\$997,630	\$0
<b>29</b>	Transfer cash in the Hazardous Waste Management Fund	0245	\$800,000	\$0
<b>30</b>	<b>Department of Corrections (799)</b>			
<b>31</b>	Capture nongeneral fund balance from local supplements	0205	\$95,000	\$0
<b>32</b>	Transfer out-of-state inmate revenue to general fund	0255	\$7,294,971	\$0
<b>33</b>	<b>Department of Emergency Management (127)</b>			
<b>34</b>	Capture surplus special fund balances	0218	\$151	\$0
<b>35</b>	Capture surplus special fund balances	0246	\$38,669	\$0
<b>36</b>	Capture surplus special fund balances	0286	\$723	\$0
<b>37</b>	<b>Department of Forensic Science (778)</b>			
<b>38</b>	Revert nongeneral fund cash balances from sale of surplus	0287	\$1,157	\$0
<b>39</b>	property			
<b>40</b>	<b>Department of Military Affairs (123)</b>			
<b>41</b>	Capture nongeneral fund balances	0287	\$1,116	\$0
<b>42</b>	Capture nongeneral fund balances	0901	\$37,800	\$0
<b>43</b>	<b>Department of State Police (156)</b>			
<b>44</b>	Transfer various FY 2014 nongeneral fund cash balances	0261	\$1,394,168	\$0
<b>45</b>	Transfer various FY 2014 nongeneral fund cash balances	0916	\$1,852,215	\$0
<b>46</b>	Transfer various FY 2014 nongeneral fund cash balances	0914	\$1,586,280	\$0
<b>47</b>	Transfer various FY 2014 nongeneral fund cash balances	0290	\$5,527	\$0
<b>48</b>	Transfer various FY 2014 nongeneral fund cash balances	0280	\$110,858	\$0



1	Transfer various FY 2014 nongeneral fund cash balances	0246	\$20,342	\$0
2	Transfer various FY 2014 nongeneral fund cash balances	0227	\$179,865	\$0
3	Transfer various FY 2014 nongeneral fund cash balances	0206	\$41,085	\$0
4	Transfer various FY 2014 nongeneral fund cash balances	0287	\$438	\$0
5	Transfer FY 2016 balance from the insurance fraud fund	0916	\$0	\$600,000
6	<b>Virginia Information Technologies Agency (136)</b>			
7	Revert nongeneral fund balances	0905	\$139,897	\$0
8	<b>Department of Veterans Services (912)</b>			
9	Capture surplus nongeneral fund support	0200	\$218,961	\$0
10			<b>\$33,195,521</b>	<b>\$2,075,000</b>

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

15 § 3-1.02 INTERAGENCY TRANSFERS

16 The Virginia Department of Transportation shall transfer, from motor fuel tax revenues, \$388,254 the first year and \$388,254  
 17 the second year to the Department of General Services for motor fuels testing.

18 § 3-1.03 SHORT-TERM ADVANCE TO THE GENERAL FUND FROM NONGENERAL FUNDS

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

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

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

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

42 § 3-2.00 WORKING CAPITAL FUNDS AND LINES OF CREDIT

43 § 3-2.01 ADVANCES TO WORKING CAPITAL FUNDS

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

46 § 3-2.02 CHARGES AGAINST WORKING CAPITAL FUNDS

47 The State Comptroller may periodically charge the appropriation of any state agency for the expenses incurred for services  
 48 received from any program financed and accounted for by working capital funds. Such charge may be made upon receipt of  
 49 such documentation as in the opinion of the State Comptroller provides satisfactory evidence of a claim, charge or demand  
 50 against the appropriations made to any agency. The amounts so charged shall be recorded to the credit of the appropriate

working capital fund accounts. In the event any portion of the charge so made shall be disputed, the amount in dispute may be restored to the agency appropriation by direction of the Governor.

### § 3-2.03 LINES OF CREDIT

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

Administration of Health Insurance	\$150,000,000
Department of Accounts, for the Payroll Service Bureau	\$400,000
Department of Accounts, Transfer Payments	\$5,250,000
Department of Accounts, for Enterprise Applications	\$90,000,000
Department of Alcoholic Beverage Control	\$60,000,000
Department of Corrections, for Virginia Correctional Enterprises	\$1,000,000
Department of Emergency Management	\$150,000
Department of Environmental Quality	\$5,000,000
Department of Human Resource Management, for the Workers' Compensation Self Insurance Trust Fund	\$10,000,000
Department of Behavioral Health and Developmental Services	\$30,000,000
Department of Motor Vehicles	\$5,000,000
Department of the Treasury, for the Unclaimed Property Trust Fund	\$5,000,000
Department of the Treasury, for the State Insurance Reserve Trust Fund	\$25,000,000
Virginia Lottery	\$40,000,000
Virginia Information Technologies Agency	\$40,000,000
Virginia Tobacco Settlement Foundation	\$3,000,000
Department of Historic Resources	\$600,000
Department of Fire Programs	\$30,000,000
Compensation Board	\$8,000,000
Department of Conservation and Recreation	\$4,000,000
Department of Military Affairs	\$5,000,000
Innovation and Entrepreneurship Authority	\$2,500,000

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

c. The State Comptroller, in conjunction with the Departments of General Services and Planning and Budget, shall establish guidelines for agencies and institutions to utilize a line of credit to support fixed and one-time costs associated with implementation of office space consolidation, relocation and/or office space co-location strategies, where such line of credit shall be repaid by the agency or institution based on the cost savings and efficiencies realized by the agency or institution resulting from the consolidation and/or relocation. In such cases the terms of office space consolidation or co-location strategies shall be approved by the Secretary of Administration, in consultation with the Secretary of Finance, as demonstrating cost benefit to the Commonwealth. In no case shall the advances to an agency or institution exceed \$1,000,000 nor the repayment begin more than one year following the implementation or extend beyond a repayment period of seven years.

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

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

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

g. The State Comptroller is hereby authorized to provide a line of credit of up to \$5,000,000 to the Department of Military Affairs to cover the actual costs of responding to State Active Duty. The line of credit will be repaid as the Department of Military Affairs is reimbursed from federal or other funds, other than Department of Military Affairs funds.



h. The Innovation and Entrepreneurship Investment Authority is hereby authorized to use its line of credit to meet cash flow needs at any time during the year in support of operational costs in anticipation of reimbursement of said expenditures from signed contracts and grant awards. The Innovation and Entrepreneurship Investment Authority shall repay the line of credit by June 30 of each fiscal year.

### § 3-3.00 GENERAL FUND DEPOSITS

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

The Virginia Public School Authority shall transfer to the general fund an amount estimated at \$201,000 on or before June 30, 2015 to reimburse the Commonwealth for staff and other administrative services provided to the Authority by the Department of the Treasury.

#### § 3-3.02 PAYMENT BY THE STATE TREASURER

The state Treasurer shall transfer an amount estimated at \$2,000 on or before June 30, 2015 and an amount estimated at \$2,000 on or before June 30, 2016, to the general fund from excess 9(c) sinking fund balances.

#### § 3-3.03 INTEREST EARNINGS

A. Notwithstanding any other provision of law, the State Comptroller shall not allocate interest earnings to the following agencies and funds in either the first year or the second year of the biennium. The estimated amount of interest earnings that shall remain in the general fund as a result of this provision is \$9,967,081 the first year and ~~\$9,898,738 the second year.~~

Agency	Fund/Fund
Agency Code	Fund Name Detail
Supreme Court	111 Pro Hac Vice Fund 0254
Supreme Court	111 Court Technology Fund 0905
Department of Military Affairs	123 Armory Control Board Fund 0901
Department of Military Affairs	123 Virginia Military Family Relief Fund 0916
Department of Human Resource Management	129 Worker's Compensation Funding Account 0700
Department of Human Resource Management	129 Worker's Compensation Trust Fund 0742
Virginia Information Technologies Agency	136 GIS Fund 0905
Virginia Information Technologies Agency	136 Wireless E-911 Fund 0928
Virginia Information Technologies Agency	136 Virginia Technology Infrastructure Fund 0931
Department of Criminal Justice Services	140 School Resource Officer Incentive Grants Fund 0903
Department of Criminal Justice Services	140 Virginia Domestic Violence Victim Fund 0912
Department of Criminal Justice Services	140 Virginia Crime Victim - Witness Fund 0930
Department of Criminal Justice Services	140 Intensified Drug Enforcement Jurisdictions Fund 0935
Department of Criminal Justice Services	140 Regional Criminal Justice Academy Training Fund 0940
Department of Criminal Justice Services	140 Court Fees Suspense Fund 0975
Attorney General and Department of Law	141 Youth Internet Safety Fund 0237
Attorney General and Department of Law	141 Regulatory And Consumer Advocacy Revolving Trust 0239
Virginia Commission for the Arts	148 Virginia Arts Foundation Fund 0910
Administration of Health Insurance	149 Pre-Medicare Eligible Retiree Health Benefits Trust Fund 0720
Department of Accounts	151 Commonwealth Health Research Fund 0936
Department of Treasury	152 Property Insurance Trust Fund 0740
Department of Treasury	152 Miscellaneous Insurance Trust Fund 0741

1	Department of Treasury	152	Liability Trust Fund	0743
2	Department of Treasury	152	Automobile Trust Fund	0744
3	Department of Treasury	152	Local Entities Bond Program	0745
4	Department of Treasury	152	Public Officials Insurance	0746
5	Department of Treasury	152	Law Enforcement Insurance	0747
6	Department of Treasury	152	George Washington Regional	0748
7			Commission	
8	Department of Treasury	152	Commuter Rail Trust Fund (First year	0749
9			only)	
10	Department of Treasury	152	Workforce Training Access Fund	0901
11	Department of Motor Vehicles	154	State Asset Forfeiture Fund	0430
12	Department of State Police	156	State Asset Forfeiture Fund	0233
13	Department of State Police	156	Drug Investigation Trust Account -	0236
14			Federal	
15	Department of State Police	156	Insurance Fraud	0250
16	Department of State Police	156	Drug Investigation Trust Account-State	0253
17	Department of State Police	156	State Asset Forfeiture Suspense Fund	0733
18	Department of State Police	156	Wireless E-911 Fund	0928
19	Compensation Board	157	Wireless E-911 Fund	0928
20	Department of Taxation	161	Communications Sales And Use Tax	
21			Trust Fund	
22				0926
23	Department of Taxation	161	Governor's Motion Picture Opportunity	0902
24			Fund	
25	Department of Accounts Transfer Payments	162	Edvantage Reserve Fund	0708
26	Department of Accounts Transfer Payments	162	Line Of Duty Death And Health Benefits	0742
27			Trust Fund	
28	Department of Housing and Community	165	Derelect Structure Fund	0916
29	Development			
30	Department of Housing and Community	165	Virginia Manufactured Housing	0925
31	Development		Transaction Recovery Fund	
32	Department of Housing and Community	165	Virginia Water Quality Improvement	0934
33	Development		Fund	
34	State Corporation Commission	171	Fire Programs Fund	0218
35	State Corporation Commission	171	Underground Utility Damage Prevention	0902
36			Fund	
37	State Corporation Commission	171	Virginia State Police-Insurance Fraud	0905
38			Fund	
39	Virginia College Savings Plan	174	Special Revenue	0500
40	Virginia Employment Commission	182	Workforce Development Training Fund	0910
41	Secretary of Finance	190	Workforce Training Access Fund	0901
42	Secretary of Commerce and Trade	192	Governor's Motion Picture Opportunity	0902
43			Fund	
44	Secretary of Commerce & Trade	192	Commonwealth's Development	0910
45			Opportunity Fund	
46	Department of General Services	194	Main Street Station Property	0922
47	Department of Education - Direct Aid to	197	School Nurse Incentive Grants Fund	0905
48	Public Education			
49	Department of Education - Direct Aid to	197	Va Public School Educational Technology	0928
50	Public Education		Trust Fund	
51	Department of Education - Direct Aid to	197	Va Public School Construction Grants	0930
52	Public Education		Fund	
53	Department of Education - Direct Aid to	197	Public Ed SOQ/Local Re Property Tax	0931
54	Public Education		Relief Fund	
55	Department of Conservation and Recreation	199	Natural Area Preservation Fund	0215

1	Department of Conservation and Recreation	199	Chesapeake Bay Restoration Fund	0252
2	Department of Conservation and Recreation	199	Flood Prevention And Protection Assistance Fund	0910
3				
4	Department of Conservation and Recreation	199	Va Land Conservation Fund - Restricted	0917
5				
6	Department of Conservation and Recreation	199	Virginia Land Conservation Fund - Unrestricted	0918
7				
8	Department of Conservation and Recreation	199	Soil/Water Conservation District Dam Maintenance Fund	0925
9				
10	Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund	0934
11				
12	Department of Conservation and Recreation	199	Virginia Water Quality Improvement Fund Reserve	0935
13				
14	Department of Conservation and Recreation	199	Virginia Natural Resources Commitment Fund	0936
15				
16	Department of Conservation and Recreation	199	VOF - Open-Space Lands Preservation Trust Fund	0958
17				
18	Department of Education - Central Office Operations	201	Virginia Teaching Scholarship Loan Fund	0908
19				
20	Department of Education - Central Office Operations	201	Families In Education Incentive Grants Fund	0912
21				
22	Department of Education - Central Office Operations	201	Community-Based Intervention-Susp/Expelled Student	0915
23				
24	Department of Education - Central Office Operations	201	Artists In The Classroom Grants Fund	0916
25				
26	Department of Education - Central Office Operations	201	School-To-Work Transition Grants Fund	0932
27				
28	Department of Education - Central Office Operations	201	National Teacher Certification Incentive Reward Pg	0940
29				
30	Department of Professional and Occupational Regulation	222	Common Interest Community Management Information Fund	0259
31				
32	Board of Accountancy	226	Board Of Accountancy Trust Fund	0202
33	Board of Accountancy	226	Dedicated Special Revenue	0900
34	State Board of Bar Examiners	233	Special Revenue	0200
35	State Council of Higher Education for Virginia	245	VA Undergrad/Vocational Incentive Scholarship Fund	0905
36				
37	State Council of Higher Education for Virginia	245	Brown V Board Of Education Scholarship Pgm Fund	0912
38				
39	Department of Rehabilitative Services	262	Statewide Independent Living Fund	0903
40	Department of Rehabilitative Services	262	Commonwealth Neurotrauma Initiative Trust Fund	0915
41				
42	Department of Agriculture and Consumer Services	301	Contested Pesticide Penalties	0708
43				
44	Department of Agriculture and Consumer Services	301	Tobacco Loss Assistance Program Fund	0710
45				
46	Department of Agriculture and Consumer Services	301	Virginia Farm Loan Revolving Account	0716
47				
48	Department of Agriculture and Consumer Services	301	Certification Of Agricultural Products Trust Fund	0729
49				
50	Virginia Agricultural Council	307	Dedicated Special Revenue	0900
51	Department of Small Business and Supplier Diversity	350	Capital Access Fund For Disadvantaged Businesses	0901
52				
53	Department of Small Business and Supplier Diversity	350	Small Business Environmental Compliance Assistance Fund	0930
54				
55	Department of Small Business and Supplier Diversity	350	Virginia Small Business Growth Fund	0957
56				

1	Marine Resources Commission	402	Forfeited Asset Sharing Program Fund	0265
2	Marine Resources Commission	402	Marine Habitat And Waterways	0916
3			Improvement Fund	
4	Department of Game and Inland Fisheries	403	Boating Safety And Regulation	0902
5	Department of Game and Inland Fisheries	403	Non Game Cash Fund	0904
6	Department of Game and Inland Fisheries	403	Feed The Hungry Fund	0913
7	Department of Game and Inland Fisheries	403	Virginia Fish Passage Grant And	0922
8			Revolving Loan Fund	
9	Virginia Racing Commission	405	Special Revenue	0200
10	Virginia Racing Commission	405	Virginia Breeders Fund	0220
11	Department of Mines, Minerals and Energy	409	Exxon Oil Overcharge Fund	0738
12	Department of Mines, Minerals and Energy	409	Coal Surface Mining Contl &	0754
13			Reclamation Act Cvl	
14	Department of Mines, Minerals and Energy	409	Gas And Oil Plugging And Restoration	0755
15			Fund	
16	Department of Mines, Minerals and Energy	409	Orphaned Well Fund	0952
17	Department of Forestry	411	Forfeited Asset Sharing Program Fund	0265
18	Department of Forestry	411	State Forests System Fund	0901
19	Department of Forestry	411	Virginia's Natural Resources Trust Fund	0909
20	Department of Forestry	411	Virginia Forest Water Quality Fund	0926
21	Department of Historic Resources	423	Historic Resources Fund	0910
22	Department of Environmental Quality	440	Operating Permits Program	0510
23	Department of Environmental Quality	440	Underground Petroleum Storage Tank	0748
24			Fund	
25	Department of Environmental Quality	440	Dupont Shenandoah River Mercury	0755
26			Monitoring	
27	Department of Environmental Quality	440	Virginia Stormwater Management Fund	0902
28	Department of Environmental Quality	440	Waste Tire Trust Fund	0906
29	Department of Environmental Quality	440	Virginia Environmental Emergency	0907
30			Response Fund	
31	Department of Environmental Quality	440	Air Pollution Permit Program	0909
32	Department of Environmental Quality	440	Virginia Waste Management Board	0911
33			Permit Program Fund	
34	Department of Environmental Quality	440	State Water Control Board Permit	0914
35			Program Fund	
36	Department of Environmental Quality	440	Marine Habitat And Waterways	0916
37			Improvement Fund	
38	Department of Environmental Quality	440	Vehicle Emissions Inspection Program	0919
39			Fund	
40	Department of Environmental Quality	440	VA Motor Vehicle Emission Reduction	0924
41			Program Fund	
42	Department of Environmental Quality	440	Litter Control And Recycling Fund	0925
43	Department of Environmental Quality	440	Small Business Environmental	0930
44			Compliance Assistance Fund	
45	Department of Environmental Quality	440	Virginia Water Quality Improvement	0934
46			Fund	
47	Department of Environmental Quality	440	Virginia Water Quality Improvement	0935
48			Fund Reserve	
49	Motor Vehicle Dealer Board	506	Motor Vehicle Dealer Board Fund	0212
50	Department of Health	601	Waterworks Technical Assistance Fund	0248
51	Department of Health	601	Virginia Pregnant Women Support Fund	0276
52	Department of Health	601	Donations - Local Health Departments	0901
53	Department of Health	601	Trauma Center Fund	0902
54	Department of Health	601	Virginia Transplant Council Education	0905

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

43 B. If actual general fund transfers in any year exceed the amount shown for “transfers” in the resources available for  
 44 appropriation from the general fund in the first enactment of this act, the interest earnings retained by the general fund as a  
 45 result of this provision shall be capped at \$11,389,754 the first year and ~~\$11,389,754 the second year~~. Any interest earnings  
 46 above this amount will be distributed proportionately back to the nongeneral funds shown in this item.

47 C. Notwithstanding any other provision of law, on or before June 30 of each year, the State Comptroller shall transfer  
 48 \$1,243,189 the first year and ~~\$1,243,819 the second year~~ to the general fund, from the College of William and Mary, the  
 49 University of Virginia, the University of Virginia's College at Wise, Virginia Commonwealth University, Virginia Tech and  
 50 Virginia Tech Extension for the estimated payments of interest earned on tuition and fees from Educational and General  
 51 Revenues deposited in the state treasury.

## 52 § 3-4.00 AUXILIARY ENTERPRISES AND SPONSORED PROGRAMS IN INSTITUTIONS OF HIGHER 53 EDUCATION

### 54 § 3-4.01 AUXILIARY ENTERPRISE INVESTMENT YIELDS

A. The educational and general programs in institutions of higher education shall recover the full indirect cost of auxiliary enterprise programs as certified by institutions of higher education to the Comptroller subject to annual audit by the Auditor of Public accounts. The State Comptroller shall credit those institutions meeting this requirement with the interest earned by the investment of the funds of their auxiliary enterprise programs.

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

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

#### **§ 3-5.01 RETALIATORY COSTS TO OTHER STATES TAX CREDIT**

Notwithstanding any other provision of law, the amount deposited to the Priority Transportation Trust Fund pursuant to § 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 available under § 58.1-2510.

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

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

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

Revenues deposited into the Public Education Standards of Quality/Local Real Estate Property Tax Relief Fund established under § 58.1-638.1 of the Code of Virginia pursuant to enactments of the 2004 Special Session of the General Assembly shall be transferred to the general fund and used to meet the Commonwealth's responsibilities for the Standards of Quality prescribed pursuant to Article VIII, Section 2, of the Constitution of Virginia. The Comptroller shall take all actions necessary to effect such transfers monthly, no later than 10 days following the deposit to the Fund. The amounts transferred shall be distributed to localities as specified in Direct Aid to Public Education's (197), State Education Assistance Programs (17800) of this Act. The estimated amount of such transfers are \$350,300,000 the first year and ~~\$362,900,000~~ \$370,000,000 the second year.

#### **§ 3-5.04 NEIGHBORHOOD ASSISTANCE ACT TAX CREDIT**

A. The \$125,000 limit on donations for which tax credits may be issued for taxable year 2014 pursuant to § 58.1-439.24 of the Code of Virginia shall not apply if, after an equitable allocation of tax credits for Fiscal Year 2015 under the Neighborhood Assistance Act Tax Credit Program, the total amount of tax credits allocated for all programs approved under the Act was less than \$16 million.

The \$125,000 limit on donations for which tax credits may be issued for taxable year 2015 pursuant to § 58.1-439.24 of the Code of Virginia shall not apply if, after an equitable allocation of tax credits for Fiscal Year 2016 under the Neighborhood Assistance Act Tax Credit Program, the total amount of tax credits allocated for all programs approved under the Act was less than \$17 million. However, in no event shall (i) more than \$16 million in tax credits be issued for Fiscal Year 2015 and (ii) more than \$17 million in tax credits be issued for Fiscal Year 2016 under the Act.

B. Notwithstanding § 58.1-439.20 or any other provision of law, for Fiscal Year 2015, the amount of the Neighborhood Assistance Act Tax Credit available under § 58.1-439.18 et seq., Code of Virginia, shall be limited to \$16 million allocated as follows: \$8.5 million for education proposals for approval by the Superintendent of Public Instruction and \$7.5 million for all other proposals for approval by the Commissioner of the State Department of Social Services. For Fiscal Year 2016, the amount of the Neighborhood Assistance Act Tax Credit available under § 58.1-439.18 et seq., Code of Virginia, shall be limited to \$17 million allocated as follows: \$9 million for education proposals for approval by the Superintendent of Public Instruction and \$8 million for all other proposals for approval by the Commissioner of the State Department of Social Services.

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

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

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

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

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, 2009, the Commonwealth shall be entitled to two-thirds of the excess fees collected by the clerks of the circuit courts as required to

be reported under § 17.1-283. In making the calculations of excess fees required by this paragraph the Compensation Board shall exclude, in the first year, courts in the thirty-first judicial circuit, but pay them in accordance with § 17.1-285 in the first year.

#### § 3-5.07 ACCELERATED SALES TAX

A. Notwithstanding any other provision of law, in addition to the amounts required under the provisions of §§ 58.1-615 and 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 purchases of \$1,000,000 or greater for the 12-month period beginning July 1, and ending June 30 of the immediately preceding calendar year, shall be required to make a payment equal to 90 percent of the sales and use tax liability for the previous June. Such tax payments shall be made on or before the 30th day of June, if payments are made by electronic fund transfer, as defined in § 58.1-202.1. If payment is made by other than electronic funds transfer, such payment shall be made on or before the 25th day of June. Every dealer or direct payment holder shall be entitled to a credit for the payment under this section on the return for June of the current year due July 20.

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

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

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

E. Payments made pursuant to this section shall be made in accordance with procedures established by the Tax Commissioner and shall be considered general fund revenue, except with respect to those revenues required to be distributed under the provisions of §§ 58.1-605, 58.1-606, 58.1-638(A), 58.1-638(G)-(H), 58.1-638.2, and 58.1-638.3 of the Code of Virginia.

F. That the State Comptroller shall make no distribution of the taxes collected pursuant to this section in accordance with §§ 58.1-605, 58.1-606, 58.1-638, 58.1-638.1, 58.1-638.2 and 58.1-638.3 of the Code of Virginia until the Tax Commissioner makes a written certification to the Comptroller certifying the sales and use tax revenues generated pursuant to this section. The Tax Commissioner shall certify the sales and use tax revenues generated as soon as practicable after the sales and use tax revenues have been paid into the state treasury in any month for the preceding month. If the Governor determines on July 31 of each year, that funds are available to transfer such collections in accordance with §§ 58.1-638(B)-(F) and 58.1-638.1, Code of Virginia, he shall direct the State Comptroller to make such allocation. The Secretary of Finance will report the Governor's determination to the Chairman of the House Appropriations and Senate Finance Committees on August 15 of each year.

G. Beginning with the tax payment that would be remitted on or before June 25, 2015, if the payment is made by other than electronic fund transfers, the provisions of § 3.5-08 of Chapter 874, 2010 Acts of Assembly, shall apply only to those dealers or permit holders with taxable sales and purchases of \$2,500,000 or greater for the 12-month period beginning July 1 and ending June 30 of the immediately preceding calendar year.

#### § 3-5.08 DISCOUNTS AND ALLOWANCES

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

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

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

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

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

The sales and use tax revenue for distribution to the Highway Maintenance and Operating Fund shall be consistent with Chapter 766, 2013 Acts of Assembly.

### § 3-5.10 INTANGIBLE HOLDING COMPANY ADDBACK

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

(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 imposed by Virginia, another state, or a foreign government shall be limited and apply only to the portion of such income received by the related member, which portion is attributed to a state or foreign government in which the related member has sufficient nexus to be subject to such taxes; and

(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 licensing to unrelated parties shall be limited and apply only to the portion of such income derived from licensing agreements for which the rates and terms are comparable to the rates and terms of agreements that the related member has actually entered into with unrelated entities.

### § 3-5.11 REGIONAL FUELS TAX

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

§ 3-5.12. Omitted.

§ 3-5.13. Omitted.

§ 3-5.14. Omitted.

§ 3-5.15. Omitted.

§ 3-5.16. Omitted.

§ 3-5.17. Omitted.

§ 3-5.18. Omitted.

§ 3-5.19. Omitted.

### § 3-5.20 ADMISSIONS TAX

Notwithstanding the provisions of § 58.1-3818.02, Code of Virginia, or any other provision of law, subject to the execution of a memorandum of understanding between an entertainment venue and the County of Stafford, Stafford County is authorized to impose a tax on admissions to an entertainment venue located in the county that (i) is licensed to do business in the county for the first time on or after July 1, 2015, and (ii) requires at last 75 acres of land for its operations, and (iii) such land is purchased or leased by the entertainment venue owner on or after June 1, 2015. The tax shall not exceed 10 percent of the amount of charge for admission to any such venue. The provisions of this section shall expire on July 1, 2019 if no entertainment venue exists in Stafford County upon which the tax authorized is imposed.

## § 3-6.00 ADJUSTMENTS AND MODIFICATIONS TO FEES

### § 3-6.01 RECORDATION TAX FEE

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

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

Notwithstanding § 46.2-694 paragraph 13 of the Code of Virginia, the additional fee that shall be charged and collected at the time



of registration of each pickup or panel truck and each motor vehicle shall be \$6.25.

#### § 3-6.03 DRIVERS LICENSE REINSTATEMENT FEE

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

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

Notwithstanding any other provision of law, for taxable years beginning on or after January 1, 2006, the amount of the Qualified Equity and Subordinated Debt Investments Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$3,000,000 for calendar years 2006 and thereafter, except that for taxable years beginning on or after January 1, 2010, and before December 31, 2010, the credit shall be capped at \$5,000,000. For taxable years beginning on and after January 1, 2011, and before December 31, 2011, the amount of the Qualified Equity and Subordinated Debt Investments Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$3,000,000. For taxable years beginning on and after January 1, 2012, and before December 31, 2012, the amount of the Qualified Equity and Subordinated Debt Investments Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$4,000,000. For taxable years beginning on or after January 1, 2013, and before December 31, 2013 the amount of the Qualified Equity and Subordinated Debt Investment Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$4,500,000. For taxable years beginning on or after January 1, 2014, and before December 31, 2014 the amount of the Qualified Equity and Subordinated Debt Investment Tax Credit available under § 58.1-339.4, Code of Virginia, shall be limited to \$5,000,000.

#### § 3-6.05 DEPOSIT OF FINES AND FEES

A.1. The Auditor of Public Accounts shall annually during fiscal year 2015 calculate the amount of total fines and fees collected by the District Courts. The Auditor of Public Accounts will determine those localities in which total local fines and fee collections exceed 50 percent of the total collections. Using the Auditor of Public Accounts' calculation for fiscal year 2011, the State Comptroller shall deduct half of the amount in excess of 50 percent from any current payment of local fines and fees before remitting to the localities their remaining collections. When the State Comptroller has recovered in total, the half of the amount exceeding 50 percent, he shall pay all local collections monthly directly to the locality's treasury. The State Comptroller shall promptly and without delay transmit any and all non-withheld local fees and fines to the locality's treasury not later than sixty (60) days after these fines and fees were deposited and recorded in the state treasury by the District Courts. Furthermore, the State Comptroller and the Executive Secretary of the Supreme Court shall work with the District Courts and the localities to develop a process to provide the localities a complete accounting of when these fees were collected. The State Comptroller shall deposit the withheld funds in the Literary Fund, as they become available.

2. By May 1, 2015 the Auditor of Public Accounts shall calculate the fines reversion amount defined as equal to one-quarter of (i) the total of the local fines and forfeitures collected by the District Courts in the immediately preceding fiscal year less (ii) 65 percent of the total fines and forfeitures collected by the District Courts for such prior fiscal year for each locality.

3. It is the intent of the General Assembly to increase the reversion amount from one-quarter of the excess fees calculation in the fiscal year ending June 30, 2016, to one-third of the excess for the calculation in the fiscal year ending June 30, 2017, and to one-half of the excess for the calculation in the fiscal year ending June 30, 2018.

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

C. Effective July 1, 2015, the Auditor of Public Accounts shall provide written notice to each locality year the amount of its fines reversion as defined in A. above and shall provide a copy of the notice to the State Comptroller.

D. Effective July 1, 2015, each locality receiving notice that it has a fines reversion as defined in A. above shall submit a payment to the State Comptroller for the entire amount of the reversion by August 1 for deposit into the Literary Fund.

#### § 3-6.06. Omitted.

**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 are made to any state agency for the direct

costs of a stipulated project; (d) appropriations to institutions for the mentally ill or intellectually disabled payable from the Behavioral Health and Developmental Services Revenue Fund; and (e) general fund appropriations for highway construction and mass transit. Moneys unallotted under this provision shall not be reallocated for any other purpose.

2. To the degree that new or additional grant funds become available to supplement general fund appropriations for a program, following enactment of an appropriation act, the Governor is authorized to withhold general fund spending authority, by withholding allotments of appropriations, in an amount equivalent to that provided from grant funds, unless such action is prohibited by the original provider of the grant funds. The withholding action shall not include general fund appropriations, which are required to match grant funds. Moneys unallotted under this provision shall not be reallocated for any other purpose.

d. Reduced General Fund Resources:

1. The term "general fund resources" as applied in this subsection includes revenues collected and paid into the general fund of the state treasury during the current biennium, transfers to the general fund of the state treasury during the current biennium, and all unexpended balances brought forward from the previous biennium.

2. In the event that general fund resources are estimated by the Governor to be insufficient to pay in full all general fund appropriations authorized by the General Assembly, the Governor shall, subject to the qualifications herein contained, withhold general fund spending authority, by withholding allotments of appropriations, to prevent any expenditure in excess of the estimated general fund resources available.

3. In making this determination, the Governor shall take into account actual general fund revenue collections for the current fiscal year and the results of a formal written re-estimate of general fund revenues for the current and next biennium, prepared within the previous 90 days, in accordance with the process specified in § 2.2-1503, Code of Virginia. Said re-estimate of general fund revenues shall be communicated to the Chairmen of the Senate Finance, House Appropriations and House Finance Committees, prior to taking action to reduce general fund allotments of appropriations on account of reduced resources.

4.a) In addition to monthly reports on the status of revenue collections relative to the current fiscal year's estimate, the Governor shall provide a written quarterly assessment of the current economic outlook for the remainder of the fiscal year to the Chairmen of the House Appropriations, House Finance, and Senate Finance Committees.

b) Within five business days after the preliminary close of the state accounts at the end of the fiscal year, the State Comptroller shall provide the Governor with the actual total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes for the just-completed fiscal year, with a comparison of such actual totals with the total of such taxes in the official budget estimate for that fiscal year. If that comparison indicates that the total of (1) individual income taxes, (2) corporate income taxes, and (3) sales taxes, as shown on the preliminary close, was one percent or more below the amount of such taxes in the official budget estimate for the just-completed fiscal year, the Governor shall prepare a written re-estimate of general fund revenues for the current biennium and the next biennium in accordance with § 2.2-1503, Code of Virginia, to be reported to the Chairmen of the Senate Finance, House Finance and House Appropriations Committees, not later than September 1 following the close of the fiscal year.

5.a) The Governor shall take no action to withhold allotments until a written plan detailing specific reduction actions approved by the Governor, identified by program and appropriation item, has been presented to the Chairmen of the House Appropriations and Senate Finance Committees. Subsequent modifications to the approved reduction plan also must be submitted to the Chairmen of the House Appropriations and Senate Finance Committees, prior to withholding allotments of appropriations.

b) In addition to the budget reduction plan approved by the Governor, all budget reduction proposals submitted by state agencies to the Governor or the Governor's staff, including but not limited to the Department of Planning and Budget, the Governor's Cabinet secretaries, or the Chief of Staff, whether submitted electronically or otherwise, shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees concurrently with that budget reduction plan.

6. In effecting the reduction of expenditures, the Governor shall not withhold allotments of appropriations for:

a) More than 15 percent cumulatively of the annual general fund appropriation contained in this act for operating expenses of any one state or nonstate agency or institution designated in this act by title, and the exact amount withheld, by state or nonstate agency or institution, shall be reported within five calendar days to the Chairmen of the Senate Finance and House Appropriations Committees. State agencies providing funds directly to grantees named in this act shall not apportion a larger cut to the grantee than the proportional cut apportioned to the agency. Without regard to § 4-5.05 b.4. of this act, the remaining appropriation to the grantee which is not subject to the cut, equal to at least 85 percent of the annual appropriation, 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 remaining appropriation is less than or equal to \$500,000, except in cases where the normal conditions of the grant dictate a different payment schedule.

b) The payment of principal and interest on the bonded debt or other bonded obligations of the Commonwealth, its agencies

and its authorities, or for payment of a legally authorized deficit.

c) The payments for care of graves of Confederate dead.

d) The employer contributions, and employer-paid member contributions, to the Social Security System, Virginia Retirement System, Judicial Retirement System, State Police Officers Retirement System, Virginia Law Officers Retirement System, Optional Retirement Plan for College and University Faculty, Optional Retirement Plan for Political Appointees, Optional Retirement Plan for Superintendents, the Volunteer Service Award Program, the Virginia Retirement System's group life insurance, sickness and disability, and retiree health care credit programs for state employees, state-supported local employees and teachers. If the Virginia Retirement System Board of Trustees approves a contribution rate for a fiscal year that is lower than the rate on which the appropriation was based, or if the United States government approves a Social Security rate that is lower than that in effect for the current budget, the Governor may withhold excess contributions. However, employer and employee paid rates or contributions for health insurance and matching deferred compensation for state employees, state-supported local employees and teachers may not be increased or decreased beyond the amounts approved by the General Assembly. Payments for the employee benefit programs listed in this paragraph may not be delayed beyond the customary billing cycles that have been established by law or policy by the governing board.

e) The payments in fulfillment of any contract awarded for the design, construction and furnishing of any state building.

f) The salary of any state officer for whom the Constitution of Virginia prohibits a change in salary.

g) The salary of any officer or employee in the Executive Department by more than two percent (irrespective of the fund source for payment of salaries and wages); however, the percentage of reduction shall be uniformly applied to all employees within the Executive Department.

h) The appropriation supported by the State Bar Fund, as authorized by § 54.1-3913, Code of Virginia, unless the supporting revenues for such appropriation are estimated to be insufficient to pay the appropriation.

7. The Governor is authorized to withhold specific allotments of appropriations by a uniform percentage, a graduated reduction or on an individual basis, or apply a combination of these actions, in effecting the authorized reduction of expenditures, up to the maximum of 15 percent, as prescribed in subdivision 6a of this subsection.

8. Each nongeneral fund appropriation shall be payable in full only to the extent the nongeneral fund revenues from which the appropriation is payable are estimated to be sufficient. The Governor is authorized to reduce allotments of nongeneral fund appropriations by the amount necessary to ensure that expenditures do not exceed the supporting revenues for such appropriations; however, the Governor shall take no action to reduce allotments of appropriations for major nongeneral fund sources on account of reduced revenues until such time as a formal written re-estimate of revenues for the current and next biennium, prepared in accordance with the process specified in § 2.2-1503, Code of Virginia, has been reported to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees. For purposes of this subsection, major nongeneral fund sources are defined as Highway Maintenance and Operating Fund and Transportation Trust Fund.

9. Notwithstanding any contrary provisions of law, the Governor is authorized to transfer to the general fund on June 30 of each year of the biennium, or within 20 days from that date, any available unexpended balances in other funds in the state treasury, subject to the following:

a) The Governor shall declare in writing to the Chairmen of the Senate Finance and House Appropriations Committees that a fiscal emergency exists which warrants the transfer of nongeneral funds to the general fund and reports the exact amount of such transfer within five calendar days of the transfer;

b) No such transfer may be made from retirement or other trust accounts, the State Bar Fund as authorized by § 54.1-3913, Code of Virginia, debt service funds, or federal funds; and

c) The Governor shall include for informative purposes, in the first biennial budget he submits subsequent to the transfer, the amount transferred from each account or fund and recommendations for restoring such amounts.

10. The Director, Department of Planning and Budget, shall make available via electronic means a report of spending authority withheld under the provisions of this subsection to the Chairmen of the Senate Finance and House Appropriations Committees within five calendar days of the action to withhold. Said report shall include the amount withheld by agency and appropriation item.

11. If action to withhold allotments of appropriation under this provision is inadequate to eliminate the imbalance between projected general fund resources and appropriations, the Speaker of the House of Delegates and the President pro tempore of the Senate shall be advised in writing by the Governor, so that they may consider requesting a special session of the General Assembly.

#### § 4-1.03 APPROPRIATION TRANSFERS

##### GENERAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

e) continue a program at the present level of service or at an increased level of service when required to address unanticipated increases in workload such as enrollment, caseload or like factors, or unanticipated costs, or

f) to address unanticipated business or industrial development opportunities which will benefit the state's economy, provided that any such appropriations be used in a manner consistent with the purposes of the program as originally appropriated.

6. An appropriation transfer shall not occur except through properly executed appropriation transfer documents designed specifically for that purpose, and all transactions effecting appropriation transfers shall be entered in the state's computerized budgeting and accounting systems.

7. The Director, Department of Planning and Budget, may transfer from any other agency, appropriations to supplement any project of the Virginia Public Building Authority authorized by the General Assembly and approved by the Governor. Such capital project shall be transferred to the state agency designated as the managing agency for the Virginia Public Building Authority.

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 Virginia (§ 15.2-4100 et seq.) or the consolidation of a city and a county into a single city pursuant to the provisions of 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 shall govern distributions from state agencies to the county in which the town is situated or to the consolidated city, and the Director, Department of Planning and Budget, is authorized to transfer appropriations or portions thereof within a state agency, or from one such agency to another, if necessary to fulfill the requirements of § 15.2-1302.

#### § 4-1.04 APPROPRIATION INCREASES

##### a. UNAPPROPRIATED NONGENERAL FUNDS:

##### 1. Sale of Surplus Materials:

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

##### 2. Insurance Recovery:

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

##### 3. Gifts, Grants and Other Nongeneral Funds:

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

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

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

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

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

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

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

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

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

9) address caseload or workload changes in programs approved by the General Assembly.

b) The above conditions shall not apply to donations and gifts to the endowment funds of institutions of higher education.

c) Each state agency and institution shall ensure that its budget estimates include a reasonable estimate of receipts from donations, gifts or other nongeneral fund revenue. The Department of Planning and Budget shall review such estimates and verify their accuracy, as part of the budget planning and review process.

d) No obligation or expenditure shall be made from such funds until a revised operating budget request is approved by the Director, Department of Planning and Budget. Expenditures from any gift, grant or donation shall be in accordance with the purpose for which



it was made; however, expenditures for property, plant or equipment, irrespective of fund source, are subject 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, of this act.

e) Nothing in this section shall exempt agencies from complying with § 4-2.01 a Solicitation and Acceptance of Donations, Gifts, Grants, and Contracts of this act.

4. Any nongeneral fund cash balance recorded on the books of the Department of Accounts as unexpended on the last day of the fiscal year may be appropriated for use in the succeeding fiscal year with the prior written approval of the Director, Department of Planning and Budget, unless the General Assembly shall have specifically provided otherwise. Revenues deposited to the Virginia Health Care Fund shall be used only as the state share of Medicaid, unless the General Assembly specifically authorizes an alternate use. With regard to the appropriation of other nongeneral fund cash balances, the Director shall make a listing of such transactions available to the public via electronic means no less than ten business days following the approval of the appropriation of any such balance.

5. Reporting:

The Director, Department of Planning and Budget, shall make available via electronic means a report on increases in unappropriated nongeneral funds in accordance with § 4-8.00, Reporting Requirements, or as modified by specific provisions in this subsection.

b. AGRIBUSINESS EQUIPMENT FOR THE DEPARTMENT OF CORRECTIONS

The Director of the Department of Planning and Budget may increase the Department of Corrections appropriation for the purchase of agribusiness equipment or the repair or construction of agribusiness facilities by an amount equal to fifty percent of any annual amounts in excess of fiscal year 1992 deposits to the general fund from agribusiness operations. It is the intent of the General Assembly that appropriation increases for the purposes specified shall not be used to reduce the general fund appropriations for the Department of Corrections.

#### § 4-1.05 REVERSION OF APPROPRIATIONS AND REAPPROPRIATIONS

a. GENERAL FUND OPERATING EXPENSE:

1.a) General fund appropriations which remain unexpended on (i) the last day of the previous biennium or (ii) the last day of the first year of the current biennium, shall be reappropriated and allotted for expenditure where required by the Code of Virginia, where necessary for the payment of preexisting obligations for the purchase of goods or services, or where desirable, 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 financial incentives to reduce spending to effect current or future cost savings. With the exception of the unexpended general fund appropriations of agencies in the Legislative Department, the Judicial Department, the Independent Agencies, or institutions of higher education, all other such unexpended general fund appropriations unexpended on the last day of the previous biennium or the last day of the first year of the current biennium shall revert to the general fund.

General fund appropriations for agencies in the Legislative Department, the Judicial Department, and the Independent Agencies shall be reappropriated, except as may be specifically provided otherwise by the General Assembly. General fund appropriations shall also be reappropriated for institutions of higher education, subject to § 2.2-5005, Code of Virginia.

2. a. The Governor shall report within five calendar days after completing the reappropriation process to the Chairmen of the Senate Finance and House Appropriations Committees on the reappropriated amounts for each state agency in the Executive Department. He shall provide a preliminary report of reappropriation actions on or before November 1 and a final report on or before December 20 to the Chairmen of the House Appropriations and Senate Finance Committees.

b. The Director, Department of Planning and Budget, may transfer reappropriated amounts within an agency to cover nonrecurring costs.

3. Pursuant to subsection E of § 2.2-1125, Code of Virginia, the determination of compliance by an agency or institution with management standards prescribed by the Governor shall be made by the Secretary of Finance and the Secretary having jurisdiction over the agency or institution, acting jointly.

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

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

b. NONGENERAL FUND OPERATING EXPENSE:

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

c. CAPITAL PROJECTS:

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

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

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

§ 4-1.06 LIMITED ADJUSTMENTS OF APPROPRIATIONS

a. LIMITED CONTINUATION OF APPROPRIATIONS.

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

b. LIMITATIONS ON CASH DISBURSEMENTS.

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

§ 4-1.07 ALLOTMENTS

Except when otherwise directed by the Governor within the limits prescribed in §§ 4-1.02 Withholding of Spending Authority, 4-1.03 Appropriation Transfers, and 4-1.04 Appropriation Increases of this act, the Director, Department of Planning and Budget, shall prepare and act upon the allotment of appropriations required by this act, and by § 2.2-1819, Code of Virginia, and the authorizations for rates of pay required by this act. Such allotments and authorizations shall have the same effect as if the personal signature of the Governor were subscribed thereto. This section shall not be construed to prohibit an appeal by the head of any state agency to the Governor for reconsideration of any action taken by the Director, Department of Planning and Budget, under this section.

**§ 4-2.00 REVENUES**

§ 4-2.01 NONGENERAL FUND REVENUES

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

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



must receive written approval from the Secretary of Veterans Affairs and Homeland Security.

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

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

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

#### b. HIGHER EDUCATION TUITION AND FEES

1. Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, all nongeneral fund collections by public institutions of higher education, including collections from the sale of dairy and farm products, shall be deposited in the state treasury in accordance with § 2.2-1802, Code of Virginia, and expended by the institutions of higher education in accordance with the appropriations and provisions of this act, provided, however, that this requirement shall not apply to private gifts, endowment funds, or income derived from endowments and gifts.

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

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

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

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

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

b) In determining the appropriate state share of educational costs for resident students, the General Assembly shall seek to cover at least 67 percent of educational costs associated with providing full funding of the base adequacy guidelines referenced in subparagraph 2. b), raising average salaries for teaching and research faculty to the 60th percentile of peer institutions, and other priorities set forth in this act.

4. a) Each institution and the State Council of Higher Education for Virginia shall monitor tuition, fees, and other charges, as well as the mix of resident and nonresident students, to ensure that the primary mission of providing educational opportunities to citizens of Virginia is served, while recognizing the material contributions provided by the presence of nonresident students. The State Council of Higher Education for Virginia shall also develop and enforce uniform guidelines for reporting student enrollments and the domiciliary status of students.

b) The State Council of Higher Education for Virginia shall report to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees no later than August 1 of each year the annual change in total charges for tuition and all required fees approved and allotted by the Board of Visitors. As it deems appropriate, the State Council of Higher Education for Virginia shall provide comparative national, peer, and market data with respect to charges assessed

students for tuition and required fees at institutions outside of the Commonwealth.

c) Institutions of higher education are hereby authorized to make the technology service fee authorized in Chapter 1042, 2003 Acts of Assembly, part of ongoing tuition revenue. Such revenues shall continue to be used to supplement technology resources at the institutions of higher education.

d) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, each institution shall work with the State Council of Higher Education for Virginia and the Virginia College Savings Plan to determine appropriate tuition and fee estimates for tuition savings plans.

5. It is the intent of the General Assembly that each institution's combined general and nongeneral fund appropriation within its educational and general program closely approximate the anticipated annual budget each fiscal year.

6. Nonresident graduate students employed by an institution as teaching assistants, research assistants, or graduate assistants and paid at an annual contract rate of \$4,000 or more may be considered resident students for the purposes of charging tuition and fees.

7. The fund source "Higher Education Operating" within educational and general programs for institutions of higher education includes tuition and fee revenues from nonresident students to pay their proportionate share of the amortized cost of the construction of buildings approved by the Commonwealth of Virginia Educational Institutions Bond Act of 1992 and the Commonwealth of Virginia Educational Facilities Bond Act of 2002.

8. a) Except as provided in Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, mandatory fees for purposes other than educational and general programs shall not be increased for Virginia undergraduates beyond five percent annually, excluding requirements for wage, salary, and fringe benefit increases, authorized by the General Assembly. Fee increases required to carry out actions that respond to mandates of federal agencies are also exempt from this provision, provided that a report on the purposes of the amount of the fee increase is submitted to the Chairmen of the House Appropriations and Senate Finance Committees by the institution of higher education at least 30 days prior to the effective date of the fee increase.

b) This restriction shall not apply in the following instances: fee increases directly related to capital projects authorized by the General Assembly; fee increases to support student health services; and other fee increases specifically authorized by the General Assembly.

c) Due to the small mandatory non-educational and general program fees currently assessed students in the Virginia Community College System, increases in any one year of no more than \$15 shall be allowed on a cost-justified case-by-case basis, subject to approval by the State Board for Community Colleges.

9. Any institution of higher education granting new tuition waivers to resident or nonresident students not authorized by the Code of Virginia must absorb the cost of any discretionary waivers.

10. Tuition and fee revenues from nonresident students taking courses through Virginia institutions from the Southern Regional Education Board's Southern Regional Electronic Campus must exceed all direct and indirect costs of providing instruction to those students. Tuition and fee rates to meet this requirement shall be established by the Board of Visitors of the institution.

#### c. HIGHER EDUCATION PLANNED EXCESS REVENUES:

An institution of higher education, except for those public institutions governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, may generate and retain tuition and fee revenues in excess of those provided in § 4-2.01 b Higher Education Tuition and Fees, subject to the following:

1. Such revenues are identified by language in the appropriations in this act to any such institution.

2. The use of such moneys is fully documented by the institution to the Governor prior to each fiscal year and prior to allotment.

3. The moneys are supplemental to, and not a part of, ongoing expenditure levels for educational and general programs used as the basis for funding in subsequent biennia.

4. The receipt and expenditure of these moneys shall be recorded as restricted funds on the books of the Department of Accounts and shall not revert to the surplus of the general fund at the end of the biennium.

5. Tuition and fee revenues generated by the institution other than as provided herein shall be subject to the provisions of § 4-1.04 a.3 Gifts, Grants, and Other Nongeneral Funds of this act.

#### § 4-2.02 GENERAL FUND REVENUE

##### a. STATE AGENCY PAYMENTS INTO GENERAL FUND:

1. Except as provided in § 4-2.02 a.2., all moneys, fees, taxes, charges and revenues received at any time by the following agencies from the sources indicated shall be paid immediately into the general fund of the state treasury:

a) Marine Resources Commission, from all sources, except:

1) Revenues payable to the Public Oyster Rocks Replenishment Fund established by § 28.2-542, Code of Virginia.

2) Revenue payable to the Virginia Marine Products Fund established by § 3.2-2705, Code of Virginia.

3) Revenue payable to the Virginia Saltwater Recreational Fishing Development Fund established by § 28.2-302.3, Code of Virginia.

4) Revenue payable to the Marine Fishing Improvement Fund established by § 28.2-208, Code of Virginia.

5) Revenue payable to the Marine Habitat and Waterways Improvement Fund established by § 28.2-1206, Code of Virginia.

b1) Department of Labor and Industry, or any other agency, for the administration of the state labor and employment laws under Title 40.1, Code of Virginia.

2) Department of Labor and Industry, from boiler and pressure vessel inspection certificate fees, pursuant to § 40.1-51.15, Code of Virginia.

c) All state institutions for the mentally ill or intellectually disabled, from fees or per diem paid employees for the performance of services for which such payment is made, except for a fee or per diem allowed by statute to a superintendent or staff member of any such institution when summoned as a witness in any court.

d) Secretary of the Commonwealth, from all sources.

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

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

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

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

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

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

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

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

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

m) the Department of State Police, from the fees generated by the Firearms Transaction Program Fund, the Concealed Weapons Program, and the Conservator of the Peace Program pursuant to §§ 18.2-308, 18.2-308.2:2 and 19.2-13, Code of Virginia

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

n) Without regard to § 4-2.02 a.1 above, payments to the Treasurer of Virginia assessed to insurance companies for the

safekeeping and handling of securities or surety bonds deposited as insurance collateral shall be deposited into the Insurance Collateral Assessment Fund to defray such safekeeping and handling expenses.

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

Notwithstanding any contrary provision of law, for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia, the term general fund revenues, excluding transfers, is defined as (i) all state taxes, including penalties and interest, required and/or authorized to be collected and paid into the general fund of the state treasury pursuant to Title 58.1, Code of Virginia; (ii) permits, fees, licenses, fines, forfeitures, charges for services, and revenue from the use of money and property required and/or authorized to be paid into the general fund of the treasury; and (iii) amounts required to be deposited 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 payments, (ii) one-time payments not generated from the normal operation of state government, or (iii) proceeds from the sale of state property or assets be included in the general fund revenue calculations for purposes of subsection C of § 58.1-3524 and subsection B of § 58.1-3536, Code of Virginia.

**c. DATE OF RECEIPT OF REVENUES:**

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

**I VETO THIS ITEM WHICH CONTINUES ON PAGE 237. /s/ Terence R. McAuliffe (6/21/14) (Vetoed item is enclosed in brackets.)**

**d. SETTLEMENTS NEGOTIATED BY THE OFFICE OF THE ATTORNEY GENERAL:**

1. There is hereby created the Disbursement Review Committee (the "Committee"), the members of which are the Attorney General, who shall serve as chairman; the Chairman of the House Committee on Appropriations and one Delegate appointed by him, or their designees; the Chairman of the Senate Committee on Finance and one Senator appointed by him, or their designees; and two individuals appointed by the Governor. Whenever the Attorney General reasonably expects that there will be money or any real, tangible, or intangible property ("money or property"), or both, other than criminal fines (which would go to the Literary Fund) or attorney's fees (i) due or available to the Commonwealth as a result of any civil or criminal dispute or (ii) available to the Commonwealth or to any state or local governmental entity in the Commonwealth from any federal entity pursuant to an asset forfeiture equitable sharing agreement or other legal action, including a compromise, settlement, or agreement in a multistate action in which the Attorney General has participated on behalf of the Commonwealth or an agency of the Commonwealth, he shall forthwith notify all members of the Committee of the pertinent facts, and may convene a meeting of the Committee, but shall convene a meeting of the Committee at the request of any member.

2. For a compromise, settlement, or agreement under subdivision 1(i) above, the Attorney General shall prepare and recommend to the Committee a proposed Distribution Plan (the "Plan") regarding the distribution and use of money or property, or both, to be received by the Commonwealth as a result of any such compromise, settlement, or agreement. The Committee may propose the same or a modified Plan to the General Assembly for the distribution or use, or both, of such money or property, or both.

3. For a compromise, settlement, or agreement under subdivision 1(ii) above, if the distribution or use, or both, of any money or property, or both, to be received by the Commonwealth is determined by a court order, federal law, or by a federal entity pursuant to federal law (such as a federal asset forfeiture sharing agreement), the Attorney General shall prepare and provide to the Committee a proposed Plan for the distribution and use of any such money or property, or both, that is consistent with such court order, federal law, or regulations or policies of such federal agency. If the permissible purpose(s) for the distribution or use, or both, of such money or property, or both, is described in general terms (for example, it must be used for "law enforcement purposes" or for "consumer education"), the Committee may propose a modified Plan with a more particular distribution or use, or both, that falls within such general permissible purpose(s). If a federal entity must approve the final Plan for such distribution or use, or both, and does not approve the Plan submitted to it by the Attorney General, he shall so inform the Committee, and the Plan may be revised if deemed appropriate and resubmitted to the federal entity for approval. If the federal entity approves the original Plan or a revised Plan, the Attorney General shall so inform the Committee, and the Committee shall recommend to the General Assembly distribution or use, or both, of such money or property, or both, that is consistent with the Plan approved by the federal entity.

4. The Attorney General shall not enter into any compromise, settlement, or agreement for the distribution of money or property, or both, to be received by the Commonwealth under subdivision 1(i) or 1(ii) unless the compromise, settlement, or agreement provides that such money or property, or both, is to be deposited into the state treasury. No such distribution shall occur without a specific appropriation by the General Assembly that is consistent with the permissible purpose(s) set forth in the court order or federal law or by the federal entity. If a federal entity must approve the final Plan for such distribution or use, or both, and the General Assembly's appropriation in an appropriation act differs from the Plan approved by the federal entity, the appropriation shall be submitted to the federal entity for approval. The distribution of any money or property, or both, shall be done in a manner as prescribed by the State Comptroller in order to ensure proper accounting on the books of the Commonwealth.

5. The provisions of subdivisions 1) through 4) shall not apply to any negotiation, compromise, settlement, or agreement involving money or property, or both (a) where the distribution and use of such money or property, or both, is governed specifically by this act or by the constitution or other law of the Commonwealth, (b) in which the total value of such moneys or property does not exceed \$250,000, or (c) in which the entire amount of the settlement is for services provided, or for property sold or provided, under a contract with a governmental entity. "Governmental entity" shall include, without limitation, public institutions of higher education.

**ITEM VETO CONTINUED FROM PAGE 236. /s/ Terence R. McAuliffe (6/21/14) (Vetoed item is enclosed in brackets.)**

The General Assembly hereby appropriates a sum sufficient amount for any settlement or agreement authorized solely by virtue of this subdivision 5. The provisions of this § 4-2.02.d. shall not apply to state teaching hospitals.

**§ 4-2.03 INDIRECT COSTS**

**a. INDIRECT COST RECOVERIES FROM GRANTS AND CONTRACTS:**

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

**b. AGENCIES OTHER THAN INSTITUTIONS OF HIGHER EDUCATION:**

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

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

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

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

**c. INSTITUTIONS OF HIGHER EDUCATION:**

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

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

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

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

**d. REPORTS**

The Director, Department of Planning and Budget, shall make available via electronic means a report to the Chairmen of the Senate Finance and House Appropriations Committees and the public no later than September 1 of each year on the indirect cost recovery moneys administratively appropriated.

**e. REGULATIONS:**

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

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

**§ 4-3.01 DEFICITS**

**a. GENERAL:**

1. Except as provided in this section no state agency shall incur a deficit. No state agency receiving general fund appropriations under the provisions of this act shall obligate or expend moneys in excess of its general fund appropriations, nor shall it obligate or expend moneys in excess of nongeneral fund revenues that are collected and appropriated.

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

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

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

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

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

3. Deficits shall not be authorized for capital projects.

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

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

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

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

#### § 4-3.02 TREASURY LOANS

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

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

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

b) When the payment of authorized obligations for capital expenses is required prior to the collection of nongeneral fund revenues or proceeds from authorized debt, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds; such loans in anticipation of bond proceeds shall not exceed the amount of the anticipated proceeds from debt authorized by the General Assembly and shall be repaid only from such proceeds when collected.

2. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet the projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed twelve months.

3. Before an anticipation loan for a capital project is authorized, the agency shall develop a plan for financing such capital project; approval of the State Treasurer shall be obtained for all plans to incur authorized debt.

4. Anticipation loans for capital projects shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium.

5. To ensure that such loans are repaid as soon as practical and economical, the Department of Planning and Budget shall monitor the construction and expenditure schedules of all approved capital projects that will be paid for with proceeds from authorized debt and have anticipation loans.

6. Unless otherwise prohibited by federal or state law, the State Treasurer shall charge current market interest rates on anticipation loans made for operating purposes and capital projects subject to the following:

a) Anticipation loans for capital projects for which debt service will be paid with general fund appropriations shall be exempt from interest payments on borrowed balances.

b) Interest payments on anticipation loans for nongeneral fund capital projects or nongeneral fund operating expenses shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan or from the proceeds of authorized debt without the approval of the State Treasurer.

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

c. ANTICIPATION LOANS FOR PROJECTS NOT INCLUDED IN THIS ACT OR FOR PROJECTS AUTHORIZED UNDER § 4-4.01M: Authorization for anticipation loans for projects not included in this act or for projects authorized under § 4-4.01 m are limited to the provisions below:

1. Such loans are limited to those projects that shall be repaid from revenues derived from nongeneral fund sources.

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

b) When the payment of obligations for capital expenses for projects authorized under § 4-4.01 m is required prior to the collection of nongeneral fund revenues, any state agency or body corporate and politic, constituting a public corporation and government instrumentality, may borrow from the state treasury the required sums with the prior written approval of the Secretary of Finance or his designee as to the amount, terms and sources of such funds. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

3. Anticipation loans for operating expenses shall be in amounts not greater than the sum identified by the agency as the minimum amount required to meet projected expenditures. The term of any anticipation loans granted for operating expenses shall not exceed 12 months.

4. Before an anticipation loan is provided for a capital project authorized under § 4-4.01 m, the agency shall develop a plan for repayment of such loan and approval of the Director of the Department of Planning and Budget shall be obtained for all such plans and reported to the Chairman of the House Appropriations and Senate Finance Committees.

5. Anticipation loans for capital projects authorized under § 4-4.01 m shall be in amounts not greater than the sum identified by the agency as required to meet the projected expenditures for the project within the current biennium. Such loans shall be repaid only from nongeneral fund revenues associated with the project.

6. The State Treasurer shall charge current market interest rates on anticipation loans made for capital projects authorized under § 4-4.01 m. Interest payments on anticipation loans for nongeneral fund capital projects authorized under § 4-4.01 m shall be made from appropriated nongeneral fund revenues. Such interest shall not be paid with the funds from the anticipation loan without the approval of the Director of the Department of Planning and Budget.

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



§ 4-3.03 CAPITAL LEASES

a. GENERAL:

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

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

b. APPROVAL OF FINANCINGS:

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

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

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

d. This section shall not apply to capital leases that are funded entirely with nongeneral fund revenues and are entered into by public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly. Furthermore, the Department of General Services is authorized to enter into capital leases for executive branch agencies provided that the resulting capital lease is funded entirely with nongeneral funds, is approved based on the requirements of § 4-3.03 b.1 and 2 above, and would not be considered tax supported debt of the Commonwealth.

**§ 4-4.00 CAPITAL PROJECTS**

§ 4-4.01 GENERAL

a. Definition:

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

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

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

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

b. Notwithstanding any other provisions of law, requests for appropriations for capital projects shall be subject to the following:

1. The agency shall submit a capital project proposal for all requested capital projects. Such proposals shall be submitted to the Director, Department of Planning and Budget, for review and approval in accordance with guidelines prescribed by the director. Projects shall be developed to meet agency functional and space requirements within a cost range comparable to similar public and



private sector projects.

2. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, financings for capital projects shall comply, where applicable, with the Treasury Board Guidelines issued pursuant to § 2.2-2416, Code of Virginia, and any subsequent amendments thereto.

3. As part of any request for appropriations for an armory, the Department of Military Affairs shall obtain a written commitment from the host locality to share in the operating expense of the armory.

c. Each agency head shall provide annually to the Director, Department of Planning and Budget, a report on the use of the maintenance reserve appropriation of the agency in Part 2 of this act. In the use of its maintenance reserve appropriation, an agency shall give first priority to the repair or replacement of roof on buildings under control of the agency. The agency head shall certify in the agency's annual maintenance reserve report that to the best of his or her knowledge, all necessary roof repairs have been accomplished or are in the process of being accomplished. Such roof repairs and replacements shall be in accord with the technical requirements of the Commonwealth's Construction and Professional Services Manual.

d. The Department of Planning and Budget shall review its approach to capital outlay planning and budgeting from time to time and make available via electronic means a report of any proposed change to the Chairmen of the House Appropriations and Senate Finance Committees and the public prior to its implementation. Such report shall include an analysis of the impact of the suggested change on affected agencies and institutions.

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 Virginia, amended by Chapter 488, 1997 Acts of Assembly, relating to Virginia Port Authority capital projects and procurement activities.

f. It is the intent of the General Assembly that the Department of Conservation and Recreation shall be authorized to initiate and accept by gift or purchase with nongeneral fund dollars any lands for State Park or Natural Area purposes which may become available, and that are not specifically appropriated by the General Assembly, when such acquisitions are made in accordance with the provisions of this section and other applicable provisions of state law including approval by the Governor.

g. Legislative Approval: It is the intent of the General Assembly that, with the exceptions noted in this paragraph and paragraph m, all capital projects to be undertaken by agencies of the Commonwealth, including institutions of higher education, shall be pursuant to approvals by the General Assembly as provided in the Six-Year Capital Outlay Plan established pursuant to § 2.2-1515, et seq., Code of Virginia. Otherwise, the consideration of capital projects shall be limited to:

1. Supplementing projects which have been bid and determined to have insufficient funding to be placed under contract, and

2. Projects declared by the Governor or the General Assembly to be of an emergency nature, which may avoid an increase in cost or otherwise result in a measurable benefit to the state, and/or which are required for the continued use of existing facilities.

3. This paragraph does not prohibit the initiation of projects authorized by § 4-4.01 m hereof, or projects included under the central appropriations for capital project expenses in this act.

h. Preliminary Requirements: In regard to each capital project for which appropriation or reappropriation is made pursuant to this act, or which is hereafter considered by the Governor for inclusion in the Executive Budget, or which is offered as a gift or is considered for purchase, the Governor is hereby required: (1) to determine the urgency of its need, as compared with the need for other capital projects as herein authorized, or hereafter considered; (2) to determine whether the proposed plans and specifications for each capital project are suitable and adequate, and whether they involve expenditures which are excessive for the purposes intended; (3) to determine whether labor, materials, and other requirements, if any, needed for the acquisition or construction of such project can and will be obtained at reasonable cost; and (4) to determine whether or not the project conforms to a site or master plan approved by the agency head or board of visitors of an institution of higher education for a program approved by the General Assembly.

i. Initiation Generally:

1. No architectural or engineering planning for, or construction of, or purchase of any capital project shall be commenced or revised without the prior written approval of the Governor or his designee.

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

3. The Governor, at his discretion, or his designee may release from any capital project appropriation or reappropriation made pursuant to this act such sum (or sums) as may be necessary to pay for the preparation of plans and specifications by architects

and engineers, provided that the estimated cost of the construction covered by such drawings and specifications does not exceed the appropriation therefor; provided, further, however, that the architectural and engineering fees paid on completion of the preliminary design for any such project may be based on such estimated costs as may be approved by the Governor in writing, where it is shown to the satisfaction of the Governor that higher costs of labor or material, or both, or other unforeseen conditions, have made the appropriation inadequate for the completion of the project for which the appropriation was made, and where in the judgment of the Governor such changed conditions justify the payment of architectural or engineering fees based on costs exceeding the appropriation.

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

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

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

2. By August 15 of each year, institutions shall also prepare and submit copies of financial feasibility studies to the State Council of Higher Education for Virginia for 9(d) obligations where debt service is expected to be paid from project revenues or revenues of the institution. The State Council of Higher Education for Virginia shall identify the impact of all projects requested by the 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 institutions of higher education and the impact of the project on the institution's need for student financial assistance. The State Council of Higher Education for Virginia shall report such information to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees no later than October 1 of each year.

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

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

1.1. Change in Size and Scope: Unless otherwise provided by law, the scope, which is the function or intended use, of any capital project may not be substantively changed, nor its size increased or decreased by more than five percent in size beyond the plans and justification which were the basis for the appropriation or reappropriation in this act or for the Governor's authorization pursuant to § 4-4.01 m of this act. However, this prohibition is not applicable to changes in size and scope required because of circumstances determined by the Governor to be an emergency, or requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. Furthermore, this prohibition shall not apply to minor increases, beyond five percent, in square footage determined by the Director, Department of General Services, to be reasonable and appropriate based on a written justification submitted by the agency stating the reason for the increase, with the provision that such increase will not increase the cost of the project beyond the amount appropriated; nor to decreases in size beyond five percent to offset unbudgeted costs when such costs are determined by the Director, Department of Planning and Budget, to be reasonable based on a written justification submitted by the agency specifying the amount and nature of the unbudgeted costs and the types of actions that will be taken to decrease the size of the project. The written justification shall also include a certification, signed by the agency head, that the resulting project will be consistent with the original programmatic intent of the appropriations.

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

m. Projects Not Included In This Act:

1. Authorization by Governor:

a) The Governor may authorize initiation of, planning for, construction of or acquisition of a nongeneral fund capital project not specifically included in this act or provided for a program approved by the General Assembly through appropriations, under one or more of the following conditions:

1) The project is required to meet an emergency situation.

2) The project is to be operated as an auxiliary enterprise or sponsored program in an institution of higher education and will be fully funded by revenues of auxiliary enterprises or sponsored programs.

3) The project is to be operated as an educational and general program in an institution of higher education and will be fully funded by nongeneral fund revenues of educational and general programs or from private gifts and indirect cost recoveries.

4) The project consists of plant or property which has become available or has been received as a gift.

5) The project has been recommended for funding by the Tobacco Indemnification and Community Revitalization Commission or the Virginia Tobacco Settlement Foundation.

b) The foregoing conditions are subject to the following criteria:

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 4-2.03) without adverse effect on other projects or programs, or from unappropriated nongeneral fund revenues or balances.

2) In the Governor's opinion such action may avoid an increase in cost or otherwise result in a measurable benefit to the state.

3) The authorization includes a detailed description of the project, the project need, the total project cost, the estimated operating costs, and the fund sources for the project and its operating costs.

4) The Chairmen of the House Appropriations and Senate Finance Committees shall be notified by the Governor prior to the authorization of any capital project under the provisions of this subsection.

5) Permanent funding for any project initiated under this section shall only be from nongeneral fund sources.

2. Authorization by Director, Department of Planning and Budget:

a) The Director, Department of Planning and Budget, may authorize initiation of a capital project not included in this act, if the General Assembly has enacted legislation to fund the project from bonds of the Virginia Public Building Authority, Virginia College Building Authority, or from reserves created by refunding of bonds issued by those Authorities.

3. Delegated authorization by Boards of Visitors, Public Institutions of Higher Education:

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 the eligibility criteria set forth in Chapters 933 and 945 of the 2005 Acts of Assembly for additional operational and administrative autonomy, including having entered into a memorandum of understanding with the Secretary of Administration for delegated authority of nongeneral fund capital outlay projects, and ii) has received a sum sufficient nongeneral fund appropriation for emergency projects as set out in Part 2: Capital Project Expenses of this act, may authorize the initiation of any capital project that is not specifically set forth in this act provided that the project meets at least one of the conditions and criteria identified in § 4-4.01 m 1 of this act.

b) At least 30 days prior to the initiation of a project under this provision, the board of visitors must notify the Governor and Chairmen of the House Appropriations and Senate Finance Committees and must provide a life-cycle budget analysis of the project. Such analysis shall be in a form to be prescribed by the Auditor of Public Accounts.

c) The Commonwealth of Virginia shall have no general fund obligation for the construction, operation, insurance, routine maintenance, or long-term maintenance of any project authorized by the board of visitors of a public institution of higher education in accordance with this provision.

n. Acquisition, maintenance, and operation of buildings and nonbuilding facilities in colleges and universities shall be subject to the following policies:

1. The anticipated program use of the building or nonbuilding facility should determine the funding source for expenditures for acquisition, construction, maintenance, operation, and repairs.

2. Expenditures for land acquisition, site preparation beyond five feet from a building, and the construction of additional outdoor lighting, sidewalks, outdoor athletic and recreational facilities, and parking lots in the Virginia Community College System shall be made only from appropriated federal funds, Trust and Agency funds, including local government allocations or appropriations, or the proceeds of indebtedness authorized by the General Assembly.

3. The general policy of the Commonwealth shall be that parking services are to be operated as an auxiliary enterprise by all colleges and universities. Institutions should develop sufficient reserves for ongoing maintenance and replacement of parking facilities.

4. Except as provided in paragraph 2 above, expenditures for maintenance, replacement, and repair of outdoor lighting, sidewalks, and other infrastructure facilities may be made from any appropriated funds.

5. Expenditures for operations, maintenance, and repair of athletic, recreational, and public service facilities, both indoor and outdoor, should be from nongeneral funds. However, this condition shall not apply to any indoor recreational facility existing on a community college campus as of July 1, 1988.

6.a.1. At institutions of higher education that have met the eligibility criteria for additional operational and administrative 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 Assembly, any repair, renovation, or new construction project costing up to \$2,000,000 shall be exempt from the capital outlay review and approval process. For purposes of this paragraph, projects shall not include any subset of a series of projects, which in combination would exceed the \$2,000,000 maximum.

2. All institutions of higher education shall be exempt from the capital review and approval process for repair, renovation, or new construction projects costing up to \$2,000,000.

b. Blanket authorizations funded entirely by nongeneral funds may be used for 1) renovation and infrastructure projects costing up to \$2,000,000 and 2) the planning of nongeneral fund new construction and renovation projects through bidding, with bid award made after receipt of a construction authorization. The Director, Department of Planning and Budget, may provide exemptions to the threshold.

7. It is the policy of the Commonwealth that the institutions of higher education shall treat the maintenance of their facilities as a priority for the allocation of resources. No appropriations shall be transferred from the "Operation and Maintenance of Plant" subprogram except for closely and definitely related purposes, as approved by the Director, Department of Planning and Budget, or his designee. A report providing the rationale for each approved transfer shall be made to the Chairmen of the House Appropriations and Senate Finance Committees.

o. Legislative Intent and Reporting: Appropriations for capital projects shall be deemed to have been made for purposes which require their expenditure, or being placed under contract for expenditure, during the current biennium. Agencies to which such appropriations are made in this act or any other act are required to report progress as specified by the Governor. If, in the opinion of the Governor, these reports do not indicate satisfactory progress, he is authorized to take such actions as in his judgment may be necessary to meet legislative intent as herein defined. Reporting on the progress of capital projects shall be in accordance with § 4-8.00, Reporting Requirements.

p. No expenditure from a general fund appropriation in this act shall be made to expand or enhance a capital outlay project beyond that anticipated when the project was initially approved by the General Assembly except to comply with requirements imposed by the federal government when such capital project is for armories or other defense-related installations and is funded in whole or in part by federal funds. General fund appropriations in excess of those necessary to complete the project shall not be reallocated to expand or enhance the project, or be reallocated to a different project. The prohibitions in this subsection shall not apply to transfers from projects for which reappropriations have been authorized.

q. Local or private funds to be used for the acquisition, construction or improvement of capital projects for state agency use as owner or lessee shall be deposited into the state treasury for appropriation prior to their expenditure for such projects.

r. State-owned Registered Historic Landmarks: To guarantee that the historical and/or architectural integrity of any state-owned properties listed on the Virginia Landmarks Register and the knowledge to be gained from archaeological sites will not be adversely affected because of inappropriate changes, the heads of those agencies in charge of such properties are directed to submit all plans for significant alterations, remodeling, redecoration, restoration or repairs that may basically alter the appearance of the structure, landscaping, or demolition to the Department of Historic Resources. Such plans shall be reviewed within thirty days and the comments of that department shall be submitted to the Governor through the Department of General Services for use in making a final determination.

s.1. The Governor may authorize the conveyance of any interest in property or improvements thereon held by the Commonwealth to the educational or real estate foundation of any institution of higher education where he finds that such 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 appropriated to the institution by the General Assembly. Any approved conveyance shall be exempt from § 2.2-1156, Code of Virginia, and any other statute concerning conveyance, transfer or sale of state property. If the foundation conveys any interest in the property or any improvements thereon, such conveyance shall likewise be exempt from compliance with any statute concerning disposition of state property. Any income or proceeds from the conveyance of any interest in the property shall be deemed to be local or private funds and may be used by the foundation for any foundation purpose.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly.

t.1. Facility Lease Agreements Involving Institutions of Higher Education: In the case of any lease agreement involving state-owned property controlled by an institution of higher education, where the lease has been entered into consistent with the provisions of § 2.2-1155, Code of Virginia, the Governor may amend, adjust or waive any project review and reporting procedures of Executive agencies as may reasonably be required to promote the property improvement goals for which the lease agreement was developed.

2. This section shall not apply to public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly.

u. Energy-efficiency Projects: Improvements to state-owned properties for the purpose of energy-efficiency shall be treated as follows:

1. Such improvements shall be considered an operating expense, provided that:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy;

d) the total cost does not exceed \$3,000,000; and

e) if the total cost exceeds \$3,000,000, but does not exceed \$7,000,000, the energy savings from the project offset the total cost of the project, including debt service and interest payments.

2. If (a) the total cost of the improvement exceeds \$7,000,000 or (b) the total cost exceeds \$3,000,000, but does not exceed \$7,000,000, and the energy savings from the project do not fully offset the total cost of the project, including debt services and interest payments, the improvement shall be considered a capital expense regardless of the type of improvement and the following conditions must be met:

a) the scope of the project meets or exceeds the applicable energy-efficiency standards set forth in the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the Illuminating Engineering Society (IES) standard 90.1-1989 and is limited to measures listed in guidelines issued by the Department of General Services;

b) the project is financed consistent with the provisions of § 2.2-2417, Code of Virginia, which requires Treasury Board approval and is executed through a nonprofessional services contract with a vendor approved by the Department of General Services;

c) the scope of work has been reviewed and recommended by the Department of Mines, Minerals and Energy;

d) the project has been reviewed by the Department of Planning and Budget; and

e) the project has been approved by the Governor.

3. If the total project exceeds \$250,000, the agency director will submit written notification to the Director, Department of Planning and Budget, verifying that the project meets all of the conditions in subparagraph 1 above.

The provisions of §§ 2.0 and 4-4.01 of this act and the provisions of § 2.2-1132, Code of Virginia, shall not apply to energy conservation projects that qualify as capital expenses.

4. As used in this paragraph, "improvement" does not include (a) constructing, enlarging, altering, repairing or demolishing a building or structure, (b) changing the use of a building either within the same use group or to a different use group when the new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions, or (c) removing or disturbing any asbestos-containing materials during demolition, alteration, renovation of or additions to building or structures. If the projected scope of an energy-efficiency project includes any of these elements, it shall be subject to the capital outlay process as set out in this section.

5. The Director, Department of Planning and Budget, shall notify the Chairmen of the House Appropriations and Senate Finance Committees upon the initiation of any energy-efficiency projects under the provisions of this paragraph.

v. No expenditures shall be authorized for the purchase of fee simple title to any real property to be used for a correctional facility or for the actual construction of a correctional facility provided for in this act, or by reference hereto, that involves acquisition or new construction of youth or adult correctional facilities on real property which was not owned by the Commonwealth on January 1, 1995, until the governing body of the county, city or town wherein the project is to be located has adopted a resolution supporting the location of such project within the boundaries of the affected jurisdiction. The foregoing does not prohibit expenditures for site studies, real estate options, correctional facility design and related expenditures.

w. Except for institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, any alternative financing agreement entered into between a state agency or institution of higher education and a private entity or affiliated foundation must be reviewed and approved by the Treasury Board.

x. Prior to requesting authorization for new dormitory capital projects, institutions of higher education shall conduct a cost study to determine whether an alternative financing arrangement or public-private transaction would provide a more effective option for the construction of the proposed facility. This study shall be submitted to the Department of Planning and Budget as part of the budget development process and shall be evaluated by the Governor prior to submitting his proposed budget.

y. Any new construction project developed by or for the Chippokes Plantation Farm Foundation, with an estimated cost of \$750,000 or less, shall be exempt from the capital outlay review and approval process.

z. Construction or improvement projects of the Department of Military Affairs are not exempt from the capital outlay review process when the state procurement process is utilized, except for those projects with both an estimated cost of \$3,000,000 or less and are 100 percent federally reimbursed. The Department of Military Affairs shall submit by July 30 of each year to the Department of Planning and Budget a list of such projects that were funded pursuant to this exemption in the previous fiscal year and any projects that would be eligible for such funding in future fiscal years.

#### § 4-4.02 PLANNING AND BUDGETING

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

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

### § 4-5.00 SPECIAL CONDITIONS AND RESTRICTIONS ON EXPENDITURES

#### § 4-5.01 TRANSACTIONS WITH INDIVIDUALS

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

b. STUDENT FINANCIAL ASSISTANCE FOR HIGHER EDUCATION:

1. General:

a) The appropriations made in this act to state institutions of higher education within the Items for student financial assistance may be expended for any one, all, or any combination of the following purposes: grants to undergraduate students enrolled at least one-half time in a degree, certificate, industry-based certification and related programs that do not qualify for other sources of student financial assistance or diploma program; grants to full-time graduate students; graduate assistantships; grants to students enrolled full-time in a dual or concurrent undergraduate and graduate program. The institutions may also use these appropriations for the purpose of supporting work study programs. The institution is required to transfer to educational and general appropriations all funds used for work study or to pay graduate assistantships. Institutions may also contribute to federal or private student grant aid programs requiring matching funds by the institution, except for programs requiring work. The State Council of Higher Education for Virginia shall annually review each institution's plan for the expenditures of its general fund appropriation for undergraduate student financial assistance prior to the start of the fall term to determine program compliance. The institution's plan shall include the institution's assumptions and calculations for determining the cost of attendance, student financial need, and student remaining need as well as an award schedule or description of how funds are awarded. For the purposes of the proposed plan, each community college shall be considered independently. No limitations shall be placed on the awarding of nongeneral fund appropriations made in this act to state institutions of higher education within the Items for student financial assistance other than those found previously in this paragraph and as follows: (i) funds derived from in-state student tuition will not subsidize out-of-state students, (ii) students receiving these funds must be making satisfactory academic progress, (iii) awards made to students should be based primarily on financial need, and (iv) institutions should make larger grant and scholarship awards to students taking the number of credit hours necessary to complete a degree in a timely manner.

b) All awards made to undergraduate students from such Items shall be for Virginia students only and such awards shall offset all, or portions of, the costs of tuition and required fees, and, in the case of students qualifying under subdivision b 2 c)1) hereof, the cost of books. All undergraduate financial aid award amounts funded by this appropriation shall be proportionate to the remaining need of individual students, with students with higher levels of remaining need receiving grants before other students. No criteria other than the need of the student shall be used to determine the award amount. Because of the low cost of attendance and recognizing that



federal grants provide a much higher portion of cost than at other institutions, a modified approach and minimum award amount for the neediest VGAP student should be implemented for community college and Richard Bland College students based on remaining need and the combination of federal and grant state aid. Student financial need shall be determined by a need-analysis system approved by the Council.

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

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

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

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

f) The provisions of this act under the heading "Student Financial Assistance for Higher Education" shall not apply to (1) the soil scientist scholarships authorized under § 23-38.3, Code of Virginia and (2) need-based financial aid programs for industry-based certification and related programs that do not qualify for other sources of student financial assistance, which will be subject to guidelines developed by the State Council of Higher Education for Virginia.

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

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

## 2. Grants To Undergraduate Students:

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

b) A student receiving an award must be duly admitted and enrolled in a degree, certificate or diploma program at the institution making the award, and shall be making satisfactory academic progress as defined by the institution for the purposes of eligibility under Title IV of the federal Higher Education Act, as amended.

c)1) It is the intent of the General Assembly that students eligible under the Virginia Guaranteed Assistance Program (VGAP) authorized in Title 23, Chapter 4.4:2, Code of Virginia, shall receive grants before all other students at the same institution with equivalent remaining need from the appropriations for undergraduate student financial assistance found in Part 1 of this act (service area 1081000 - Scholarships). In each instance, VGAP eligible students shall receive awards greater than other students with equivalent remaining need.

2) The amount of each VGAP grant shall vary according to each student's remaining need and the total of tuition, all required fees and the cost of books at the institution the student will attend upon acceptance for admission. The actual amount of the VGAP award will be determined by the proportionate award schedule adopted by each institution; however, those students with the greatest financial need shall be guaranteed an award at least equal to tuition.

3) It is the intent of the General Assembly that the Virginia Guaranteed Assistance Program serve as an incentive to financially needy students now attending elementary and secondary school in Virginia to raise their expectations and their academic performance and to consider higher education an achievable objective in their futures.

4) Students may not receive a VGAP and a Commonwealth grant in the same semester.

## 3. Grants To Graduate Students:

a) An individual award may be based on financial need but may, in addition to or instead of, be based on other criteria determined by the institution making the award. The amount of an award shall be determined by the institution making the award; however, the Council shall annually be notified as to the maximum size of a graduate award that is paid from funds in the appropriation.

b) A student receiving a graduate award paid from the appropriation must be duly admitted into a graduate degree program at the institution making the award.

c) Not more than 50 percent of the funds designated by an institution as graduate grants from the appropriation, and approved as such by the Council, shall be awarded to persons not eligible to be classified as Virginia domiciliary resident students except in cases where the persons meet the criteria outlined in § 4-2.01b.6.

4. Matching Funds: Any institution of higher education may, with the approval of the Council, use funds from its appropriation for fellowships and scholarships to provide the institutional contribution to any student financial aid program established by the federal government or private sources which requires the matching of the contribution by institutional funds, except for programs requiring work.

5. Discontinued Loan Program:

a) If any federal student loan program for which the institutional contribution was appropriated by the General Assembly is discontinued, the institutional share of the discontinued loan program shall be repaid to the fund from which the institutional share was derived unless other arrangements for the use of the funds are recommended by the Council and approved by the Department of Planning and Budget. Should the institution be permitted to retain the federal contributions to the program, the funds shall be used according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

b) 1) An institution of higher education may discontinue its student loan fund established pursuant to Title 23, Chapter 4.01, Code of Virginia. The full amount of cash in such discontinued loan fund shall be paid into the state treasury into a nonrevertible nongeneral fund account. Prior to such payment, the State Comptroller shall verify its accuracy, including the fact that the cash held by the institution in the loan fund will be fully depleted by such payment. The loan fund shall not be reestablished thereafter for that institution.

2) The cash so paid into the state treasury shall be used only for grants to undergraduate and graduate students in the Higher Education Student Financial Assistance program according to arrangements authorized by the Council and approved by the Department of Planning and Budget.

3) Payments on principal and interest of any promissory notes held by the discontinued loan fund shall continue to be received by the institution, which shall deposit such payments in the state treasury to the nonrevertible nongeneral fund account specified in subdivision (1) preceding, to be used for grants as specified in subdivision (2) preceding.

6. Reporting: The Council shall collect student-specific information for undergraduate students as is necessary for the operation of the Student Financial Assistance Program. The Council shall maintain regulations governing the operation of the Student Financial Assistance Program based on the provisions outlined in this section, the Code of Virginia, and State Council policy.

C. PAYMENTS TO CITIZEN MEMBERS OF NONLEGISLATIVE BODIES:

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

§ 4-5.02 THIRD PARTY TRANSACTIONS

a. EMPLOYMENT OF ATTORNEYS:

1.a. All attorneys authorized by this act to be employed by any state agency and all attorneys compensated out of any moneys appropriated in this session of the General Assembly shall be appointed by the Attorney General and be in all respects subject 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 Virginia; provided, however, that if the Governor certifies the need for independent legal counsel for any Executive Department agency, such agency shall be free to act independently of the Office of the Attorney General in regard to selection, and provided, further, that compensation of such independent legal counsel shall be paid from the moneys appropriated to such Executive Department agency or from the moneys appropriated to the Office of the Attorney General.

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

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

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

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



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

d. DEBT COLLECTION SERVICES:

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

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

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

§ 4-5.03 SERVICES AND CLIENTS

a. CHANGED COST FACTORS:

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

2. Notwithstanding any other provision of law, the Department of Planning and Budget, with assistance from agencies that operate internal service funds as requested, shall establish policies and procedures for annually reviewing and approving internal service fund overhead surcharge rates and working capital reserves.

3. By September 1 each year, state agencies that operate an internal service fund, pursuant to §§ 2.2-803, 2.2-1101, and 2.2-2013, Code of Virginia, that have an impact on agency expenditures, shall submit a report to the Department of Planning and Budget and the Joint Legislative Audit and Review Commission to include all information as required by the Department of Planning and Budget to conduct a thorough review of overhead surcharge rates, revenues, expenditures, full-time positions, and working capital reserves for each internal service fund. The report shall include any proposed modifications in rates to be charged by internal service funds for review and approval by the Department of Planning and Budget. In its review, the Department of Planning and Budget shall determine whether the requested rate modifications are consistent with budget assumptions. The format by which agencies submit the operating plan for each internal service fund shall be determined by the Department of Planning and Budget with assistance from agencies that operate internal service funds as requested.

4. State agencies that operate internal service funds may not change a billable overhead surcharge rate to another state agency unless the resulting change is provided in the final General Assembly enacted budget.

5. State agencies that operate more than one internal service fund shall comply with the review and approval requirements detailed in this Item for each internal service fund.

6. As determined by the Director, Department of Planning and Budget, state agencies that operate select programs where an agency provides a service to and bills other agencies shall be subject to the annual review of the agency's internal service funds consistent with the provisions of this Item, unless such payment for services is pursuant to a memorandum of understanding authorized by § 4-1.03 a. 7 of this act.

7. The Governor is authorized to change internal service fund overhead surcharge rates, including the creation of new rates, beyond the rates enacted in the budget in the event of an emergency upon prior notice to the Chairmen of the House Appropriations and Senate Finance Committees. Such prior notice shall be no less than five days prior to enactment of a revised or new rate and shall include the basis of the emergency and the impact on state agencies.

8. Notwithstanding any other provision of law, the Commonwealth's statewide electronic procurement system and program known as eVA shall have all rates and working capital reserves reviewed and approved by the Department of Planning and Budget consistent with the provisions of this Item.

9. State agencies that are partially or fully funded with nongeneral funds and are billed for services provided by another state

agency shall pay the nongeneral fund cost for the service from the agency's applicable nongeneral fund revenue source consistent with an appropriation proration of such expenses.

b. NEW SERVICES:

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

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

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

c. OFF-CAMPUS SITES OF INSTITUTIONS OF HIGHER EDUCATION:

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

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

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

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

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

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

d) Nothing herein shall prohibit an institution from offering non-credit continuing education programs at sites away from the main campus of a college or university.

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

d. PERFORMANCE MEASUREMENT

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

2.a) Within thirty days of the enactment of this act, the Director, Department of Planning and Budget, shall make available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees and the public a list of the new initiatives for which appropriations are provided in this act.

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

§ 4-5.04 GOODS AND SERVICES

a. STUDENT ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION:

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

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

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

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

b. INFORMATION TECHNOLOGY FACILITIES AND SERVICES:

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

b) Except for research projects, research initiatives, or instructional programs at public institutions of higher education, or any non-major information technology project request from the Virginia Community College System, Longwood University, or from an institution of higher education which is a member of the Virginia Association of State Colleges and University Purchasing Professionals (VASCUPP) as of July 1, 2003, or any procurement of information technology and telecommunications goods and services by public institutions of higher education governed by some combination of Chapters 933 and 945 of the 2005 Acts of Assembly, Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly, requests for authorization from state agencies and institutions to procure information technology and telecommunications goods and services on their own behalf shall be made in writing to the Chief Information Officer or his designee. Members of VASCUPP as of July 1, 2003, are hereby recognized as: The College of William and Mary, George Mason University, James Madison University, Old Dominion University, Radford University, Virginia Commonwealth University, Virginia Military Institute, Virginia Polytechnic Institute and State University, and the University of Virginia.

c) The Chief Information Officer or his designee may grant the authorization upon a written determination that the request conforms to the statewide information technology plan and the individual information technology plan of the requesting agency or institution.

d) Any procurement authorized by the Chief Information Officer or his designee for information technology and telecommunications goods and services, including geographic information systems, shall be issued by the requesting state agency or institution in accordance with the regulations, policies, procedures, standards, and guidelines of the Virginia Information Technologies Agency.

e) Nothing in this subsection shall prevent public institutions of higher education or the Virginia Community College System from using the services of Network Virginia.

f) To ensure that the Commonwealth's research universities maintain a competitive position with access to the national optical research network infrastructure including the National LambdaRail and Internet2, the Network Virginia Contract Administrator is hereby authorized to renegotiate the term of the existing contracts. Additionally, the contract administrator is authorized to competitively negotiate additional agreements in accordance with the Code of Virginia and all applicable regulations, as required, to establish and maintain research network infrastructure.

2. If the billing rates and associated systems for computer, telecommunications and systems development services to state agencies are altered, the Director, Department of Planning and Budget, may transfer appropriations from the general fund between programs affected. These transfers are limited to actions needed to adjust for overfunding or underfunding the program

appropriations affected by the altered billing systems.

3. The provisions of this subsection shall not in any way affect the duties and responsibilities of the State Comptroller under the provisions of § 2.2-803, Code of Virginia.

4. It is the intent of the General Assembly that information technology (IT) systems, products, data, and service costs, including geographic information systems (GIS), be contained through the shared use of existing or planned equipment, data, or services which may be available or soon made available for use by state agencies, institutions, authorities, and other public bodies. State agencies, institutions, and authorities shall cooperate with the Virginia Information Technologies Agency in identifying the development and operational requirements for proposed IT and GIS systems, products, data, and services, including the proposed use, functionality, capacity and the total cost of acquisition, operation and maintenance.

5. This section shall not apply to public institutions of higher education governed by some combination of Chapters 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 the 2008 Acts of Assembly, Chapters 824 and 829 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly.

6. Notwithstanding any other provision of law, state agencies that do not receive computer services from the Virginia Information Technologies Agency may develop their own policies and procedures governing the sale of surplus computers and laptops to their employees or officials. Any proceeds from the sale of surplus computers or laptops shall be deposited into the appropriate fund or funds used to purchase the equipment.

#### c. MOTOR VEHICLES AND AIRCRAFT:

1. No motor vehicles shall be purchased or leased with public funds by the state or any officer or employee on behalf of the state without the prior written approval of the Director, Department of General Services.

2. The institutions of higher education shall be exempt from this provision but shall be required to report their entire inventory of purchased and leased vehicles including the cost of such to the Director of the Department of General Services by June 30 of each year. The Director of the Department of General Services shall compare the cost of vehicles acquired by institutions of higher education to like vehicles under the state contract. If the comparison demonstrates for a given institution that the cost to the Commonwealth is greater for like vehicles than would be the case based on a contract of statewide applicability, the Governor or his designee may suspend the exemption granted to the institution pursuant to this subparagraph c.

3. The Director, Department of General Services, is hereby authorized to transfer surplus motor vehicles among the state agencies, and determine the value of such surplus equipment for the purpose of maintaining the financial accounts of the state agencies affected by such transfers.

d. MOTION PICTURE, TELEVISION AND RADIO SERVICES PRODUCTION: Except for public institutions of higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, no state Executive Department agency or the Virginia Lottery Department shall expend any public funds for the production of motion picture films or of programs for television transmission, or for the operation of television or radio transmission facilities, without the prior written approval of the Governor or as otherwise provided in this act, except for educational television programs produced for elementary-secondary education by authority of the Virginia Information Technologies Agency. The Joint Subcommittee on Rules is authorized to provide the approval of such expenditures for legislative agencies. For judicial agencies and independent agencies, other than the Virginia Lottery Department, prior approval action rests with the supervisory bodies of these entities. With respect to television programs which are so approved and other programs which are otherwise authorized or are not produced for television transmission, state agencies may enter into contracts without competitive sealed bidding, or competitive negotiation, for program production and transmission services which are performed by public telecommunications entities, as defined in § 2.2-2427, Code of Virginia.

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

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

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

3. The State Comptroller may authorize exemptions to restrictions upon use of common carrier accommodations;
  4. The State Comptroller may authorize reimbursement by per diem in lieu of actual costs of meals and any other expense category deemed necessary for the efficient and effective operation of state government;
  5. State employees traveling on official business of state government shall be reimbursed for their travel costs using the same bank account authorized by the employee in which their net pay is direct deposited; and
  6. This section shall not apply to members and employees of public school boards.
  - f. SMALL PURCHASE CHARGE CARD, ELECTRONIC DATA INTERCHANGE, DIRECT DEPOSIT, AND PAYLINE OPT OUT: The State Comptroller is hereby authorized to charge state agencies a fee of \$5 per check or earnings notice when, in his judgment, agencies have failed to comply with the Commonwealth's electronic commerce initiatives to reduce unnecessary administrative costs for the printing and mailing of state checks and earning notices. The fee shall be collected by the Department of Accounts through accounting entries.
  - g. PURCHASES OF APPLIANCES AND EQUIPMENT: State agencies and institutions shall purchase Energy Star rated appliances and equipment in all cases where such appliances and equipment are available.
  - h. ELECTRONIC PAYMENTS: Any recipient of payments from the State Treasury who receives six or more payments per year issued by the State Treasurer shall receive such payments electronically. The State Treasurer shall decide the appropriate method of electronic payment and, through his warrant issuance authority, the State Comptroller shall enforce the provisions of this section. The State Comptroller is authorized to grant administrative relief to this requirement when circumstances justify non-electronic payment.
  - i. LOCAL AND NON-STATE SAVINGS AND EFFICIENCIES: It is the intent of the General Assembly that State agencies shall encourage and assist local governments, school divisions, and other non-state governmental entities in their efforts to achieve cost savings and efficiencies in the provision of mandated functions and services including but not limited to finance, procurement, social services programs, and facilities management.
  - j. MEDICAL SERVICES: No expenditures from general or nongeneral fund sources may be made out of any appropriation by the General Assembly for providing abortion services, except as otherwise required by federal law or state statute.
  - k. TELECOMMUNICATION SERVICES AND DEVICES:
    1. The Chief Information Officer and the State Comptroller shall develop statewide requirements for the use of cellular telephones and other telecommunication devices by in-scope Executive Department agencies, addressing the assignment, evaluation of need, safeguarding, monitoring, and usage of these telecommunication devices. The requirements shall include an acceptable use agreement template clearly defining an employee's responsibility when they receive and use a telecommunication device. Statewide requirements shall require some form of identification on a device in case it is lost or stolen and procedures to wipe the device clean of all sensitive information when it is no longer in use.
    2. In-scope Executive Department agencies providing employees with telecommunication devices shall develop agency-specific policies, incorporating the guidance provided in § 4-5.04 k. 1. of this act and shall maintain a cost justification for the assignment or a public health, welfare and safety need.
    3. The Chief Information Officer shall determine the optimal number of telecommunication vendors and plans necessary to meet the needs of in-scope Executive Department agency personnel. The Chief Information Officer shall regularly procure these services and provide statewide contracts for use by all such agencies. These contracts shall require the vendors to provide detailed usage information in a useable electronic format to enable the in-scope agencies to properly monitor usage to make informed purchasing decisions and minimize costs.
    4. The Chief Information Officer shall examine the feasibility of providing tools for in-scope Executive Department agencies to analyze usage and cost data to assist in determining the most cost effective plan combinations for the entity as a whole and individual users.
  - l. ALTERNATIVE PROCUREMENT: If any payment is declared unconstitutional for any reason or if the Attorney General finds in a formal, written, legal opinion that a payment is unconstitutional, in circumstances where a good or service can constitutionally be the subject of a purchase, the administering agency of such payment is authorized to use the affected appropriation to procure, by means of the Commonwealth's Procurement Act, goods and services, which are similar to those sought by such payment in order to accomplish the original legislative intent.
- § 4-5.05 NONSTATE AGENCIES, INTERSTATE COMPACTS AND ORGANIZATIONAL MEMBERSHIPS
- a. The accounts of any agency, however titled, which receives funds from this or any other appropriating act, and is not owned or controlled by the Commonwealth of Virginia, shall be subject to audit or shall present an audit acceptable to the Auditor of Public Accounts when so directed by the Governor or the Joint Legislative Audit and Review Commission.

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

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

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

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

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

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

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

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

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

#### § 4-5.06 DELEGATION OF AUTHORITY

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

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

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

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 programs for selected capital outlay projects and memoranda of understanding in institutions of higher education are hereby continued. Notwithstanding these provisions, those projects shall be insured through the state's risk management liability program.

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

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

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

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

#### § 4-5.07 LEASE, LICENSE OR USE AGREEMENTS



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

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

#### § 4-5.08 SEMICONDUCTOR MANUFACTURING PERFORMANCE GRANT PROGRAMS

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

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

#### § 4-5.09 DISPOSITION OF SURPLUS REAL PROPERTY

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

1. Any emergency declared in accordance with §§ 44-146.18:2 or 44-146.28, Code of Virginia, or
2. Not less than thirty days after the Governor notifies, in writing, the Chairmen of the House Appropriations and Senate Finance Committees regarding the planned conveyance, including a statement of the proceeds to be derived from such conveyance and the individual or entity taking title to such property.
3. Surplus property valued at less than \$5,000,000 that is possessed and controlled by a public institution of higher education, pursuant to §§ 2.2-1149 and 2.2-1153, Code of Virginia.

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

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

d. Notwithstanding the provisions of § 2.2-1156, Code of Virginia, if tax-exempt bonds were issued by the Commonwealth or its related authorities, boards or institutions to finance the acquisition, construction, improvement or equipping of real property,

proceeds from the sale or disposition of such property and any improvements may first be applied toward remediation options available under federal law to maintain the tax-exempt status of such bonds.

### § 4-5.10 SURPLUS PROPERTY TRANSFERS FOR ECONOMIC DEVELOPMENT

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

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

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

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

## § 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, 2014 to June 24, 2015	June 25, 2015 to November 24, 2015	November 25, 2015 to June 30, 2016
Chief of Staff	\$164,448	\$164,448	\$164,448
Secretary of Administration	\$156,629	\$156,629	\$156,629
Secretary of Agriculture and Forestry	\$156,174	\$156,174	\$156,174
Secretary of Commerce and Trade	\$163,642	\$163,642	\$163,642
Secretary of the Commonwealth	\$155,849	\$155,849	\$155,849
Secretary of Education	\$156,824	\$156,824	\$156,824
Secretary of Finance	\$165,592	\$165,592	\$165,592
Secretary of Health and Human Resources	\$155,849	\$155,849	\$155,849
Secretary of Natural Resources	\$155,849	\$155,849	\$155,849



1	Secretary of Public Safety and Homeland	\$165,527	\$165,527	\$165,527
2	Security			
3	Secretary of Technology	\$155,849	\$155,849	\$155,849
4	Secretary of Transportation	\$163,642	\$163,642	\$163,642
5	Secretary of Veterans and Defense Affairs	\$160,433	\$160,433	\$160,433

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

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

13 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.

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

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

20 2) The governing boards of the independent agencies may increase or decrease the annual salary for incumbents of positions  
21 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  
22 respective salary range, in accordance with an assessment of performance and service to the Commonwealth.

23 b)1) The appointing or governing authority may grant performance bonuses of 0-5 percent for positions whose salaries are  
24 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  
25 with policies and procedures established by such appointing or governing authority. Such performance bonuses shall be over  
26 and above the salaries listed in this act, and shall not become part of the base rate of pay.

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

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

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

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

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

47	July 1, 2014	June 25, 2015	November 25, 2015
	to	to	to
48	June 24, 2015	November 24, 2015	June 30, 2016

<b>1</b>	<b>Level I Range</b>	<b>\$146,318 - \$204,044</b>	<b>\$146,318 - \$204,044</b>	<b>\$146,318 - \$204,044</b>
<b>2</b>	<b>Midpoint</b>	<b>\$175,181</b>	<b>\$175,181</b>	<b>\$175,181</b>
<b>3</b>	Chief Information Officer,	\$160,650	\$160,650	\$160,650
<b>4</b>	Virginia Information			
<b>5</b>	Technologies Agency			
<b>6</b>	Commissioner, Department of	\$156,706	\$156,706	\$156,706
<b>7</b>	Motor Vehicles			
<b>8</b>	Commissioner, Department of	\$147,000	\$147,000	\$147,000
<b>9</b>	Social Services			
<b>10</b>	Commissioner, Department of	\$196,090	\$196,090	\$196,090
<b>11</b>	Behavioral Health and			
<b>12</b>	Developmental Services			
<b>13</b>	Commonwealth Transportation	\$204,044	\$204,044	\$204,044
<b>14</b>	Commissioner			
<b>15</b>	Director, Department of	\$153,000	\$153,000	\$153,000
<b>16</b>	Corrections			
<b>17</b>	Director, Department of	\$162,834	\$162,834	\$162,834
<b>18</b>	Environmental Quality			
<b>19</b>	Director, Department of	\$170,932	\$170,932	\$170,932
<b>20</b>	Medical Assistance Services			
<b>21</b>	Director, Department of	\$162,470	\$162,470	\$162,470
<b>22</b>	Planning and Budget			
<b>23</b>	State Health Commissioner	\$185,130	\$185,130	\$185,130
<b>24</b>	State Tax Commissioner	\$148,144		\$155,000
<b>25</b>			\$155,000	\$155,000
<b>26</b>	Superintendent of Public	\$180,796	\$180,796	\$180,796
<b>27</b>	Instruction			
<b>28</b>	Superintendent of State Police	\$158,088	\$158,088	\$158,088
<b>29</b>		<b>July 1, 2014</b>	<b>June 25, 2015</b>	<b>November 25, 2015</b>
<b>30</b>		<b>to</b>	<b>to</b>	<b>to</b>
		<b>June 24, 2015</b>	<b>November 24, 2015</b>	<b>June 30, 2016</b>
<b>31</b>	<b>Level II Range</b>	<b>\$103,153 - \$162,344</b>	<b>\$103,153 - \$162,344</b>	<b>\$103,153 - \$162,344</b>
<b>32</b>	<b>Midpoint</b>	<b>\$132,749</b>	<b>\$132,749</b>	<b>\$132,749</b>
<b>33</b>	Alcoholic Beverage Control	\$124,440	\$124,440	\$124,440
<b>34</b>	Commissioner			
<b>35</b>	Alcoholic Beverage Control	\$124,440	\$124,440	\$124,440
<b>36</b>	Commissioner			
<b>37</b>	Chairman, Alcoholic Beverage	\$133,598	\$133,598	\$133,598
<b>38</b>	Control Board			

1	Commissioner, Department	\$147,558	\$147,558	\$147,558
2	for Aging and Rehabilitative			
3	Services			
4	Commissioner, Department	\$122,400	\$122,400	\$122,400
5	of Agriculture and Consumer			
6	Services			
7	Commissioner, Department	\$122,400	\$122,400	\$122,400
8	of Veterans Services			
9	Commissioner, Virginia	\$130,662	\$130,662	\$130,662
10	Employment Commission			
11	Executive Director,	\$135,547	\$135,547	\$135,547
12	Department of Game and			
13	Inland Fisheries			
14	Commissioner, Marine	\$119,653	\$119,653	\$119,653
15	Resources Commission			
16	Director, Department of	\$158,221	\$158,221	\$158,221
17	Forensic Science			
18	Director, Department of	\$152,104	\$152,104	\$152,104
19	General Services			
20	Director, Department of	\$141,689	\$141,689	\$141,689
21	Human Resource			
22	Management			
23	Director, Department of	\$123,165	\$123,165	\$123,165
24	Juvenile Justice			
25	Director, Department of	\$129,336	\$129,336	\$129,336
26	Mines, Minerals and Energy			
27	Director, Department of Rail	\$134,775	\$134,775	\$134,775
28	and Public Transportation			
29	Director, Department of	\$103,153	\$103,153	\$103,153
30	Small Business and Supplier			
31	Diversity			
32	Executive Director, DMV	\$119,509	\$119,509	\$119,509
33	Dealer Board			
34	Executive Director, Virginia	\$137,186	\$137,186	\$137,186
35	Port Authority			
36	State Comptroller	\$162,344	\$162,344	\$162,344
37	State Treasurer	\$162,214	\$162,214	\$162,214
38		<b>July 1, 2014</b>	<b>June 25, 2015</b>	<b>November 25, 2015</b>
		<b>to</b>	<b>to</b>	<b>to</b>
39		<b>June 24, 2015</b>	<b>November 24, 2015</b>	<b>June 30, 2016</b>
40	<b>Level III Range</b>	<b>\$104,173- \$144,276</b>	<b>\$104,173- \$144,276</b>	<b>\$104,173- \$144,276</b>

<b>1</b>	<b>Midpoint</b>	<b>\$124,225</b>	<b>\$124,225</b>	<b>\$124,225</b>
<b>2</b>	Adjutant General	\$135,548	\$135,548	\$135,548
<b>3</b>	Chairman, Virginia Parole	\$124,985	\$124,985	\$124,985
<b>4</b>	Board			
<b>5</b>	Commissioner, Department of	\$113,040	\$113,040	\$113,040
<b>6</b>	Labor and Industry			
<b>7</b>	Coordinator, Department of	\$124,741	\$124,741	\$124,741
<b>8</b>	Emergency Management			
<b>9</b>	Director, Department of	\$131,016	\$131,016	\$131,016
<b>10</b>	Aviation			
<b>11</b>	Director, Department of	\$130,560	\$130,560	\$130,560
<b>12</b>	Conservation and Recreation			
<b>13</b>	Director, Department of	\$115,668	\$115,668	\$115,668
<b>14</b>	Criminal Justice Services			
<b>15</b>	Director, Department of	\$128,650	\$128,650	\$128,650
<b>16</b>	Health Professions			
<b>17</b>	Director, Department of	\$108,463	\$108,463	\$108,463
<b>18</b>	Historic Resources			
<b>19</b>	Director, Department of	\$128,772	\$128,772	\$128,772
<b>20</b>	Housing and Community			
<b>21</b>	Development			
<b>22</b>	Director, Department of	\$114,240	\$114,240	\$114,240
<b>23</b>	Professional and Occupational			
<b>24</b>	Regulation			
<b>25</b>	Director, The Science Museum	\$131,667	\$131,667	\$131,667
<b>26</b>	of Virginia			
<b>27</b>	Director, Virginia Museum of	\$136,791	\$136,791	\$136,791
<b>28</b>	Fine Arts			
<b>29</b>	Director, Virginia Museum of	\$112,455	\$112,455	\$112,455
<b>30</b>	Natural History			
<b>31</b>	Executive Director,	\$132,254	\$132,254	\$132,254
<b>32</b>	Jamestown-Yorktown			
<b>33</b>	Foundation			
<b>34</b>	Executive Secretary, Virginia	\$110,641	\$110,641	\$110,641
<b>35</b>	Racing Commission			
<b>36</b>	Librarian of Virginia	\$144,276	\$144,276	\$144,276
<b>37</b>	State Forester, Department of	\$104,173	\$104,173	\$104,173
<b>38</b>	Forestry			
<b>39</b>		<b>July 1, 2014</b>	<b>June 25, 2015</b>	<b>November 25, 2015</b>
		<b>to</b>	<b>to</b>	<b>to</b>
<b>40</b>		<b>June 24, 2015</b>	<b>November 24, 2015</b>	<b>June 30, 2016</b>
<b>41</b>	<b>Level IV Range</b>	<b>\$101,933 - \$113,009</b>	<b>\$101,933 - \$113,009</b>	<b>\$101,933 - \$113,009</b>

1	<b>Midpoint</b>	<b>\$107,471</b>	<b>\$107,471</b>	<b>\$107,471</b>
2	Administrator,	\$101,933	\$101,933	\$101,933
3	Commonwealth's Attorneys'			
4	Services Council			
5	Commissioner, Virginia	\$112,245	\$112,245	\$112,245
6	Department for the Blind and			
7	Vision Impaired			
8	Executive Director, Board of	\$113,009	\$113,009	\$113,009
9	Accountancy			
10	Executive Director, Frontier	\$108,977	\$108,977	\$108,977
11	Culture Museum of Virginia			
12	Commissioner, Department	\$106,080	\$106,080	\$106,080
13	of Elections			
14		<b>July 1, 2014</b>	<b>June 25, 2015</b>	<b>November 25, 2015</b>
15		<b>to</b>	<b>to</b>	<b>to</b>
16		<b>June 24, 2015</b>	<b>November 24, 2015</b>	<b>June 30, 2016</b>
17	<b>Level V Range</b>	<b>\$22,383 - \$92,045</b>	<b>\$22,383 - \$92,045</b>	<b>\$22,383 - \$92,045</b>
18	<b>Midpoint</b>	<b>\$57,214</b>	<b>\$57,214</b>	<b>\$57,214</b>
19	Director, Gunston Hall	\$86,176	\$86,176	\$86,176
20	Director, Virginia	\$92,045	\$92,045	\$92,045
21	Department for the Deaf and			
22	Hard-of-Hearing			
23	Executive Director,	\$89,887	\$89,887	\$89,887
24	Department of Fire Programs			
25	Executive Director, Virginia	\$88,724	\$88,724	\$88,724
26	Commission for the Arts			
27	Chairman of Board	\$22,383	\$22,383	\$22,383
28	Chairman, Compensation			
29	Board			
30	7. Annual salaries of the directors of the independent agencies, as listed in this subdivision, shall be paid in the amounts shown. All salary changes shall be subject to subdivisions c 1, c 2, and c 3 above.			
31		<b>July 1, 2014</b>	<b>June 25, 2015</b>	<b>November 25, 2015</b>
32		<b>to</b>	<b>to</b>	<b>to</b>
33		<b>June 24, 2015</b>	<b>November 24, 2015</b>	<b>June 30, 2016</b>
34	<b>Independent Range</b>	<b>\$147,198 - \$175,709</b>	<b>\$147,198 - \$175,709</b>	<b>\$147,198 - \$175,709</b>
35	<b>Midpoint</b>	<b>\$161,453</b>	<b>\$161,453</b>	<b>\$161,453</b>
36	Director, Virginia Lottery	\$147,198	\$147,198	\$147,198
37	Director, Virginia Retirement System	\$175,709	\$175,709	\$175,709

1 Chief Executive Officer,	\$174,084	\$174,084	\$174,084
2 Virginia College Savings Plan			

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

9 9. Notwithstanding any provision of this Act, the Board of the Virginia College Savings Plan may supplement the compensation of  
 10 its Chief Executive Officer. The Board should be guided by criteria which provide a reasonable limit on the total additional income  
 11 of the Chief Executive Officer. The criteria should include, without limitation, a consideration of compensation paid to similar  
 12 officials in comparable qualified tuition programs, independent public agencies or other entities with similar responsibilities and  
 13 size. The Board shall report such criteria and potential supplement level to the Chairmen of the Senate Finance and House  
 14 Appropriations Committees at least 60 days prior to the effectuation of the compensation action. The Board shall report approved  
 15 supplements to the Department of Human Resource Management for retention in its records.

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

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

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

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

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

	July 1, 2014 to June 24, 2015	June 25, 2015 to November 24, 2015	November 25, 2015 to June 30, 2016
42 <b>NEW COLLEGE INSTITUTE</b>			
43 Executive Director, New College	\$173,759	\$173,759	\$173,759
44 Institute			
45 <b>STATE COUNCIL OF</b>			
46 <b>HIGHER EDUCATION FOR</b>			
47 <b>VIRGINIA</b>			
48 Director, State Council of Higher	\$187,960	\$187,960	\$187,960
49 Education for Virginia			
50 <b>SOUTHERN VIRGINIA</b>			
51 <b>HIGHER EDUCATION</b>			

<b>1</b>	<b>CENTER</b>			
<b>2</b>	Director, Southern Virginia	\$127,424	\$127,424	\$127,424
<b>3</b>	Higher Education Center			
<b>4</b>	<b>SOUTHWEST VIRGINIA</b>			
<b>5</b>	<b>HIGHER EDUCATION</b>			
<b>6</b>	<b>CENTER</b>			
<b>7</b>	Director, Southwest Virginia	\$128,300	\$128,300	\$128,300
<b>8</b>	Higher Education Center			
<b>9</b>	<b>VIRGINIA COMMUNITY</b>			
<b>10</b>	<b>COLLEGE SYSTEM</b>			
<b>11</b>	Chancellor of Community	\$171,368	\$171,368	\$171,368
<b>12</b>	Colleges			
<b>13</b>	<b>SENIOR COLLEGE</b>			
<b>14</b>	<b>PRESIDENTS' SALARIES</b>			
<b>15</b>	Chancellor, University of	\$127,213	\$127,213	\$127,213
<b>16</b>	Virginia's College at Wise			
<b>17</b>	President, Christopher Newport	\$134,526	\$134,526	\$134,526
<b>18</b>	University			
<b>19</b>	President, The College of	\$160,394	\$160,394	\$160,394
<b>20</b>	William and Mary in Virginia			
<b>21</b>	President, George Mason	\$151,273	\$151,273	\$151,273
<b>22</b>	University			
<b>23</b>	President, James Madison	\$156,247	\$156,247	\$156,247
<b>24</b>	University			
<b>25</b>	President, Longwood University	\$150,395	\$150,395	\$150,395
<b>26</b>	President, Norfolk State	\$143,627	\$143, 627	\$143, 627
<b>27</b>	University			
<b>28</b>	President, Old Dominion	\$170,328	\$170,328	\$170,328
<b>29</b>	University			
<b>30</b>	President, Radford University	\$154,991	\$154,991	\$154,991
<b>31</b>	President, Richard Bland College	\$131,784	\$131,784	\$131,784
<b>32</b>	President, University of Mary	\$145,011	\$145,011	\$145,011
<b>33</b>	Washington			
<b>34</b>	President, University of Virginia	\$179,635	\$179,635	\$179,635
<b>35</b>	President, Virginia	\$181,369	\$181,369	\$181,369
<b>36</b>	Commonwealth University			
<b>37</b>	President, Virginia Polytechnic	\$190,567	\$190,567	\$190,567
<b>38</b>	Institute and State University			
<b>39</b>	President, Virginia State	\$146,496	\$146,496	\$146,496
<b>40</b>	University			
<b>41</b>	Superintendent, Virginia Military	\$146,566	\$146,566	\$146,566
<b>42</b>	Institute			

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

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

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

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

h. Subject to approval by the Governor of a plan for a statewide employee meritorious service awards program, as provided for in § 2.2-1201, Code of Virginia, the costs for such awards shall be paid from any operating funds appropriated to the affected agencies.

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

j.1. If at any time the Administrator of the Commonwealth's Attorneys' Services Council serves on the faculty of a state-supported institution of higher education, the faculty appointment must be approved by the Council. Such institution shall 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 that listed in § 4-6.01 c 6; provided, however, that such additional compensation must be approved by the Council.

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

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

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

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

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

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

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

n. Notwithstanding the Department of Human Resource Management Policies and Procedures, payment to employees with five or more years of continuous service who either terminate or retire from service shall be paid in one sum for twenty-five percent of their



sick leave balance, provided, however, that the total amount paid for sick leave shall not exceed \$5,000 and the remaining seventy-five percent of their sick leave shall lapse. This provision shall not apply to employees who are covered by the Virginia Sickness and Disability Program as defined in § 51.1-1100, Code of Virginia. Such employees shall not be paid for their sick leave balances. However, they will be paid, if eligible as described above, for any disability leave credits they have at separation or retirement or may convert disability credits to service credit under the Virginia Retirement System pursuant to § 51.1-1103 (F), Code of Virginia.

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

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

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

r. Any public institution of higher education shall not provide general fund monies above \$100,000 for any individual athletic coaching salaries after July 1, 2013. Athletic coaching salaries with general fund monies above this amount shall be phased-down over a five-year period at 20 percent per year until reaching the cap of \$100,000.

s. The Governor, or any other appropriate Board or Public Body, is authorized to adjust the salaries of employees specified in this item, and other items in the Act, to reflect the compensation adjustments authorized in Item 467 of this Act.

#### § 4-6.02 EMPLOYEE TRAINING AND STUDY

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

#### § 4-6.03 EMPLOYEE BENEFITS

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

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

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

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

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

f.1. Any member of the Virginia Retirement System who is retired under the provisions of § 51.1-155.1, Code of Virginia 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 less than four years, 2) receives no other compensation for service to a public employer than that provided for the position covered by § 51.1-155.1, Code of Virginia during such period of reemployment, 3) retires within one year of commencing such period of reemployment, and 4) retires directly from service at the end of such period of reemployment may either:

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

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

2. The Virginia Retirement System shall establish procedures for verification by the employer of eligibility for the benefits provided for in this paragraph.

g. Notwithstanding any other provision of law, no agency head compensated by funds appropriated in this act may be a member of the Virginia Law Officers' Retirement System created under Title 51.1, Chapter 2.1, Code of Virginia. The provisions of this paragraph are effective on July 1, 2002, and shall not apply to the Chief of the Capitol Police.

h. Full-time employees appointed by the Governor who, except for meeting the minimum service requirements, would be eligible for the provisions of § 51.1-155.1, Code of Virginia, may, upon termination of service, use any severance allowance payment to purchase service to meet, but not exceed, the minimum service requirements of § 51.1-155.1, Code of Virginia. Such service purchase shall be at the rate of 15 percent of the employee's final creditable compensation or average final compensation, whichever is greater, and shall be completed within 90 days of separation of service.

i. When calculating the retirement benefits payable under the Virginia Retirement System (VRS), the State Police Officers' Retirement System (SPORS), the Virginia Law-enforcement Officers' Retirement System (VaLORS), or the Judicial Retirement System (JRS) to any employee of the Commonwealth or its political subdivisions who is called to active duty with the armed forces of the United States, including the United States Coast Guard, the Virginia Retirement System shall:

1) utilize the pre-deployment salary, or the actual salary paid by the Commonwealth or the political subdivision, whichever is higher, when calculating average compensation, and

2) include those months after September 1, 2001 during which the employee was serving on active duty with the armed forces of the United States in the calculation of creditable service.

j. The provisions in § 51.1-144, Code of Virginia, that require a member to contribute five percent of his creditable compensation for each pay period for which he receives compensation on a salary reduction basis, shall not apply to any (i) "state employee," as defined in § 51.1-124.3, Code of Virginia, who is an elected official, or (ii) member of the Judicial 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 after July 1, 2010," as defined in § 51.1-124.3, Code of Virginia.

k. Notwithstanding the provisions of subsection G of § 51.1-156, any employee of a school division who completed a period of 24 months of leave of absence without pay during October 2013 and who had previously submitted an application for disability retirement to VRS in 2011 may submit an application for disability retirement under the provisions of § 51.1-156. Such application shall be received by the Virginia Retirement System no later than October 1, 2014. This provision shall not be construed to grant relief in any case for which a court of competent jurisdiction has already rendered a decision, as contemplated by Article II, Section 14 of the Constitution of Virginia.

l. Notwithstanding the provisions of subsection B of § 51.1-155, any person who (i) has attained age 62, (ii) is receiving a service retirement allowance under Chapter 1 of Title 51.1, and (iii) was employed in an otherwise covered position as interim president and chief executive officer of an institution of higher education, who were appointed prior to January 1, 2014, for a period necessary to rectify significant management deficiencies, may elect to continue to receive the retirement allowance during such employment. If the person elects to continue to receive the retirement allowance, then his service performed and compensation received during the period of time he receives the retirement allowance will not increase, decrease, or affect in any way his retirement benefits before, during, or after such employment.

#### § 4-6.04 CHARGES

a. FOOD SERVICES: Except as exempted by the prior written approval of the Director, Department of Human Resource Management, and the provisions of § 2.2-3605, Code of Virginia, state employees shall be charged for meals served in state

facilities. Charges for meals will be determined by the agency. Such charges shall be not less than the value of raw food and the cost of direct labor and utilities incidental to preparation and service. Each agency shall maintain records as to the calculation of meal charges and revenues collected. Except where appropriations for operation of the food service are from nongeneral funds, all revenues received from such charges shall be paid directly and promptly into the general fund. The provisions of this paragraph shall not apply to on-duty employees assigned to correctional facilities operated by the Departments of Corrections and Juvenile Justice.

b. HOUSING SERVICES:

1. Each agency will collect a fee from state employees who occupy state-owned or leased housing, subject to guidelines provided by the Director, Department of General Services. Each agency head is responsible for establishing a fee for state-owned or leased housing and for documenting in writing why the rate established was selected. In exceptional circumstances, which shall be documented as being in the best interest of the Commonwealth by the agency requesting an exception, the Director, Department of General Services may waive the requirement for collection of fees.

2. All revenues received from housing fees shall be promptly deposited in the state treasury. For housing for which operating expenses or rent are financed by general fund appropriations, such revenues shall be deposited to the credit of the general fund. For housing for which operating expenses or rent are financed by nongeneral fund appropriations, such revenues shall be deposited to the credit of the nongeneral fund. Agencies which provide housing for which operating expenses or rent are financed from both general fund and nongeneral fund appropriations shall allocate such revenues, when deposited in the state treasury, to the appropriate fund sources in the same proportion as the appropriations. However, without exception, any portion of a housing fee attributable to depreciation for housing which was constructed with general fund appropriations shall be paid into the general fund.

c. PARKING SERVICES:

1. State-owned parking facilities

Agencies with parking space for employees in state-owned facilities shall, when required by the Director, Department of General Services, charge employees for such space on a basis approved by the Governor. All revenues received from such charges shall be paid directly and promptly into a special fund in the state treasury to be used, as determined by the Governor, for payment of costs for the provision of vehicle parking spaces. Interest shall be added to the fund as earned. -

2. Leased parking facilities in metropolitan Richmond area

Agencies occupying private sector leased or rental space in the metropolitan Richmond area, not including institutions of higher education, shall be required to charge a fee to employees for vehicle parking spaces that are assigned to them or are otherwise available either incidental to the lease or rental agreement or pursuant to a separate lease agreement for private parking space. In such cases, the individual employee parking fee shall not be less than that paid by employees parking in Department of General Services parking facilities at the Seat of Government. The Director, Department of General Services may amend or waive the fee requirement for good cause. Revenues derived from employees paying for parking spaces in 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 for private parking space must be approved by the Director, Department of General Services.

3. The assignment of Lot P1A of the Department of General Services, Capitol Area Site Plan, to include parking spaces 1 through 37, but excluding spaces 34 and 36, which shall be reserved for the Department of General Services, and the surrounding surfaces around those spaces shall be under the control of the Committee on Joint Rules and administered by the Clerk of the House and the Clerk of the Senate. Any employee permanently assigned to any of these spaces shall be subject to the provisions of paragraph 1 of this item.

§ 4-6.05 SELECTION OF APPLICANTS FOR CLASSIFIED POSITIONS

It is the responsibility of state agency heads to ensure that all provisions outlined in Title 2.2, Chapter 29, Code of Virginia (the Virginia Personnel Act), and executive orders that govern the practice of selecting applicants for classified positions are strictly observed. The Governor's Secretaries shall ensure this provision is faithfully enforced.

§ 4-6.06 POSITIONS GOVERNED BY CHAPTERS 933 AND 943 OF THE 2006 ACTS OF ASSEMBLY

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 higher education governed by Chapters 933 and 943 of the 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly and Chapters 675 and 685 of the 2009 Acts of Assembly, with regard to their participating covered employees, as that term is defined in those two chapters, except to the extent a specific appropriation or language in this act 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.

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 for periods exceeding 180 days in any calendar year regardless of the separate or discrete nature of the projects, is prohibited without the prior approval of the General Assembly.

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 Cabinet Secretary, unless specifically approved in writing by the Governor. The Governor shall notify the Chairmen of the House Appropriations and Senate Finance Committees in the case of any such approvals.

g. All state employees, including those in the legislative, judicial, and executive branches and the independent agencies of the Commonwealth, who are not eligible for benefits under a health care plan established and administered by the Department of Human Resource Management (DHRM) pursuant to Va. Code § 2.2-2818, or by an agency administering its own health care plan, may not work more than 29 hours per week on average over a twelve month period. Adjunct faculty at institutions of higher education may not work more than 29 hours per week on average over a twelve month period, including classroom or other instructional time plus additional hours determined by the institution as necessary to perform the adjunct faculty's duties. DHRM shall provide relevant program requirements to agencies and employees, including, but not limited to, information on wage, variable and seasonal employees. All state agencies/employers in all branches of government shall provide information requested by DHRM concerning hours worked by employees as needed to comply with the Affordable Care Act (the "Act") and this provision. State agencies/employers are accountable for compliance with this provision, and are responsible for any costs associated with maintaining compliance with it and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. The provisions of this paragraph shall not apply to employees of state teaching hospitals that have their own health insurance plan; however, the state teaching hospitals are accountable for compliance with, and are responsible for any costs associated with maintaining compliance with the Act and for any costs or penalties associated with any violations of the Act or regulations thereunder and any such costs shall be borne by the agency from existing appropriations. Subject to approval of the Governor, DHRM shall modify this provision consistent with any updates or changes to federal law and regulations.

#### § 4-8.00 REPORTING REQUIREMENTS

##### § 4-8.01 GOVERNOR

###### a. General:

1. The Governor shall submit the information specified in this section to the Chairmen of the House Appropriations and Senate Finance Committees on a monthly basis, or at such intervals as may be directed by said Chairmen, or as specified elsewhere in this act. The information on agency operating plans and expenditures as well as agency budget requests shall be submitted in such form, and by such method, including electronically, as may be mutually agreed upon. Such information shall be preserved for public inspection in the Department of Planning and Budget.

2. The Governor shall make available annually to the Chairmen of the Senate Finance, House Finance, and House Appropriations Committees a report concerning the receipt of any nongeneral funds above the amount(s) specifically appropriated, their sources, and the amounts for each agency affected.

3. a) It is the intent of the General Assembly that reporting requirements affecting state institutions of higher education be reduced or consolidated where appropriate. State institutions of higher education, working with the Secretary of Education and Workforce, Secretary of Finance, and the Director, Department of Planning and Budget, shall continue to identify specific reporting requirements that the Governor may consider suspending.

b) Reporting generally should be limited to instances where (1) there is a compelling state interest for state agencies to collect, use, and maintain the information collected; (2) substantial risk to the public welfare or safety would result from failing to collect the information; or (3) the information collected is central to an essential state process mandated by the Code of Virginia.

c) Upon the effective date of this act, and until its expiration date, the following reporting requirements are hereby suspended or modified as specified below:

Agency	Report Title of Descriptor	Authority	Action
Department of Accounts	Intercollegiate Athletics Receipts & Disbursements	Code of Virginia § 23-1.1.	Suspend reporting.
Department of Accounts	Prompt Pay Summary Report	Agency Directive	Change reporting from monthly to quarterly.
Department of General Services	Usage of State-Assigned and State-Owned Vehicles Report	Agency Directive -- Executive Order 89 (2005)	Suspend reporting.
Department of General Services	Gas Report/Repair Charge	Agency Directive--Executive Order 89 (2005)	Suspend reporting.
Department of Human Resource Management	Report of Personnel Development Service	Agency Directive	Suspend reporting.
Department of Human	Human Capital Report (Full-	Code of Virginia § 2.2-1201. A.	Change reporting from

1	Resource Management	Time, Part-Time, Temporary, 14.	annually to monthly.
2		Contractual employees funded	
3		by the Commonwealth)	
4	Department of Human Resource	Work-related injuries and	Agency Directive -- Executive
5	Management State Employee	illnesses report -- goals,	Order 94 (2005)
6	Workers' Compensation	strategies, and results	Suspend reporting.
7	Program		
8	Governor's Office	Small, Women-and Minority-	Executive Directive
9		owned Businesses (SWaM)	Change reporting from
			weekly to monthly.
10	Secretary of Commerce and	Recruitment of National and	Agency Directive -- Executive
11	Trade	Regional Conferences Report	Order 14 (2006)
12	d) The Department of Planning and Budget (DPB) and the State Council of Higher Education for Virginia (SCHEV) shall work		
13	jointly to attempt to consolidate various reporting requirements pertaining to the estimates and projections of nongeneral fund		
14	revenues in institutions of higher education. The purpose of this effort shall be aimed at developing a common form for use in		
15	collecting nongeneral fund data for DPB's six-year nongeneral fund revenue estimate submission and SCHEV's annual survey of		
16	nongeneral fund revenue from institutions of higher education.		
17	b. Operating Appropriations Reports:		
18	1. Status of Adjustments to Appropriations. Such information must include increases and decreases of appropriations or allotments,		
19	transfers and additional revenues. A report of appropriation transfers from one agency to another made pursuant to § 4-1.03 of this		
20	act shall be made available via electronic means to the Chairmen of the House Appropriations and Senate Finance Committees, and		
21	the public by the tenth day of the month following that in which such transfer occurs, unless otherwise specified in § 4-1.03.		
22	2. Status of each sum sufficient appropriation. The information must include the amount of expenditures for the period just		
23	completed and the revised estimates of expenditures for the remaining period of the current biennium, as well as an explanation of		
24	differences between the amount of the actual appropriation and actual and/or projected appropriations for each year of the current		
25	biennium.		
26	3. Status of Economic Contingency Appropriation. The information must include actions taken related to the appropriation for		
27	economic contingency.		
28	4. Status of Withholding Appropriations. The information must include amounts withheld and the agencies affected.		
29	5. Status of reductions occurring in general and nongeneral fund revenues in relation to appropriations.		
30	6. Status of approvals of deficits.		
31	c. Employment Reports:		
32	1. Status of changes in positions and employment of state agencies affected. The information must include the number of positions		
33	and the agencies affected.		
34	2. Status of the employment by the Attorney General of special counsel in certain highway proceedings brought pursuant to Chapter		
35	1 of Title 33.1, Code of Virginia, on behalf of the Commonwealth Transportation Commissioner, as authorized by § 2.2-510, Code		
36	of Virginia. This report shall include fees for special counsel for the respective county or city for which the expenditure is made and		
37	shall be submitted within 60 days of the close of the fiscal year (see § 4-5.02 a.3).		
38	3. Changes in the level of compensation authorized pursuant to § 4-6.01 k, Employee Compensation. Such report shall include a list		
39	of the positions changed, the number of employees affected, the source and amount of funds, and the nature of the emergency.		
40	4. Pursuant to requirements of § 2.2-203.1, Code of Virginia, the Secretary of Administration, in cooperation with the Secretary of		
41	Technology, shall provide a report describing the Commonwealth's telecommuting policies, which state agencies and localities have		
42	adopted telecommuting policies, the number of state employees who telecommute, the frequency with which state employees		
43	telecommute by locality, and the efficacy of telecommuting policies in accomplishing the provision of state services and completing		
44	state functions. This report shall be provided to the Chairmen of the House Committee on Appropriations, the House Committee on		
45	Science and Technology, the Senate Committee on Finance, and the Senate Committee on General Laws and Technology each year		
46	by October 1.		
47	d. Capital Appropriations Reports:		
48	1. Status of progress of capital projects on an annual basis (see § 4-4.01 o).		



2. Notice of all capital projects authorized under § 4-4.01 m (see § 4-4.01 m. 1. b) 4)).

e. Utilization of State Owned and Leased Real Property:

1. By November 15 of each year, the Department of General Services (DGS) shall consolidate the reporting requirements of § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia into a single report eliminating the individual reports required by § 2.2-1131.1 and § 2.2-1153 of the Code of Virginia. This report shall be submitted to the Governor and the General Assembly and include (i) information on the implementation and effectiveness of the program established pursuant to 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 the lease, the amount of space leased, the population of each leased facility, and the annual cost of the lease; and, (iii) a report on DGS's findings and recommendations under the provisions of § 2.2-1153, and recommendations for any actions that may be required by the Governor and the General Assembly to identify and dispose of property not being efficiently and effectively utilized.

2. By October 1 of each year, each agency that controls leased property, where such leased property is not under the DGS lease administration program, shall provide a report on each leased facility or portion thereof to DGS in a manner and form prescribed by DGS. Specific data included in the report shall identify at a minimum, the number of square feet occupied, the number of employees and contractors working in the leased space, if applicable, and the cost of the lease.

f. Services Reports:

Status of any exemptions by the State Council of Higher Education to policy which prohibits use of funds in this act for the operation of any academic program by any state institution of higher education, unless approved by the Council and included in the Governor's recommended budget, or approved by the General Assembly (see § 4-5.05 b 2).

g. Standard State Agency Abbreviations:

The Department of Planning and Budget shall be responsible for maintaining a list of standard abbreviations of the names of state agencies. The Department shall make a listing of agency standard abbreviations available via electronic means on a continuous basis to the Chairmen of the House Appropriations and Senate Finance Committees, the State Comptroller, the Director, Department of Human Resource Management and the Chief Information Officer, Virginia Information Technologies Agency, and the public.

h. Educational and General Program Nongeneral Fund Administrative Appropriations Approved by the Department of Planning and Budget:

The Secretary of Finance and Secretary of Education, in collaboration with the Director, Department of Planning and Budget, shall report in December and June of each year to the Chairmen of the House Appropriations and Senate Finance Committees on adjustments made to higher education operating funds in the Educational and General Programs (10000) items for each public college and university contained in this budget. The report shall include actual or projected adjustments which increase nongeneral funds or actual or projected adjustments that transfer nongeneral funds to other items within the institution. The report shall provide the justification for the increase or transfer and the relative impact on student groups.

## § 4-8.02 STATE AGENCIES

a. As received, all state agencies shall forward copies of each federal audit performed on agency or institution programs or activities to the Auditor of Public Accounts and to the State Comptroller. Upon request, all state agencies shall provide copies of all internal audit reports and access to all working papers prepared by such auditors to the Auditor of Public Accounts and to the State Comptroller.

**I VETO THIS ITEM. /s/ Terence R. McAuliffe (6/21/14) (Vetoed item is enclosed in brackets.)**

b. Annually: Within five calendar days after state agencies submit their budget requests, amendment briefs, or requests for amendments to the Department of Planning and Budget, the Director, Department of Planning and Budget shall submit, electronically if available, copies to the Chairmen of the Senate Finance and House Appropriations Committees, including all attachments that were submitted separately as part of these budget requests, amendment briefs, or requests for amendments and are not fully incorporated into the electronic submission by the Director, Department of Planning and Budget.

c. By September 1 of each year, state agencies receiving any asset as the result of a law-enforcement seizure and subsequent forfeiture by either a state or federal court, shall submit a report identifying all such assets received during the prior fiscal year and their estimated net worth, to the Chairmen of the House Appropriations and Senate Finance Committees.

## § 4-9.00 HIGHER EDUCATION RESTRUCTURING

### § 4-9.01 ASSESSMENT OF INSTITUTIONAL PERFORMANCE

Consistent with § 23-9.6:1.01, Code of Virginia, the following education-related and financial and administrative management measures shall be the basis on which the State Council of Higher Education shall annually assess and certify institutional performance. Such certification shall be completed and forwarded in writing to the Governor and the General Assembly no

later than October 1 of each even-numbered year. Institutional performance on measures set forth in paragraph D of this section shall be evaluated year-to-date by the Secretaries of Finance, Administration, and Technology as appropriate, and communicated to the State Council of Higher Education before October 1 of each even-numbered year. Financial benefits provided to each institution in accordance with § 2.2-5005 will be evaluated in light of that institution's performance.

In general, institutions are expected to achieve all performance measures in order to be certified by SCHEV, but it is understood that there can be circumstances beyond an institution's control that may prevent achieving one or more performance measures. The Council shall consider, in consultation with each institution, such factors in its review: (1) institutions meeting all performance measures will be certified by the Council and recommended to receive the financial benefits, (2) institutions that do not meet all performance measures will be evaluated by the Council and the Council may take one or more of the following actions: (a) request the institution provide a remediation plan and recommend that the Governor withhold release of financial benefits until Council review of the remediation plan or (b) recommend that the Governor withhold all or part of financial benefits.

Further, the State Council shall have broad authority to certify institutions as having met the standards on education-related measures. The State Council shall likewise have the authority to exempt institutions from certification on education-related measures that the State Council deems unrelated to an institution's mission or unnecessary given the institution's level of performance.

The State Council may develop, adopt, and publish standards for granting exemptions and ongoing modifications to the certification process.

#### a. BIENNIAL ASSESSMENTS

1. Institution meets at least 95 percent of its State Council-approved biennial projections for in-state undergraduate headcount enrollment.

2. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state associate and bachelor degree awards.

3. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state STEM-H (Science, Technology, Engineering, Mathematics, and Health professions) associate and bachelor degree awards.

4. Institution meets at least 95 percent of its State Council-approved biennial projections for the number of in-state, upper level - sophomore level for two-year institutions and junior and senior level for four-year institutions - program-placed, full-time equivalent students.

5. Maintain or increase the number of in-state associate and bachelor degrees awarded to students from under-represented populations.

6. Maintain or increase the number of in-state two-year transfers to four-year institutions.

#### b. Elementary and Secondary Education

1. The Virginia Department of Education shall share data on teachers, including identifying information, with the State Council of Higher Education for Virginia in order to evaluate the efficacy of approved programs of teacher education, the production and retention of teachers, and the exiting of teachers from the teaching profession.

2. a) The Virginia Department of Education and the State Council of Higher Education for Virginia shall share personally identifiable information from education records in order to evaluate and study student preparation for and enrollment and performance at state institutions of higher education in order to improve educational policy and instruction in the Commonwealth. However, such study shall be conducted in such a manner as to not permit the personal identification of students by persons other than representatives of the Department of Education or the State Council for Higher Education for Virginia, and such shared information shall be destroyed when no longer needed for purposes of the study.

b) Notwithstanding § 2.2-3800 of the Code of Virginia, the Virginia Department of Education, State Council of Higher Education for Virginia, Virginia Community College System, and the Virginia Employment Commission may collect, use, share, and maintain de-identified student data to improve student and program performance including those for career readiness.

3. Institutions of higher education shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the purpose of studying student preparation as it relates to the content and rigor of the Standards of Learning. Furthermore, the superintendent of each school division shall disclose information from a pupil's scholastic record to the Superintendent of Public Instruction or his designee for the same purpose. All information provided to the Superintendent or his designee for this purpose shall be used solely for the purpose of evaluating the Standards of Learning and shall not be redisclosed, except as provided under federal law. All information shall be destroyed when no longer needed for the purposes of studying the content and rigor of the Standards of Learning.

#### c. SIX-YEAR PLAN



1 Institution prepares six-year financial plan consistent with § 23-9.2:3.02.

2 d. FINANCIAL AND ADMINISTRATIVE STANDARDS

3 The financial and administrative standards apply to all institutions except those governed under Chapters 933 and 943 of the  
4 2006 Acts of Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of  
5 Assembly.

6 1. As specified in § 2.2-5004, Code of Virginia, institution takes all appropriate actions to meet the following financial and  
7 administrative standards:

8 a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

9 b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

10 c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

11 d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any  
12 standards for outstanding receivables and bad debts; and

13 e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any  
14 standards for accounts payable past due.

15 2. Institution complies with a debt management policy approved by its governing board that defines the maximum percent of  
16 institutional resources that can be used to pay debt service in a fiscal year, and the maximum amount of debt that can be  
17 prudently issued within a specified period.

18 3. The institution will achieve the classified staff turnover rate goal established by the institution; however, a variance of 15  
19 percent from the established goal will be acceptable.

20 4. The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) plan as submitted  
21 to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal,  
22 as stated in the plan, will be acceptable.

23 The institution will make no less than 75 percent of dollar purchases through the Commonwealth's enterprise-wide internet  
24 procurement system (eVA) from vendor locations registered in eVA.

25 5. The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally  
26 approved by the institution's governing board for projects initiated under delegated authority, or the budget set out in the  
27 Appropriation Act or other Acts of Assembly. If the institution exceeds the budget for any such project, the Secretaries of  
28 Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution  
29 responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun.

30 6. The institution will complete major information technology projects (with an individual cost of over \$1,000,000) within the  
31 budgets and schedules originally approved by the institution's governing board. If the institution exceeds the budget and/or  
32 time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or  
33 delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project  
34 Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite  
35 the cost overrun and/or delay.

36 e. FINANCIAL AND ADMINISTRATIVE STANDARDS

37 The financial and administrative standards apply to institutions governed under Chapters 933 and 943 of the 2006 Acts of  
38 Assembly, Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of the 2009 Acts of Assembly.  
39 They shall be measured by the administrative standards outlined in the Management Agreements and § 4-9.02.d.4. of this act.  
40 However, the Governor may supplement or replace those administrative performance measures with the administrative  
41 performance measures listed in this paragraph. Effective July 1, 2009, the following administrative and financial measures  
42 shall be used for the assessment of institutional performance for institutions governed under Chapters 933 and 943 of the 2006  
43 Acts of Assembly and those governed under Chapters 594 and 616 of the 2008 Acts of Assembly, and Chapters 675 and 685 of  
44 the 2009 Acts of Assembly.

45 1. Financial

46 a) An unqualified opinion from the Auditor of Public Accounts upon the audit of the public institution's financial statements;

47 b) No significant audit deficiencies attested to by the Auditor of Public Accounts;

48 c) Substantial compliance with all financial reporting standards approved by the State Comptroller;

d) Substantial attainment of accounts receivable standards approved by the State Comptroller, including but not limited to, any standards for outstanding receivables and bad debts; and

e) Substantial attainment of accounts payable standards approved by the State Comptroller including, but not limited to, any standards for accounts payable past due.

## 2. Debt Management

a) The institution shall maintain a bond rating of AA- or better;

b) The institution achieves a three-year average rate of return at least equal to the imoney.net money market index fund; and

c) The institution maintains a debt burden ratio equal to or less than the level approved by the Board of Visitors in its debt management policy.

## 3. Human Resources

a) The institution's voluntary turnover rate for classified plus university/college employees will meet the voluntary turnover rate for state classified employees within a variance of 15 percent; and

b) The institution achieves a rate of internal progression within a range of 40 to 60 percent of the total salaried staff hires for the fiscal year.

## 4. Procurement

a) The institution will substantially comply with its annual approved Small, Women and Minority (SWAM) procurement plan as submitted to the Department of Small Business and Supplier Diversity; however, a variance of 15 percent from its SWAM purchase goal, as stated in the plan, will be acceptable; and

b) The institution will make no less than 80 percent of purchase transactions through the Commonwealth's enterprise-wide internet procurement system (eVA) with no less than 75 percent of dollars to vendor locations in eVA.

## 5. Capital Outlay

a) The institution will complete capital projects (with an individual cost of over \$1,000,000) within the budget originally approved by the institution's governing board at the preliminary design state for projects initiated under delegated authority, or the budget set out in the Appropriation Act or other Acts of Assembly which provides construction funding for the project at the preliminary design state. If the institution exceeds the budget for any such project, the Secretaries of Administration and Finance shall review the circumstances causing the cost overrun and the manner in which the institution responded and determine whether the institution shall be considered in compliance with the measure despite the cost overrun;

b) The institution shall complete capital projects with the dollar amount of owner requested change orders not more than 2 percent of the guaranteed maximum price (GMP) or construction price; and

c) The institution shall pay competitive rates for leased office space – the average cost per square foot for office space leased by the institution is within 5 percent of the average commercial business district lease rate for similar quality space within reasonable proximity to the institution's campus.

## 6. Information Technology

a) The institution will complete major information technology projects (with an individual cost of over \$1,000,000) on time and on budget against their managed project baseline. If the institution exceeds the budget and/or time schedule for any such project, the Secretary of Technology shall review the circumstances causing the cost overrun and/or delay and the manner in which the institution responded and determine whether the institution appropriately adhered to Project Management Institute's best management practices and, therefore, shall be considered in compliance with the measure despite the cost overrun and/or delay; and

b) The institution will maintain compliance with institutional security standards as evaluated in internal and external audits. The institution will have no significant audit deficiencies unresolved beyond one year.

## f. REPORTING

The Director, Department of Planning and Budget, with cooperation from the Comptroller and institutions of higher education governed under Management Agreements, shall develop uniform reporting requirements and formats for revenue and expenditure data.

## g. EXEMPTION

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 Acts of Assembly of 2011.

§ 4-9.02 LEVEL II AUTHORITY

a. Notwithstanding the provisions of § 5 of Chapter 824 and 829 of the 2008 Acts of Assembly, institutions of higher education that have met the eligibility criteria for additional operational and administrative authority set forth in Chapters 824 and 829 of the 2008 Acts of Assembly shall be allowed to enter into separate negotiations for additional operational authority for a third and separate functional area listed in Chapter 824 and 829 of the 2008 Acts of Assembly, provided they have:

1. successfully completed at least three years of effectiveness and efficiencies operating under such additional authority granted by an original memorandum of understanding;

2. successfully renewed an additional memoranda of understanding for a five year term for each of the original two areas.

The institutions shall meet all criteria and follow policies for negotiating and establishing a memorandum of understanding with the Commonwealth of Virginia as provided in § 2.0 (Information Technology), § 3.0 (Procurement), and § 4.0 (Capital Outlay) of Chapter 824 and 829 of the 2008 Acts of Assembly.

b. As part of the memorandum of understanding, each institution shall be required to adopt at least one new education-related measure for the new area of operational authority. Each education-related measure and its respective target shall be developed in consultation with the Secretary of Finance, Secretary of Education, the appropriate Cabinet Secretary, and the State Council of Higher Education for Virginia. Each education-related measure and its respective target must be approved by the State Council of Higher Education for Virginia and shall become part of the certification required by § 23-9.6:1.01.

§ 4-9.03 LEVEL III AUTHORITY

The Management Agreements negotiated by the institutions contained in Chapters 675 and 685 of the 2009 Acts of Assembly shall continue in effect unless the Governor, the General Assembly, or the institutions determine that the Management Agreements need to be renegotiated or revised.

§ 4-9.04 IMPLEMENT JLARC RECOMMENDATIONS

a. The Boards of Visitors at each Virginia public four-year higher education institution, to the extent practicable, shall:

1. require their institutions to clearly list the amount of the athletic fee on their website's tuition and fees information page. The page should include a link to the State Council of Higher Education for Virginia's tuition and fee information. The boards should consider requiring institutions to list the major components of all mandatory fees, including the portion attributable to athletics, on a separate page attached to student invoices;

2. assess the feasibility and impact of raising additional revenue through campus recreation and fitness enterprises to reduce reliance on mandatory student fees. The assessments should address the feasibility and impact of raising additional revenue through charging for specialized programs and services, expanding membership, and/or charging all users of recreation facilities;

3. direct staff to perform a comprehensive review of the institution's organizational structure, including an analysis of spans of control and a review of staff activities and workload, and identify opportunities to streamline the organizational structure. Boards should further direct staff to implement the recommendations of the review to streamline their organizational structures where possible;

4. require periodic reports on average and median spans of control and the number of supervisors with six or fewer direct reports;

5. direct staff to revise human resource policies to eliminate unnecessary supervisory positions by developing standards that establish and promote broader spans of control. The new policies and standards should (i) set an overall target span of control for the institution, (ii) set a minimum number of direct reports per supervisor, with guidelines for exceptions, (iii) define the circumstances that necessitate the use of a supervisory position, (iv) prohibit the establishment of supervisory positions for the purpose of recruiting or retaining employees, and (v) establish a periodic review of departments where spans of control are unusually narrow; and,

6. direct institution staff to set and enforce policies to maximize standardization of purchases of commonly procured goods, including use of institution-wide contracts;

7. consider directing institution staff to provide an annual report on all institutional purchases, including small purchases, that are exceptions to the institutional policies for standardizing purchases.

b. The State Council on Higher Education for Virginia, to the extent practicable, shall:

1. convene a working group of institution financial officers, with input from the Department of Accounts, the Department of Planning and Budget, and the Auditor of Public Accounts, to create a standard way of calculating and publishing mandatory

non-E&G fees, including for intercollegiate athletics;

2. update the state's Chart of Accounts for higher education in order to improve comparability and transparency of mandatory non-E&G fees, with input from the Department of Accounts, the Department of Planning and Budget, the Auditor of Public Accounts, and institutional staff. This process should be coordinated with the standardization of tuition and fee reporting;

3. convene a working group of institutional staff to develop instructional and research space guidelines that adequately measure current use of space and plans for future use of space at Virginia's public higher education institutions;

4. coordinate a committee of institutional representatives, such as the previously authorized Learning Technology Advisory Committee. In addition to the objectives set out in the Appropriation Act for the Learning Technology Advisory Committee, the committee should identify instructional technology initiatives and best practices for directly or indirectly lowering institutions' instructional expenditures per student while maintaining or enhancing student learning.

c. Notwithstanding the provisions of § 23-9.14:1, the State Council of Higher Education for Virginia shall annually train boards of visitors members on the types of information members should request from institutions to inform decision making, such as performance measures, benchmarking data, the impact of financial decisions on student costs, and past and projected cost trends. Boards of Visitors members serving on finance and facilities subcommittees should, at a minimum, participate in the training within their first year of membership on the subcommittee. SCHEV should obtain assistance in developing or delivering the training from relevant agencies such as the Department of General Services and past or present finance officers at Virginia's public four-year institutions, as appropriate.

d. The Department of Planning and Budget shall revise the formula used to make allocation recommendations for the state's maintenance reserve funding to account for higher maintenance needs resulting from poor facility condition, aging of facilities, and differences in facility use. Beginning with fiscal year 2016, the Department of Planning and Budget shall submit these recommendations to the Governor and General Assembly no later than November 1 of each year.

e. The Six-Year Capital Outlay Plan Advisory Committee, the Department of Planning and Budget, and others as appropriate shall use the results of the prioritization process established by the State Council of Higher Education for Virginia in determining which capital projects should receive funding.

f. Beginning with fiscal year 2016, the Auditor of Public Accounts shall include in its audit plan for each public institution of higher education a review of progress in implementing the JLARC recommendations contained in paragraph § 4-9.04 a.

#### **§ 4-11.00 STATEMENT OF FINANCIAL CONDITION**

Each agency head handling any state funds shall, at least once each year, upon request of the Auditor of Public Accounts, make a detailed statement, under oath, of the financial condition of his office as of the date of such call, to the Auditor of 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, 2016, 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**

3. No provision of this act shall result in the expiration of any provision of: (i) Chapter 896 of the Acts of Assembly of 2007

1 pursuant to the 22nd enactment of that chapter or (ii) Chapter 766 of the Acts of Assembly of 2013 pursuant to the 14th  
2 enactment of that chapter.

3 4. That (i) for taxable years including those implicated by § 3-5.10 of this Act but notwithstanding any other provision  
4 of that section and in addition to the exemptions provided pursuant to §§ 58.1-402(B)(8)(a)(1) and (2) of the Code of  
5 Virginia, any applicable addition that might otherwise be required pursuant to § 58.1-402(B)(8)(a) of the Code shall not be  
6 required if (a) during each of the five taxable years commencing after July 1, 2004, and also during the then current  
7 taxable year, the related member or members conducted substantial business operations relating to protecting the assets of  
8 the related member or members, pursuant to which, in each such taxable year, the related member or members paid  
9 payroll and consulting expenses in excess of \$600,000 and employed at least three full-time equivalent employees whose  
10 sole responsibility was to maintain, manage, defend or otherwise be responsible for operations or administration relating  
11 to protecting the assets of the related member, (b) during each of the five taxable years commencing after July 1, 2004, and  
12 also during the then current taxable year, the corporation and its wholly owned subsidiaries collectively employed more  
13 than 25,000 employees, and (c) the corporation is a fully integrated agriculture production manufacturer such that it or its  
14 wholly owned subsidiary produces a product that is related to the core business of such corporation, processes such  
15 product, and sells the product both at wholesale and retail; (ii) nothing in this enactment , or in § 3-5.10, shall be construed  
16 to open the statute of limitations of an otherwise closed taxable year; and (iii) each of the provisions of this enactment is  
17 integral to its purpose and, therefore, shall not be deemed severable from the remainder of the enactment.

18 5. That the provisions of the first and second enactment of this act shall expire at midnight on June 30, 2016. The  
19 provisions of the third and fourth enactments of this act shall have no expiration date.

## INDEX

PART 1: OPERATING EXPENSES .....	4
PART 2: CAPITAL PROJECT EXPENSES .....	194
PART 3: MISCELLANEOUS .....	207
PART 4: GENERAL PROVISIONS .....	226

---

### Index, PART 1: OPERATING EXPENSES

---

Agency Name	Agency Code	Page
Accounts Transfer Payments, Department of (DOATP) .....	(162) .....	72
Accounts, Department of (DOA) .....	(151) .....	72
Administration of Health Insurance (AHI) .....	(149) .....	21
Agriculture and Consumer Services, Department of (VDACS) .....	(301) .....	24
Alcoholic Beverage Control, Department of (ABC) .....	(999) .....	141
Behavioral Health and Developmental Services, Department of (DBHDS) .....	(720) .....	117
Blind and Vision Impaired, Department for the (DBVI) .....	(702) .....	135
Board of Accountancy (BOA) .....	(226) .....	26
Board of Bar Examiners (BBE) .....	(233) .....	9
Central Appropriations (CA) .....	(995) .....	174
Combined District Courts (CDC) .....	(116) .....	8
Compensation Board (CB) .....	(157) .....	12
Comprehensive Services for At-Risk Youth and Families (CSA) .....	(200) .....	81
Corrections, Department of (DOC) .....	(799) .....	141
Criminal Justice Services, Department of (DCJS) .....	(140) .....	148
Direct Aid to Public Education (DOE/ DAPE) .....	(197) .....	28
Education, Central Office Operations, Department of (DOE/ COO) .....	(201) .....	28
Fire Programs, Department of (DFP) .....	(960) .....	152
Forensic Science, Department of (DFS) .....	(778) .....	153
General District Courts (GDC) .....	(114) .....	6
General Services, Department of (DGS) .....	(194) .....	17
Grants to Localities (DBDHS/GL) .....	(790) .....	118
Health, Department of (VDH) .....	(601) .....	85
Historic Resources, Department of (DHR) .....	(423) .....	137
Human Resource Management, Department of (DHRM) .....	(129) .....	18
Juvenile and Domestic Relations District Courts (JDRC) .....	(115) .....	7
Juvenile Justice, Department of (DJJ) .....	(777) .....	153
Marine Resources Commission (MRC) .....	(402) .....	139
Medical Assistance Services, Department of (DMAS) .....	(602) .....	88
Mental Health Treatment Centers (MHTC) .....	(792) .....	121
Secretary of Health and Human Resources (SHHR) .....	(188) .....	81
Secretary of Veterans and Defense Affairs (SVDA) .....	(454) .....	170
Social Services, Department of (DSS) .....	(765) .....	122
State Corporation Commission (SCC) .....	(171) .....	189
Supreme Court (SUPCT) .....	(111) .....	6

Transportation, Department of ( <b>VDOT</b> ).....	(501).....	158
Treasury Board ( <b>TB</b> ).....	(155).....	74
Veterans Services, Department of ( <b>DVS</b> ).....	(912).....	171
Virginia College Savings Plan ( <b>VCSP</b> ).....	(174).....	189
Virginia Commission for the Arts ( <b>VCA</b> ).....	(148).....	70
Virginia Cooperative Extension and Agricultural Experiment Station ( <b>VPISU /CE</b> ).....	(229).....	68
Virginia Information Technologies Agency ( <b>VITA</b> ).....	(136).....	156
Virginia Polytechnic Institute and State University ( <b>VPISU/ID</b> ).....	(208).....	68
Virginia Retirement System ( <b>VRS</b> ).....	(158).....	190

---

## Index, PART 2: CAPITAL PROJECT EXPENSES

---

Agency Name	Agency Code	Page
Central Capital Outlay ( <b>CCO</b> ).....	(949).....	202
Military Affairs, Department of ( <b>DMA</b> ).....	(123).....	201
Virginia Port Authority ( <b>VPA</b> ).....	(407).....	201

---

## Index, PART 3: MISCELLANEOUS

---

	Page
Accelerated Sales Tax.....	223
Adjustments and Modifications to Fees.....	224
Adjustments and Modifications to Tax Collections.....	222
Admissions Tax.....	224
Advances to Working Capital Funds.....	215
Annual Vehicle Registration Fee (\$4.25 for Life).....	224
Auxiliary Enterprise Investment Yields.....	221
Auxiliary Enterprises and Sponsored Programs in Institutions of Higher Education.....	221
Charges Against Working Capital Funds.....	215
Deposit of Fines and Fees.....	225
Discounts and Allowances.....	223
Disposition of Excess Fees Collected by Clerks of the Circuit Courts.....	222
Drivers License Reinstatement Fee.....	225
General Fund Deposits.....	217
Implementation of Chapter 3, Acts of Assembly of 2004, Special Session I.....	222
Intangible Holding Company Addback.....	224
Interagency Transfers.....	215
Interest Earnings.....	217
Interfund Transfers.....	207
Lines of Credit.....	216
Neighborhood Assistance Act Tax Credit.....	222
Payment by the State Treasurer.....	217
Payment by the Virginia Public School Authority.....	217

Qualified Equity and Subordinated Debt Investment Tax Credit.....	225
Recordation Tax Fee.....	224
Regional Fuels Tax.....	224
Retail Sales & Use Tax Exemption for Internet Service Providers.....	222
Retaliatory Costs to other States Tax Credit.....	222
Sales Tax Commitment to Highway Maintenance and Operating Fund.....	223
Short-term Advance to the General Fund from Nongeneral Funds.....	215
Working Capital Funds and Lines of Credit.....	215

---

## **Index, PART 4: GENERAL PROVISIONS**

---

	<b>Page</b>
Allotments.....	232
Appropriation Increases.....	230
Appropriation Transfers.....	228
Appropriations.....	226
Assessment of Institutional Performance.....	271
Capital Leases.....	239
Capital Projects.....	240
Charges.....	266
Conflict with other Laws.....	276
Deficit Authorization and Treasury Loans.....	237
Deficits.....	237
Delegation of Authority.....	254
Disposition of Surplus Real Property.....	255
Effective Date.....	276
Employee Benefits.....	265
Employee Compensation.....	256
Employee Training and Study.....	265
General.....	240
General Fund Revenue.....	234
Goods and Services.....	250
Governor.....	269
Higher Education Restructuring.....	271
Implement JLARC Recommendations.....	275
Indirect Costs.....	237
Lease, License or Use Agreements.....	254
Level II Authority.....	275
Level III Authority.....	275
Limited Adjustments of Appropriations.....	232
Manpower Control Program.....	267
Nongeneral Fund Revenues.....	232
Nonstate Agencies, Interstate Compacts and Organizational Memberships.....	253
Operating Policies.....	226
Operating Policies.....	226



Planning and Budgeting.....	246
Positions and Employment.....	256
Positions Governed by Chapters 933 and 943 of the 2006 Acts of Assembly.....	267
Prerequisites for Payment.....	226
Reporting Requirements.....	269
Revenues.....	232
Reversion of Appropriations and Reappropriations.....	231
Selection of Applicants for Classified Positions.....	267
Semiconductor Manufacturing Performance Grant Programs.....	255
Services and Clients.....	249
Severability.....	276
Special Conditions and Restrictions on Expenditures.....	246
State Agencies.....	271
Statement of Financial Condition.....	276
Statewide Plans.....	267
Surplus Property Transfers for Economic Development.....	256
Third Party Transactions.....	248
Transactions with Individuals.....	246
Treasury Loans.....	238
Withholding of Spending Authority.....	226